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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 927

[Doc. No. AMS–SC–18–0078; SC19–927–1 FR]

Pears Grown in Oregon and Washington; Change in Committee Structure for Processed Pears

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule implements a recommendation from the Processed Pear Committee (Committee) to change the Committee's membership structure. This action removes the second alternate member position from the Committee structure, leaving ten member positions and one alternate position for each respective member.

DATES: Effective July 1, 2019.

FOR FURTHER INFORMATION CONTACT: Dale Novotny, Marketing Specialist, or Gary Olson, Regional Director, Northwest Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (503) 326–2724, Fax: (503) 326–7440, or Email: *DaleJ.Novotny@usda.gov* or *GaryD.Olson@usda.gov*.

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

SUPPLEMENTARY INFORMATION: This action, pursuant to 5 U.S.C. 553, amends regulations issued to carry out a marketing order as defined in 7 CFR 900.2(j). This rule is issued under Marketing Order No. 927, as amended (7 CFR part 927), regulating the handling of pears grown in Oregon and Washington. Part 927, (hereinafter referred to as ''the Order'') is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.'' The Committee locally administers the Order and is comprised of growers, handlers, and processors operating within the area of production, and a public member.

The Department of Agriculture (USDA) is issuing this final rule in conformance with Executive Orders 13563 and 13175. This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review. Additionally, because this rule does not meet the definition of a significant regulatory action, it does not trigger the requirements contained in Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect.

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

The Processed Pear Committee consists of ten members; three grower members, three handler members, three processor members, and one member representing the public. In addition, for each member there are two alternate members designated as the ''first alternate'' and the ''second alternate.'' This final rule changes the membership structure of the Processed Pear Committee by removing the second alternate position for all members. The Committee unanimously recommended this change at a meeting held on May 30, 2018.

The membership structure of the Processed Pear Committee is established in § 927.20(b) of the Order. In addition, § 927.20(c) provides that the Secretary, upon recommendation of the Committee, may reapportion members among districts, may change the number of members and alternate members, and may change the composition of the Committee by changing the ratio of members, including their alternates. The Committee structure was previously reapportioned in 2013.

At its May 30, 2018, meeting, the Committee unanimously recommended changing the Committee structure by removing the second alternate position. In recent years, the Committee has experienced difficulties in finding enough eligible nominees to fill the second alternate positions. It is the Committee's belief that continuing to fill the second alternate positions carries limited benefit to its operation and has become a burdensome task. Further, the second alternate position has rarely been called upon to serve on the Committee. As such, this rule amends § 927.150 of the Order's administrative rules and regulations by removing the second alternate position. The ten member positions will remain with one alternate member position assigned to each. This change should result in more efficiency in filling the Committee's membership positions, while still maintaining adequate representation of the processed pear industry.

Final Regulatory Flexibility Analysis

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

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the

Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 1,500 growers of processed pears in the regulated production area and approximately 43 handlers of processed pears subject to regulation under the Order. Small agricultural producers are defined by the Small Business Administration (SBA) as those having annual receipts of less than $750,000, and small agricultural service firms are defined as those whose annual receipts are less than $7,500,000 (13 CFR 121.201).

According to data compiled by the National Agricultural Statistics Service (NASS) for 2017, the state of Oregon produced 32,300 tons of pears for processing at a market year average price of $388 per ton for an estimated total value of $12,532,400. The state of Washington produced 85,900 tons at a market year average price of $344 per ton for an estimated total value of $29,549,600. Therefore, the total value of production of processed pears assessed under the Order for the last year was $42,082,000 ($12,532,400 plus $29,549,600). Based on the number of processed pear growers in Oregon and Washington (1,500), and assuming a normal distribution, the average gross revenue for each producer can be estimated at approximately $28,055 ($42,082,000 divided by 1,500 growers). Furthermore, based on Committee records, it is reported that all Oregon and Washington processed pear handlers currently ship less than $7,500,000 worth of processed pears annually. From this information, USDA concludes that the majority of growers and handlers of Oregon and Washington processed pears may be classified as small entities.

There are three pear processing plants in the production area, all currently located in Washington. According to Committee records, all three pear processors would be considered large entities under the SBA's definition of a small business.

This rule amends § 927.150 of the Order's administrative rules and regulations to change the Committee's membership structure by removing the second alternate position. Authority for the modification of the Committee structure is provided in § 927.20(c) of the Order.

The Committee believes that this change will not negatively impact growers, handlers, or processors. The benefits for this rule are not expected to be disproportionately greater or lesser for small growers, handlers, or processors than for larger entities. This change is expected to benefit the entire industry through more efficient selection of Committee members and alternates.

The Committee did not discuss other alternatives to this change at its May 30, 2018, meeting. The only other option was to leave the Order unchanged and maintain the status quo, which would have required the Committee to continue to fill the second alternate positions moving forward. By eliminating the second alternate position from the Committee structure, the industry will only have to nominate and put forward for selection two-thirds of the qualified candidates that are currently required.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0189, Fruit Crops. No changes in those requirements are necessary as a result of this action. Should any changes become necessary, they would be submitted to OMB for approval.

This rule does not impose any additional reporting or recordkeeping requirements on either small or large Oregon and Washington processed pear handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

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

A proposed rule concerning this action was published in the **Federal Register** on December 14, 2018 (83 FR 64294). Copies of the proposed rule were also mailed or sent via facsimile to all Oregon and Washington processed pear handlers. The proposal was made available through the internet by USDA and the Office of the Federal Register. A 30-day comment period ending January 14, 2019, was provided for interested persons to respond to the proposal. No comments were received during the comment period. Accordingly, no changes will be made to the rule as proposed.

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

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 927

Marketing agreements, Pears, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 927 is amended as follows:

PART 927—PEARS GROWN IN OREGON AND WASHINGTON

■ 1. The authority citation for 7 CFR part 927 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 927.150 is revised to read as follows:

§ 927.150 Reapportionment of the Processed Pear Committee.

Pursuant to § 927.20(c), on or after July 1, 2019, the 10-member Processed Pear Committee is reapportioned and shall consist of three grower members, three handler members, three processor members, and one member representing the public. For each member there shall be an alternate. District 1, the State of Washington, shall be represented by two grower members and two handler members. District 2, the State of Oregon, shall be represented by one grower member and one handler member. Processor members may be from District 1, District 2, or from both districts.

Dated: March 11, 2019.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2019–04782 Filed 3–13–19; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31241; Amdt. No. 3842]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

DATES: This rule is effective March 14, 2019. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 14, 2019.

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

For Examination

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

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

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

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Availability

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

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73125. Telephone: (405) 954–4164.

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

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

Availability and Summary of Material Incorporated by Reference

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

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

The Rule

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

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

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

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

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on February 22, 2019.

Rick Domingo,

Executive Director, Flight Standards Service.

Adoption of the Amendment

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

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

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

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

Effective Upon Publication

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
25–Apr–19	AL	Monroeville	Monroe County Aeroplex	8/3599	2/14/19	RNAV (GPS) RWY 3, Orig-D.
25–Apr–19	AL	Monroeville	Monroe County Aeroplex	8/3602	2/14/19	RNAV (GPS) RWY 21, Orig-B.
25–Apr–19	AL	Monroeville	Monroe County Aeroplex	8/3604	2/14/19	VOR RWY 21, Amdt 10B.
25–Apr–19	AL	Monroeville	Monroe County Aeroplex	8/3605	2/14/19	VOR RWY 3, Amdt 10B.
25–Apr–19	ME	Princeton	Princeton Muni	8/5115	2/14/19	RNAV (GPS) RWY 15, Amdt 1A.
25–Apr–19	MN	Grand Marais	Grand Marais/Cook County.	8/5166	2/20/19	RNAV (GPS) RWY 10, Amdt 1.
25–Apr–19	VA	Winchester	Winchester Rgnl	8/5607	2/14/19	ILS OR LOC RWY 32, Amdt 2.
25–Apr–19	VA	Winchester	Winchester Rgnl	8/5609	2/14/19	RNAV (GPS) RWY 14, Amdt 1.
25–Apr–19	VA	Winchester	Winchester Rgnl	8/5612	2/14/19	RNAV (GPS) RWY 32, Orig.
25–Apr–19	VA	Winchester	Winchester Rgnl	8/5614	2/14/19	VOR/DME–A, Amdt 5.
25–Apr–19	IL	Cahokia/St Louis	St Louis Downtown	8/7338	2/20/19	RNAV (GPS) RWY 12R, Orig-B.
25–Apr–19	IL	Cahokia/St Louis	St Louis Downtown	8/7341	2/20/19	ILS OR LOC RWY 30L, Amdt 9B.
25–Apr–19	PA	Wilkes-Barre	Wilkes-Barre Wyoming Valley.	8/7608	2/20/19	RNAV (GPS) RWY 25, Orig-B.
25–Apr–19	PA	Philadelphia	Philadelphia Intl	8/8359	2/14/19	RNAV (GPS) RWY 35, Amdt 4A.
25–Apr–19	PA	Philadelphia	Philadelphia Intl	8/8362	2/14/19	VOR/DME–A, Amdt 3.
25–Apr–19	PA	Philadelphia	Philadelphia Intl	8/8435	2/14/19	RNAV (GPS) RWY 26, Amdt 1C.
25–Apr–19	OH	Youngstown/Warren	Youngstown-Warren Rgnl.	9/1067	2/20/19	ILS OR LOC RWY 14, Amdt 8B.
25–Apr–19	OH	Youngstown/Warren	Youngstown-Warren Rgnl.	9/1068	2/20/19	ILS OR LOC RWY 32, Amdt 27B.
25–Apr–19	OH	Youngstown/Warren	Youngstown-Warren Rgnl.	9/1069	2/20/19	RNAV (GPS) RWY 14, Orig-A.
25–Apr–19	OH	Youngstown/Warren	Youngstown-Warren Rgnl.	9/1070	2/20/19	RNAV (GPS) RWY 32, Orig-C.
25–Apr–19	OH	Youngstown/Warren	Youngstown-Warren Rgnl.	9/1071	2/20/19	VOR–A, Orig-A.
25–Apr–19	OH	Youngstown/Warren	Youngstown-Warren Rgnl.	9/1072	2/20/19	NDB RWY 32, Amdt 20B.
25–Apr–19	GA	Valdosta	Valdosta Rgnl	9/1363	2/20/19	VOR RWY 17, Amdt 1.
25–Apr–19	GA	Valdosta	Valdosta Rgnl	9/1364	2/20/19	VOR RWY 35, Amdt 1.
25–Apr–19	ME	Eastport	Eastport Muni	9/1616	2/20/19	RNAV (GPS) RWY 15, Amdt 1A.
25–Apr–19	ME	Eastport	Eastport Muni	9/1617	2/20/19	RNAV (GPS) RWY 33, Amdt 1.
25–Apr–19	KY	Elizabethtown	Addington Field	9/1868	2/14/19	VOR–A, Amdt 3.
25–Apr–19	AL	Gadsden	Northeast Alabama Rgnl	9/1895	2/20/19	RNAV (GPS) RWY 6, Amdt 1B.
25–Apr–19	AL	Gadsden	Northeast Alabama Rgnl	9/1897	2/20/19	RNAV (GPS) RWY 18, Amdt 1A.
25–Apr–19	AL	Gadsden	Northeast Alabama Rgnl	9/1898	2/20/19	RNAV (GPS) RWY 24, Amdt 1B.
25–Apr–19	AL	Gadsden	Northeast Alabama Rgnl	9/1915	2/20/19	RNAV (GPS) RWY 36, Amdt 1A.
25–Apr–19	TX	La Porte	La Porte Muni	9/2647	2/20/19	RNAV (GPS) RWY 30, Amdt 2B.
25–Apr–19	NY	Saranac Lake	Adirondack Rgnl	9/2840	2/20/19	RNAV (GPS) RWY 23, Orig-D.
25–Apr–19	CA	Van Nuys	Van Nuys	9/4516	2/20/19	ILS Y RWY 16R, Amdt 6.
25–Apr–19	TN	Memphis	Memphis Intl	9/5795	2/20/19	ILS OR LOC RWY 18R, Amdt 14D.
25–Apr–19	KS	Marysville	Marysville Muni	9/7684	2/20/19	RNAV (GPS) RWY 34, Orig-B.
25–Apr–19	TX	San Antonio	Stinson Muni	9/9468	2/20/19	RNAV (GPS) RWY 32, Orig-B.

[FR Doc. 2019–04647 Filed 3–13–19; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31240; Amdt. No. 3841]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

DATES: This rule is effective March 14, 2019. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 14, 2019.

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

For Examination

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

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

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

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Availability

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

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73125. Telephone: (405) 954–4164.

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

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

Availability and Summary of Material Incorporated by Reference

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

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

The Rule

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

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

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

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866;(2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26,1979) ; and (3)does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial

number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC on February 22, 2019.

Rick Domingo,

Executive Director, Flight Standards Service.

Adoption of the Amendment

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

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

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

Effective 25 April 2019

Miami, FL, Miami Intl, ILS OR LOC RWY 9, Amdt 10C
Calhoun, GA, Tom B. David Fld, LOC–A, Orig-A, CANCELLED
Plymouth, IN, Plymouth Muni, RNAV (GPS) RWY 10, Orig-A
Plymouth, IN, Plymouth Muni, VOR RWY 10, Amdt 12A
Plymouth, IN, Plymouth Muni, VOR RWY 28, Amdt 11A
Hardinsburg, KY, Breckinridge County, RNAV (GPS) RWY 10, Orig
Hardinsburg, KY, Breckinridge County, RNAV (GPS) RWY 28, Orig
Hardinsburg, KY, Breckinridge County, Takeoff Minimums and Obstacle DP, Orig
Boston, MA, General Edward Lawrence Logan Intl, ILS OR LOC RWY 4R, ILS RWY 4R SA CAT I, ILS RWY 4R CAT II, ILS RWY 4R CAT III, Amdt 11
Boston, MA, General Edward Lawrence Logan Intl, ILS OR LOC RWY 15R, Amdt 2
Boston, MA, General Edward Lawrence Logan Intl, ILS OR LOC RWY 27, Amdt 3
Boston, MA, General Edward Lawrence Logan Intl, RNAV (GPS) RWY 4R, Amdt 3
Boston, MA, General Edward Lawrence Logan Intl, RNAV (GPS) RWY 15R, Amdt 2
Boston, MA, General Edward Lawrence Logan Intl, RNAV (GPS) RWY 27, Amdt 1
Grand Rapids, MN, Grand Rapids/Itasca Co-Gordon Newstrom Fld, RNAV (GPS) RWY 34, Orig-C
Engelhard, NC, Hyde County, RNAV (GPS) RWY 11, Orig
Engelhard, NC, Hyde County, Takeoff Minimums and Obstacle DP, Orig
Clovis, NM, Clovis Muni, RNAV (GPS) RWY 30, Orig-A
East Hampton, NY, East Hampton, VOR–A, Amdt 11B, CANCELLED
Ellenville, NY, Joseph Y Resnick, GPS RWY 4, Orig, CANCELLED
Ellenville, NY, Joseph Y Resnick, GPS RWY 22, Orig, CANCELLED
Ellenville, NY, Joseph Y Resnick, RNAV (GPS) RWY 4, Orig
Ellenville, NY, Joseph Y Resnick, RNAV (GPS) RWY 22, Orig
Hazelton, PA, Hazelton Rgnl, LOC RWY 28, Amdt 9
Hazelton, PA, Hazelton Rgnl, RNAV (GPS) RWY 10, Amdt 3
Hazelton, PA, Hazelton Rgnl, RNAV (GPS) RWY 28, Amdt 2
Honey Grove, PA, Stottle Memorial, COPTER RNAV (GPS) 086, Orig, CANCELLED

Rescinded: On February 20, 2019 (84 FR 4996), the FAA published an Amendment in Docket No. 31238, Amdt No. 3839, to Part 97 of the Federal Aviation Regulations under sections 97.29 and 97.37. The following entries for Key West, FL, and Pierre, SD, effective April 25, 2019, are hereby rescinded in their entirety:

Key West, FL, Key West Intl, Takeoff Minimums and Obstacle DP, Amdt 2
Pierre, SD, Pierre Rgnl, ILS OR LOC RWY 31, Amdt 12D

[FR Doc. 2019–04648 Filed 3–13–19; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2019–N–0360]

Medical Devices; Immunology and Microbiology Devices; Classification of the Device To Detect and Identify Microorganisms and Associated Resistance Marker Nucleic Acids Directly in Respiratory Specimens

AGENCY: Food and Drug Administration, HHS.

ACTION: Final order.

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

DATES: This order is effective March 14, 2019. The classification was applicable on April 3, 2018.

FOR FURTHER INFORMATION CONTACT: Dina Jerebitski, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4450, Silver Spring, MD 20993–0002, 301–796–4221, *Dina.Jerebitski@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the device to detect and identify microorganisms and associated resistance marker nucleic acids directly in respiratory specimens as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

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

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

Act and Part 807 (21 CFR part 807) respectively.

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

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

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

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

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

II. De Novo Classification

On September 11, 2017, Curetis GmbH submitted a request for De Novo classification of the Unyvero LRT Application. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

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

Therefore, on April 3, 2018, FDA issued an order to the requester classifying the device into class II. FDA is codifying the classification of the device by adding 21 CFR 866.3985. We have named the generic type of device ''device to detect and identify microorganisms and associated resistance marker nucleic acids directly in respiratory specimens,'' and it is identified as an in vitro diagnostic device intended for the detection and identification of microorganisms and associated resistance markers in respiratory specimens collected from patients with signs or symptoms of respiratory infection. The device is intended to aid in the diagnosis of respiratory infection in conjunction with clinical signs and symptoms and other laboratory findings. These devices do not provide confirmation of antibiotic susceptibility since mechanisms of resistance may exist other than those detected by the device.

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

TABLE 1—DEVICE TO DETECT AND IDENTIFY MICROORGANISMS AND ASSOCIATED RESISTANCE MARKER NUCLEIC ACIDS DIRECTLY IN RESPIRATORY SPECIMENS RISKS AND MITIGATION MEASURES

Identified risks	Mitigation measures
Incorrect identification or lack of identification of a pathogenic microorganism by the device can lead to improper patient management.	General Controls and Special Controls (1) (21 CFR 866.3985(b)(1)), (2) (21 CFR 866.3985(b)(2)), (3) (21 CFR 866.3985(b)(3)), and (4) (21 CFR 866.3985(b)(4)).
Failure to correctly interpret test results	General Controls and Special Controls (1) (21 CFR 866.3985(b)(1)), (2)(iii) (21 CFR 866.3985(b)(2)(iii)), (2)(iv) (21 CFR 866.3985(b)(2)(iv)), (2)(v) (21 CFR 866.3985(b)(2)(v)), (2)(vi) (21 CFR 866.3985(b)(2)(vi)), (2)(vii) (21 CFR 866.3985(b)(2)(vii)), (2)(viii) (21 CFR 866.3985(b)(2)(viii)), and (3) (21 CFR 866.3985(b)(3)).
Failure to correctly operate the instrument	General Controls and Special Controls (1) (21 CFR 866.3985(b)(1)), (2)(i) (21 CFR 866.3985(b)(2)(i)), (4)(ii) (21 CFR 866.3985(b)(4)(ii)), (4)(iii) (21 CFR 866.3985(b)(4)(iii)), and (4)(iv) (21 CFR 866.3985(b)(4)(iv)).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. In order for a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this order. This device is subject to premarket notification requirements under section 510(k).

III. Analysis of Environmental Impact

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

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget

(OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in the guidance document ''De Novo Classification Process (Evaluation of Automatic Class III Designation)'' have been approved under OMB control number 0910–0844; the collections of information in part 814, subparts A through E, regarding premarket approval, have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions, have been approved under OMB control number 0910–0120; the collections of information in part 820, regarding quality system regulation, have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809, regarding labeling, have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

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

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

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

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

■ 2. Add § 866.3985 to subpart D to read as follows:

§ 866.3985 Device to detect and identify microorganisms and associated resistance marker nucleic acids directly in respiratory specimens.

(a) *Identification.* A device to detect and identify microorganisms and associated resistance marker nucleic acids directly from respiratory specimens is an in vitro diagnostic device intended for the detection and identification of microorganisms and associated resistance markers in respiratory specimens collected from patients with signs or symptoms of respiratory infection. The device is intended to aid in the diagnosis of respiratory infection in conjunction with clinical signs and symptoms and other laboratory findings. These devices do not provide confirmation of antibiotic susceptibility since mechanisms of resistance may exist other than those detected by the device.

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

(1) The intended use for the 21 CFR 809.10 labeling must include a detailed description of what the device detects, the type of results provided to the user, the clinical indications appropriate for test use, and the specific population(s) for which the device is intended.

(2) The 21 CFR 809.10(b) labeling must include:

(i) A detailed device description, including all device components, control elements incorporated into the test procedure, instrument requirements, ancillary reagents required but not provided, and a detailed explanation of the methodology, including all pre-analytical methods for processing of specimens.

(ii) Performance characteristics from analytical studies, including, but not limited to, limit of detection, inclusivity, reproducibility, cross reactivity, interfering substances, competitive inhibition, carryover/cross contamination, specimen stability, and linearity, as applicable.

(iii) A limiting statement that the device is intended to be used in conjunction with clinical history, signs and symptoms, and results of other diagnostic tests, including culture and antimicrobial susceptibility testing.

(iv) A detailed explanation of the interpretation of test results for clinical specimens and acceptance criteria for any quality control testing.

(v) A limiting statement that negative results for microorganisms do not preclude the possibility of infection, and should not be used as the sole basis for diagnosis, treatment, or other patient management decisions.

(vi) If applicable, a limiting statement that detected microorganisms may not be the cause of lower respiratory tract infection and may be indicative of colonizing or normal respiratory flora.

(vii) If applicable, a limiting statement that detection of resistance markers cannot be definitively linked to specific microorganisms and that the source of a detected resistance marker may be an organism not detected by the assay, including colonizing flora.

(viii) If applicable, a limiting statement that detection of antibiotic resistance markers may not correlate with phenotypic gene expression.

(3) The 21 CFR 809.10(b) labeling and any test report generated by the device must include a limiting statement that negative results for resistance markers do not indicate susceptibility of detected microorganisms.

(4) Design verification and validation must include:

(i) Performance characteristics from clinical studies that include prospective (sequential) samples and, if appropriate, additional characterized samples. The study must be performed on a study population consistent with the intended use population and compare the device performance to results obtained from an FDA accepted reference method and/or FDA accepted comparator method, as appropriate. Results from the clinical studies must include the clinical study protocol (including predefined statistical analysis plan, if applicable), clinical study report, and results of all statistical analyses.

(ii) A detailed device description including the following:

(A) Thorough description of the assay methodology including, but not limited to, primer/probe sequences, primer/probe design, and rationale for target sequence selection, as applicable.

(B) Algorithm used to generate a final result from raw data (*e.g.,* how raw signals are converted into a reported result).

(iii) A detailed description of device software, including, but not limited to, validation activities and outcomes.

(iv) As part of the risk management activities, an appropriate end user device training program must be offered as an effort to mitigate the risk of failure from user error.

Dated: March 8, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04719 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 882

[Docket No. FDA–2019–N–0396]

Medical Devices; Neurological Devices; Classification of the Transcranial Magnetic Stimulation System for Neurological and Psychiatric Disorders and Conditions

AGENCY: Food and Drug Administration, HHS.

ACTION: Final order.

SUMMARY: The Food and Drug Administration (FDA or we) is classifying the transcranial magnetic stimulation system for neurological and psychiatric disorders and conditions into class II (special controls). The

special controls that apply to the device type are identified in this order and will be part of the codified language for the transcranial magnetic stimulation system for neurological and psychiatric disorders and conditions' classification. We are taking this action because we have determined that classifying the device into class II (special controls) will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective March 14, 2019. The classification was applicable on August 16, 2018.

FOR FURTHER INFORMATION CONTACT: John Doucet, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1535, Silver Spring, MD 20993–0002, 301–796–6474, *John.Doucet@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

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

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

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

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

II. De Novo Classification

On September 29, 2017, Brainsway Ltd. submitted a request for De Novo classification of the Brainsway Deep Transcranial Magnetic Stimulation System. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

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

Therefore, on August 16, 2018, FDA issued an order to the requester classifying the device into class II. FDA is codifying the classification of the device by adding 21 CFR 882.5802. We have named the generic type of device transcranial magnetic stimulation system for neurological and psychiatric disorders and conditions, and it is identified as a prescription, non-implantable device that uses brief duration, rapidly alternating, or pulsed, magnetic fields to induce neural activity in the cerebral cortex. It is not intended for applying or focusing magnetic fields towards brain areas outside cerebral cortex (*e.g.,* cerebellum). A repetitive transcranial magnetic stimulation system that is intended to treat major depressive disorder is classified in § 882.5805. A transcranial magnetic stimulation system for headache is classified in § 882.5808.

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

TABLE 1—TRANSCRANIAL MAGNETIC STIMULATION SYSTEM FOR NEUROLOGICAL AND PSYCHIATRIC DISORDERS AND CONDITIONS RISKS AND MITIGATION MEASURES

Identified risks	Mitigation measures
Seizure	Non-clinical performance testing, and Labeling.
Thermal injury	Non-clinical performance testing; Thermal safety testing; Electrical safety testing; Software verification, validation, and hazard analysis; and Labeling.
Hearing loss	Non-clinical performance testing, and Labeling.
Scalp discomfort, dizziness, nausea, pain in neck or jaw, headache, or other adverse effects due to treatment.	Labeling.
Adverse tissue reaction	Biocompatibility evaluation, and Labeling.
Electrical shock	Electrical safety testing, and Labeling.
Device failure due to interference with other devices	Electromagnetic compatibility testing, Electrical safety testing, and Labeling.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. In order for a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

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

III. Analysis of Environmental Impact

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

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in the guidance document ''De Novo Classification Process (Evaluation of Automatic Class III Designation)'' have been approved under OMB control number 0910–0844; the collections of information in part 820, regarding quality system regulation, have been approved under OMB control number 0910–0073; the collections of information in part 814, subparts A through E, regarding premarket approval, have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions, have been approved under OMB control number 0910–0120; and the collections of information in part 801, regarding labeling, have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 882

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 882 is amended as follows:

PART 882—NEUROLOGICAL DEVICES

■ 1. The authority citation for part 882 continues to read as follows:

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

■ 2. Add § 882.5802 to subpart F to read as follows:

§ 882.5802 Transcranial magnetic stimulation system for neurological and psychiatric disorders and conditions.

(a) *Identification.* A transcranial magnetic stimulation system for neurological and psychiatric disorders and conditions is a prescription, non-implantable device that uses brief duration, rapidly alternating, or pulsed, magnetic fields to induce neural activity in the cerebral cortex. It is not intended for applying or focusing magnetic fields towards brain areas outside cerebral cortex (*e.g.,* cerebellum). A repetitive transcranial magnetic stimulation system that is intended to treat major depressive disorder is classified in § 882.5805. A transcranial magnetic stimulation system for headache is classified in § 882.5808.

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

(1) Performance testing must demonstrate electromagnetic compatibility, electrical safety, and thermal safety.

(2) Software verification, validation, and hazard analysis must be performed.

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

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

(i) Magnetic pulse output testing;

(ii) Magnetic and electrical field testing;

(iii) Testing of the safety features built into the device; and

(iv) Testing of the sound levels patients are exposed to during device use.

(5) The physician and patient labeling must include the following:

(i) The risks and benefits associated with use of the device;

(ii) Detailed instructions to prevent seizures, to monitor the patient for seizure activity during treatment, and to provide seizure management care if one were to occur during treatment; and

(iii) A description of the ear protection to be worn by the patient during use of the device, including the type of protection and its noise reduction rating.

Dated: March 8, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04709 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1, 5, 5c, 5f, 7, 11, 13, 16, 19, 20, 25, 31, 48, 49, 54, 55, 148, 301, 404, 601, and 602

[TD 9849]

RIN 1545–BO17

Eliminating Unnecessary Tax Regulations

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations that remove from the Code of Federal Regulations 296 regulations that are no longer necessary because they do not have any current or future applicability under the Internal Revenue Code and amend 79 regulations to reflect the removal of the 296 regulations. The removal and amendment of these regulations may affect various categories of taxpayers by simplifying the Code of Federal Regulations.

DATES: These regulations are effective on March 14, 2019.

FOR FURTHER INFORMATION CONTACT: Emily Lesniak of the Office of the Associate Chief Counsel (Procedure and Administration), (202) 317–3400 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

This document contains final regulations removing from the Code of Federal Regulations (CFR) 296 regulations that are no longer necessary because they do not have any current or future applicability under the Internal Revenue Code and amending 79 regulations to reflect the removal of the 296 regulations.

On February 24, 2017, the President issued Executive Order 13777, Enforcing the Regulatory Reform Agenda (82 FR 12285). Executive Order 13777 directed each agency to establish a Regulatory Reform Task Force. Each Regulatory Reform Task Force was directed to review existing regulations for regulations that: (i) Eliminate jobs, or inhibit job creation; (ii) are outdated, unnecessary, or ineffective; (iii) impose costs that exceed benefits; (iv) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies; (v) are inconsistent with the requirements of the Information Quality Act (section 515 of the Treasury and General Government Appropriations Act of 2001) or OMB Information Quality Guidance issued pursuant to that provision; or (vi) derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.

On April 21, 2017, the President issued Executive Order 13789, Presidential Executive Order on Identifying and Reducing Tax Regulatory Burdens (82 FR 19317). This executive order stated a policy that the ''Federal tax system should be simple, fair, efficient, and pro-growth'' and that ''[t]he purposes of tax regulations should be to bring clarity to the already complex Internal Revenue Code . . . and to provide useful guidance to taxpayers.'' Executive Order 13789 also directed that immediate action be taken to ''reduce the burden existing tax regulations impose on American taxpayers and thereby to provide tax relief and useful, simplified tax guidance.'' To further this goal, the executive order directed the Secretary of the Treasury to review all significant tax regulations issued on or after January 1, 2016.

As required by Executive Order 13789, on June 22, 2017, the Treasury Department issued an interim report (June report) identifying eight regulations to be revised or withdrawn. On October 2, 2017, the Treasury Department issued a second report (October report) recommending specific actions with respect to the regulations identified in the June report. In addition, in the October report the Treasury Department explained that ''in furtherance of the policies stated in Executive Order 13789, Executive Order 13771, and Executive Order 13777, Treasury and the IRS have initiated a comprehensive review, coordinated by the Treasury Regulatory Reform Task Force, of all tax regulations, regardless of when they were issued. . . . This review will identify tax regulations that are unnecessary, create undue complexity, impose excessive burdens, or fail to provide clarity and useful guidance. . . .'' In the October report, the Treasury Department noted that the IRS Office of Chief Counsel had already identified over 200 regulations for potential revocation. These regulations are in the CFR ''but are, to varying degrees, unnecessary, duplicative, or obsolete, and force taxpayers to navigate unnecessarily complex or confusing rules.''

Pursuant to the policies stated in Executive Orders 13777 and 13789, on February 15, 2018, the Treasury Department and the IRS published in the **Federal Register** (83 FR 6806) a notice of proposed rulemaking proposing to remove from the CFR 298 regulations as having no current or future applicability and, therefore, no longer providing useful guidance, and to amend 79 regulations to reflect the proposed removal of the 298 regulations (the notice of proposed rulemaking). The Treasury Department and the IRS received comments on the notice of proposed rulemaking, but no public hearing was requested or held. After consideration of the comments, the Treasury Department and the IRS are in this Treasury decision finalizing the rules proposed in the notice of proposed rulemaking, with the revisions described below.

Summary of Comments and Explanation of Revisions

Five comments were submitted under the regulation number for the notice of proposed rulemaking. Of the five comments submitted, four are responsive to the notice of proposed rulemaking and are addressed below. All of the comments are available for public inspection at *http://www.regulations.gov* or upon request.

One comment agreed with the principles expressed in Executive Orders 13777 and 13789 and stated that the progress in response to the executive orders is greatly welcomed. The comment also asserted that the Background section of the notice of proposed rulemaking stated that the regulations in the notice result from examination of a small sample of all regulations composed only of those ''significant'' regulations issued on or after January 1, 2016. The Treasury Department and the IRS, however, note that while the Background section to the notice of proposed rulemaking references significant tax regulations issued on or after January 1, 2016, when describing Executive Order 13789, nothing in the Background section or elsewhere in the notice of proposed rulemaking states that the 298 regulations proposed to be removed or the 79 regulations proposed to be amended are comprised only of such regulations. In the October report (as quoted in the Background section of the notice of proposed rulemaking), the Treasury Department described review ''of all tax regulations, regardless of when they were issued. . . .''

The remaining responsive comments recommend the removal of various Treasury Regulations, including Treasury Regulation § 1.809–3. Treasury Regulation § 1.809–3 was proposed to be removed by the notice of proposed rulemaking, and these final regulations remove it from the CFR. However,

because none of the other regulations discussed in the comments were proposed to be removed by the notice of proposed rulemaking, these comments are beyond the scope of these final regulations to the extent they discuss regulations other than Treasury Regulation § 1.809–3. The Treasury Department and the IRS continue to consider which, if any, additional regulations ought to be removed or amended pursuant to the executive orders.

These final regulations do not remove Treasury Regulations §§ 1.921–1T and 1.921–2, which were proposed to be removed from the CFR in the notice of proposed rulemaking. The Treasury Department and the IRS have determined that these regulations should not be removed from the CFR because the regulations are cross-referenced in other regulations with continuing effect, and the cross references are important to the content of the other regulations.

Special Analyses

These regulations are not subject to review under section 6(b) of Executive Order 12866 pursuant to the Memorandum of Agreement (April 11, 2018) between the Treasury Department and the Office of Management and Budget regarding review of tax regulations. Because the final regulations would not impose a collection of information on small entities, an analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required.

Pursuant to section 7805(f) of the Internal Revenue Code, the notice of proposed rulemaking that preceded these final regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small businesses. No comments were received on the proposed regulations.

Drafting Information

The principal author of these regulations is Mark A. Bond of the Office of the Associate Chief Counsel (Procedure and Administration).

List of Subjects

26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 5

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 5c

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 5f

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 7

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 11

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 13

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 16

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 19

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 20

Estate taxes, Reporting and recordkeeping requirements.

26 CFR Part 25

Gift taxes, Reporting and recordkeeping requirements.

26 CFR Part 31

Employment taxes, Income taxes, Penalties, Pensions, Railroad retirement, Reporting and recordkeeping requirements, Social security, Unemployment compensation.

26 CFR Part 48

Excise taxes, Reporting and recordkeeping requirements.

26 CFR Part 49

Excise taxes, Reporting and recordkeeping requirements, Telephone, Transportation.

26 CFR Part 54

Excise taxes, Pensions, Reporting and recordkeeping requirements.

26 CFR Part 55

Excise taxes, Investments, Reporting and recordkeeping requirements.

26 CFR Part 148

Excise taxes, Reporting and recordkeeping requirements.

26 CFR Part 301

Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

26 CFR Part 404

Reporting and recordkeeping requirements, Taxes.

26 CFR Part 601

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

26 CFR Part 602

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR parts 1, 5, 5c, 5f, 7, 11, 13, 16, 19, 20, 25, 31, 48, 49, 54, 55, 148, 301, 404, 601, and 602 are amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 is amended by:

■ 1. Removing the entries for §§ 1.23–1—1.23–6, 1.42–2, 1.56–1, 1.58–9, 1.61–2T, and 1.132–0 through 1.132–8T;

■ 2. Adding an entry in numerical order for §§ 1.132–0 through 1.132–8; and

■ 3. Removing the entries for §§ 1.168(f)(8)–1T, 1.179A–1, 1.401–12, 1.475(b)–4, 1.809–10, ''1.924(c)–1, 1.924(d)–1, and 1.924(e)–1'', 1.925(a)–1, 1.925(a)–1T, 1.925(b)–1T, 1.927(d)–1, 1.927(e)–1, 1.927(e)–2T, 1.927(f)–1, ''1.6035–1 through 1.6035–3'', and 1.6050H–1T.

The authority citation reads in part as follows:

Authority: 26 U.S.C. 7805 * * *

Sections 1.132–0 through 1.132–8 also issued under 26 U.S.C. 132.

* * * * *

§§ 1.23–1 through 1.23–6 [Removed]

■ **Par. 2.** Sections 1.23–1 through 1.23–6 are removed.

§ 1.42–2 [Removed and Reserved]

■ **Par. 3.** Section 1.42–2 is removed and reserved.

§ 1.46–11 [Removed]

■ **Par. 4.** Section 1.46–11 is removed.

§ 1.56–1 [Removed]

■ **Par. 5.** Section 1.56–1 is removed.

§ 1.56(g)–1 [Amended]

■ **Par. 6.** In § 1.56(g)–1, paragraph (d)(2)(ii)(A) is removed and reserved.

§§ 1.56A–1 through 1.56A–5 [Removed]

■ **Par. 7.** Sections 1.56A–1 through 1.56A–5 are removed.

§ 1.58–1 [Removed and Reserved]

■ **Par. 8.** Section 1.58–1 is removed and reserved.

§ 1.58–9 [Removed]

■ **Par. 9. Section.** Section 1.58–9 is removed.

§ 1.61–2T [Removed]

■ **Par. 10.** Section 1.61–2T is removed.

§ 1.61–21 [Amended]

■ **Par. 11.** Section 1.61–21 is amended by removing the last sentence in paragraph (a)(6).

§ 1.72–15 [Amended]

■ **Par. 12.** Section 1.72–15 is amended by removing the last sentence in paragraph (g).

§ 1.72–17A [Amended]

■ **Par. 13.** Section 1.72–17A is amended by removing the last sentence in paragraph (e)(2)(v).

§ 1.72–18 [Amended]

■ **Par. 14.** Section 1.72–18 is amended by removing the last sentence in paragraph (b)(1)(iii).

§ 1.78–1 [Amended]

■ **Par. 15.** Section 1.78–1 is amended by:
■ 1. In paragraph (a), removing the fifth sentence.
■ 2. In paragraph (f), removing ''§ 1.902–1, § 1.904–5, § 1.960–3, § 1.960–4, and § 1.963–4'' and adding in its place ''§§ 1.902–1, 1.904–5, 1.960–3, and 1.960–4''.

§ 1.101–5 [Removed and Reserved]

■ **Par. 16.** Section 1.101–5 is removed and reserved.

§ 1.101–6(a) [Amended]

■ **Par. 17.** Section 1.101–6(a) is amended by removing the language ''1.101–4, and 1.101–5'' from the first sentence and adding in its place ''and 1.101–4''.

§§ 1.103–2 through 1.103–6 [Removed and Reserved]

■ **Par. 18.** Sections 1.103–2 through 1.103–6 are removed and reserved.

§§ 1.103(n)–1T through 1.103(n)–7T [Removed]

■ **Par. 19.** Sections 1.103(n)–1T through 1.103(n)–7T are removed.

§ 1.132–1 [Amended]

■ **Par. 20.** Section 1.132–1 is amended by removing the last sentence of paragraph (g).

§§ 1.132–1T, 1.132–2T, 1.132–3T, 1.132–4T, 1.132–5T, 1.132–6T, 1.132–7T, and 1.132–8T [Removed]

■ **Par. 21.** Sections 1.132–1T, 1.132–2T, 1.132–3T, 1.132–4T, 1.132–5T, 1.132–6T, 1.132–7T, and 1.132–8T are removed.

§§ 1.148–1A through 1.148–6A, 1.148–9A, and 1.148–10A [Removed and Reserved]

■ **Par. 22.** Sections 1.148–1A through 1.148–6A, 1.148–9A, and 1.148–10A are removed and reserved.

§ 1.149(d)–1A [Removed]

■ **Par. 23.** Section 1.149(d)–1A is removed.

§ 1.150–1A [Removed]

■ **Par. 24.** Section 1.150–1A is removed.

§ 1.16225T [Amended]

■ **Par. 25.** Section 1.162–25T(c) is amended by:
■ 1. Designating *Examples 1* and *2* as paragraphs (c)(1) and (2), respectively.
■ 2. Removing the language ''1.61–2T'' and adding ''1.61–21(d)'' in its place in the fourth sentence in newly designated paragraph (c)(1).
■ 3. Removing the language ''example (1)'' and adding in its place ''*Example 1* of paragraph (c)(1) of this section'' in the first sentence of newly designated paragraph (c)(2).

§ 1.165–13T [Removed]

■ **Par. 26.** Section 1.165–13T is removed.

§ 1.166–4 [Amended]

■ **Par. 27.** Section 1.166–4 is amended by:
■ 1. Removing paragraphs (d)(2) and (3).
■ 2. Redesignating paragraph (d)(1) as paragraph (d).

§ 1.168(f)(8)–1T [Removed]

■ **Par. 28.** Section 1.168(f)(8)–1T is removed.

§ 1.177–1 [Removed]

■ **Par. 29.** Section 1.177–1 is removed.

§§ 1.178–2 and 1.178–3 [Removed]

■ **Par. 30.** Sections 1.178–2 and 1.178–3 are removed.

§ 1.179A–1 [Removed and Reserved]

■ **Par. 31.** Section 1.179A–1 is removed and reserved.

§§ 1.244–1 and 1.244–2 [Removed]

■ **Par. 32.** Sections 1.244–1 and 1.244–2 are removed.

§ 1.274–6T [Amended]

■ **Par. 33.** Section 1.274–6T is amended by:
■ 1. Removing the reference ''§ 1.61–2T(f) (5) and (6)'' and adding in its place ''§ 1.61–21(f)(5) and (6)'' in paragraphs (a)(3)(i)(E) and (a)(3)(ii)(E).
■ 2. Removing the reference ''§ 1.61–2T(f)(3)'' and adding in its place ''§ 1.61–21(f)(3)'' in paragraphs (a)(3)(i)(F), (a)(3)(ii) introductory text, and (a)(3)(ii)(F).
■ 3. Removing the reference ''§ 1.61–2T(d)(1)(ii)'' and adding in its place ''§ 1.61–21(d)(1)(ii)'' in paragraphs (a)(3)(i)(E), (a)(3)(ii)(E), and (e)(3).
■ 4. Removing the reference ''§ 1.61–2T(e)(2)'' and adding in its place ''§ 1.61–21(e)(2)'' in paragraph (e)(4).
■ 5. Removing the reference ''§ 1.132–5T(g)'' and adding in its place ''§ 1.132–5(g)'' in the last sentence in paragraph (b)(1).
■ 6. Removing the reference ''§ 1.132–5T(g)(3)'' and adding in its place ''§ 1.132–5(g)(3)'' in the last sentence in paragraph (b)(3).

§§ 1.341–1 through 1.341–7 [Removed]

■ **Par. 34.** The undesignated center heading ''Collapsible Corporations; Foreign Personal Holding Companies'' and §§ 1.341–1 through 1.341–7 are removed.

§ 1.381(c)(11)–1 [Amended]

■ **Par. 35.** Section 1.381(c)(11)–1 is amended by:
■ 1. Removing ''and § 1.404(a)–9'' in the second sentence in paragraph (b)(1).
■ 2. Removing ''and § 1.401–5'' in the last sentence in paragraph (b)(2).
■ 3. Removing ''§ 1.404(a)–7, paragraph (e) of § 1.404(a)–9, and'' in the parenthetical of the second sentence of paragraph (d)(2).
■ 4. Removing ''computed in accordance with the rules in paragraph (e)(2) of § 1.404(a)–9 for computing limitations when a profit-sharing plan has terminated'' in the third sentence of paragraph (d)(4).
■ 5. Removing ''and § 1.404(a)–9'' in the second sentence in paragraph (i).

■ **Par. 36.** Section 1.401–1 is amended by:
■ 1. Removing ''(see paragraph (e) of § 1.401–11)'' in paragraph (a)(3)(iii).
■ 2. Removing ''and, in addition, see § 1.401–12 for special rules as to plans covering owner-employees'' in the parenthetical in paragraph (a)(3)(v).
■ 3. Removing ''§ 1.401–4'' and adding ''§§ 1.401(a)(4)–0 through 1.401(a)(4)–13'' in its place in paragraph (a)(3)(vi).
■ 4. Revising the last sentence in paragraph (a)(4).
■ 5. Removing ''1.401–4'' and adding ''1.401(a)(4)–0 through 1.401(a)(4)–13'' in its place in the fifth sentence of paragraph (b)(1)(ii).
■ 6. Removing '', 1.404(a)–2A,'' from the last sentence in paragraph (e)(2).

The revision reads as follows:

§ 1.401–1 Qualified pension, profit-sharing, and stock bonus plans.

(a) * * *

(4) * * * See generally § 1.401–10.
* * * * * *

§ 1.401–3 [Amended]

■ **Par. 37.** Section 1.401–3 is amended by:
■ 1. Removing ''(see § 1.401–12)'' in the last sentence of paragraph (a)(1).
■ 2. Adding ''of the Treasury Regulations in effect on April 1, 2017'' to the end of paragraph (e)(5).

§§ 1.401–4 and 1.401–5 [Removed and Reserved]

■ **Par. 38.** Sections 1.401–4 and 1.401–5 are removed and reserved.

§ 1.401–6 [Amended]

■ **Par. 39.** Section 1.401–6 is amended by removing ''(see paragraph (c) of § 1.401–4)'' in paragraph (d).

§ 1.401–8 [Removed and Reserved]

■ **Par. 40.** Section 1.401–8 is removed and reserved.

§ 1.401–10 [Amended]

■ **Par. 41.** Section 1.401–10 is amended by removing the third through eighth sentences in paragraph (a)(1).

§§ 1.401–11 through 1.401–13 [Removed and Reserved]

■ **Par. 42.** Sections 1.401–11 through 1.401–13 are removed and reserved.

§§ 1.401(e)–1 through 1.401(e)–6 [Removed]

■ **Par. 43.** Sections 1.401(e)–1 through 1.401(e)–6 are removed.

§ 1.401(f)–1 [Amended]

■ **Par. 44.** Section 1.401(f)–1 is amended by removing the last sentence in paragraph (a).

§ 1.402(a)–1 [Amended]

■ **Par. 45.** Section 1.402(a)–1 is amended by:
■ 1. Removing and reserving paragraph (a)(6)(v).
■ 2. Removing the last sentence in paragraph (a)(6)(vi).

§ 1.402(e)–1 [Removed and Reserved]

■ **Par. 46** 1.402(e)–1 is removed and reserved.

§ 1.403(a)–1 [Amended]

■ **Par. 47.** Section 1.403(a)–1 is amended by removing ''through 1.401–13'' in the last sentence in paragraph (f).

§ 1.404(a)–1 [Amended]

■ **Par. 48.** Section 1.404(a)–1 is amended by removing ''and § 1.404(e)–1'' from the last sentence in paragraph (a)(1).

§ 1.404(a)–2 [Amended]

■ **Par. 49.** Section 1.404(a)–2 is amended by removing ''see § 1.404(a)–2A'' and adding ''and before December 31, 1975, see § 1.404(a)–2A of the Treasury Regulations in effect on April 1, 2017'' in its place in the second sentence in paragraph (i).

§ 1.404 (a)–2A [Removed]

■ **Par. 50.** Section 1.404(a)–2A is removed.

§ 1.404 (a)–3 [Amended]

■ **Par. 51.** Section 1.404(a)–3 is amended in paragraph (a) by removing the tenth sentence and removing ''(see § 1.404(a)–4)'' in the last sentence.

§§ 1.404(a)–4 through 1.404(a)–7 [Removed and Reserved]

■ **Par. 52.** Sections 1.404(a)–4 through 1.404(a)–7 are removed and reserved.

§ 1.404 (a)–8 [Amended]

■ **Par. 53.** Section 1.404(a)–8 is amended by removing the second sentence in paragraph (b).

§ 1.404 (a)–9 [Removed and Reserved]

■ **Par. 54.** Section 1.404(a)–9 is removed and reserved.

§ 1.404 (a)–10 [Amended]

■ **Par. 55.** Section 1.404(a)–10 is amended by:
■ 1. Removing ''and § 1.404(a)–9'' in the three places it appears in paragraph (b).
■ 2. Removing the second sentence in paragraph (b).

§ 1.404 (a)(8)–1T [Removed]

■ **Par. 56.** Section 1.404(a)(8)–1T is removed.

§ 1.404 (e)–1 [Removed and Reserved]

■ **Par. 57.** Section 1.404(e)–1 is removed and reserved.

§ 1.404 (e)–1A [Amended]

■ **Par. 58.** Section 1.404(e)–1A is amended by removing the third sentence in paragraph (a).

§§ 1.405–1 through 1.405–3 [Removed]

■ **Par. 59.** Sections 1.405–1 through 1.405–3 are removed.

§ 1.410(a)–1 [Amended]

■ **Par. 60.** Section 1.410(a)–1 is amended by:
■ 1. Removing ''§ 1.410(b)–1'' and adding ''§§ 1.410(b)–2 through 1.410(b)–10'' in its place in paragraph (a)(3).
■ 2. Removing ''Section 1.410(b)–1 provides'' and adding ''Sections 1.410(b)–2 through 1.410(b)–10 provide'' in its place in paragraph (b)(8).
■ 3. Removing the second sentence in paragraph (c)(2).

§ 1.410(b)–0 [Amended]

■ **Par. 61.** Section 1.410(b)–0 is amended by:
■ 1. Removing ''§§ 1.410(b)–1'' and adding ''§§ 1.410(b)–2'' in its place in the introductory text.
■ 2. Removing the entry for ''§ 1.410(b)–1''.

§ 1.410(b)–1 [Removed and Reserved]

■ **Par. 62.** Section 1.410(b)–1 is removed and reserved.

§ 1.411(a)–1 [Amended]

■ **Par. 63.** Section 1.411(a)–1 is amended by removing and reserving paragraph (b)(9).

§ 1.411(a)–5 [Amended]

■ **Par. 64.** Section 1.411(a)–5(b)(6) introductory text is amended by:
■ 1. Adding a period after the phrase ''considered break in service rules''.
■ 2. Removing the last sentence.

§ 1.411(a)–9 [Removed and Reserved]

■ **Par. 65.** Section 1.411(a)–9 is removed and reserved.

§ 1.411(d)–2 [Amended]

■ **Par. 66.** Section 1.411(d)–2 is amended by removing the last sentence in paragraph (e).

§ 1.411(d)–5 [Removed and Reserved]

■ **Par. 67.** Section 1.411(d)–5 is removed and reserved.

§ 1.412(b)–5 [Removed]

■ **Par. 68.** Section 1.412(b)–5 is removed.

§ 1.412(c)(1)–3T [Removed]

■ **Par. 69.** Section 1.412(c)(1)–3T is removed.

§ 1.412(l)(7)–1 [Removed]

■ **Par. 70.** Section 1.412(l)(7)–1 is removed.

§ 1.414(r)–8 [Amended]

■ **Par. 71.** Section 1.414(r)–8 is amended by removing ''§§ 1.410(b)–1'' and adding ''§§ 1.410(b)–2'' in its place in paragraphs (b)(2)(i) and (b)(3).

§ 1.416–1 [Amended]

■ **Par. 72.** Section 1.416–1 is amended by removing ''§ 1.410(b)–1(d)(3)'' and adding ''§ 1.410(b)–7(d)'' in its place in the last sentence of Example 1 of Q&A T–6.

§ 1.441–1 [Amended]

■ **Par. 73.** Section 1.441–1 is amended by removing and reserving paragraph (b)(2)(i)(A).

§§ 1.453–4 through 1.453–6 and 1.453–10 [Removed and Reserved]

■ **Par. 74.** Sections 1.453–4 through 1.453–6 and 1.453–10 are removed and reserved.

§ 1.453A–0 [Amended]

■ **Par. 75.** Section 1.453A–0 is amended by removing the entry for ''§ 1.453A–2''.

§ 1.453A–1 [Amended]

■ **Par. 76.** Section 1.453A–1 is amended by removing the last sentence in paragraph (a).

§ 1.453A–2 [Removed and Reserved]

■ **Par. 77.** Section 1.453A–2 is removed and reserved.

§ 1.475–0 [Amended]

■ **Par. 78.** Section 1.475–0 is amended by removing ''1.475(b)–4,'' from the introductory text and removing the entry for ''§ 1.475(b)–4''.

§ 1.475(b)–4 [Removed]

■ **Par. 79.** Section 1.475(b)–4 is removed.

§ 1.475(g)–1 [Amended]

■ **Par. 80.** Section 1.475(g)–1 is amended by removing and reserving paragraph (h).

§ 1.501(c)(17)–1 [Amended]

■ **Par. 81.** Section 1.501(c)(17)–1 is amended by removing ''1.401–4'' and adding ''1.401(a)(4)–0 through 1.401(a)(4)–13'' in its place in the second sentence in paragraph (a)(5).

§ 1.501(c)(18)–1 [Amended]

■ **Par. 82.** Section 1.501(c)(18)–1 is amended by removing ''1.401–4'' and adding ''1.401(a)(4)–0 through 1.401(a)(4)–13'' in its place in the second sentence in paragraph (b)(6).

§ 1.501(k)–1 [Removed]

■ **Par. 83.** Section 1.501(k)–1 is removed.

§ 1.503(c)–1 [Amended]

■ **Par. 84.** Section 1.503(c)–1 is amended by removing the last sentence from paragraph (d).

§ 1.503(e)–4 [Removed]

■ **Par. 85.** Section 1.503(e)–4 is removed.

§§ 1.551–3 through 1.551–5 [Removed]

■ **Par. 86.** Sections 1.551–3 through 1.551–5 are removed.

§§ 1.552–1 through 1.552–5 [Removed]

■ **Par. 87.** Sections 1.552–1 through 1.552–5 are removed.

§ 1.553–1 [Removed]

■ **Par. 88.** Section 1.553–1 is removed.

§ 1.554–1 [Removed]

■ **Par. 89.** Section 1.554–1 is removed.

§§ 1.555–1 and 1.555–2 [Removed]

■ **Par. 90.** Sections 1.555–1 and 1.555–2 are removed.

§§ 1.556–1 through 1.556–3 [Removed]

■ **Par. 91** Sections 1.556–1 through 1.556–3 are removed.

§§ 1.586–1 and 1.586–2 [Removed]

■ **Par. 92.** Sections 1.586–1 and 1.586–2 are removed.

§§ 1.593–1 through 1.593–6, 1.593–6A, 1.593.7, 1.593–8, 1.593–10, and 1.593–11 [Removed]

■ **Par. 93.** Sections 1.593–1 through *1.593–6, 1.593–6A, 1.593.7,* 1.593–8, 1.593–10, and 1.593–11 are removed.

§ 1.595–1 [Removed]

■ **Par. 94.** Section 1.595–1 is removed.

§ 1.596–1 [Amended]

■ **Par. 95.** Section 1.596–1 is amended by removing the last sentence of paragraph (a).

§ 1.621–1 [Removed]

■ **Par. 96.** The undesignated center heading ''Exclusions From Gross Income'' and § 1.621–1 are removed.

■ **Par. 97.** Section 1.643(d)–1 is amended by revising the last sentence of paragraph (a) to read as follows:

§ 1.643(d)–1 Definition of ''foreign trust created by a United States person''.

(a) * * * For provisions relating to the information returns which are required to be filed with respect to the creation of or transfers to foreign trusts, see section 6048.

* * * * *

§ 1.665(f)–1A [Removed and Reserved]

■ **Par. 98.** Section 1.665(f)–1A is removed and reserved.

§ 1.665(g)–1A [Removed and Reserved]

■ **Par. 99.** Section 1.665(g)–1A is removed and reserved.

§ 1.667(a)–1A [Removed and Reserved]

■ **Par. 100.** Section 1.667(a)–1A is removed and reserved.

§ 1.669(a)–1A [Removed]

■ **Par. 101.** Section 1.669(a)–1A is removed.

§ 1.669(b)–1A [Removed]

■ **Par. 102.** Section 1.669(b)–1A is removed.

§§ 1.669(c)–1A through 1.669(c)–3A [Removed]

■ **Par. 103.** Sections 1.669(c)–1A through 1.669(c)–3A are removed.

§ 1.669(d)–1A [Removed]

■ **Par. 104.** Section 1.669(d)–1A is removed.

§ 1.669(e)–1A [Removed]

■ **Par. 105.** Section 1.669(e)–1A is removed.

§ 1.669(e)–2A [Removed]

■ **Par. 106.** Section 1.669(e)–2A is removed.

§§ 1.669(f)–1A and 1.669(f)–2A [Removed]

■ **Par. 107.** Sections 1.669(f)–1A and 1.669(f)–2A are removed.

§ 1.802(b)–1 [Removed and Reserved]

■ **Par. 108.** Section 1.802(b)–1 is removed and reserved.

§ 1.802–2 [Removed and Reserved]

■ **Par. 109.** Section 1.802–2 is removed and reserved.

§ 1.802–3 [Amended]

■ **Par. 110.** Section 1.802–3 is amended by:

■ 1. Removing the words ''and paragraph (a) of § 1.802–4'' from the first sentence in paragraph (a).

■ 2. Removing the words ''and paragraph (a) of § 1.802–5'' from paragraph (e).

§§ 1.802–4 and 1.802–5 [Removed]

■ **Par. 111.** Sections 1.802–4 and 1.802–5 are removed.

§§ 1.803–1 through 1.803–7 [Removed]

■ **Par. 112.** Sections 1.803–1 through 1.803–7 are removed.

§§ 1.806–1 and 1.806–2 [Removed and Reserved]

■ **Par. 113.** Sections 1.806–1 and 1.806–2 are removed and reserved.

§ 1.809–1 [Removed and Reserved]

■ **Par. 114.** Section 1.809–1 is removed and reserved.

§ 1.809–2 [Amended]

■ **Par. 115.** Section 1.809–2 is amended by removing the words ''and paragraphs (a) and (b) of § 1.809–3, respectively'' from the second sentence in paragraph (a).

§ 1.809–3 [Removed and Reserved]

■ **Par. 116.** Section 1.809–3 is removed and reserved.

§ 1.809–5 [Amended]

■ **Par. 117.** Section 1.809–5 is amended by:
■ 1. Removing the last sentence in paragraph (a)(3).
■ 2. Removing paragraph (a)(5)(vi).
■ 3. Removing ''and § 1.809–7'' from the first sentence and removing the second sentence in paragraph (a)(6)(ii).
■ 4. Removing paragraph (a)(6)(iv).
■ 5. Removing and reserving paragraph (a)(11).

§§ 1.809–7 through 1.809–10 [Removed]

■ **Par. 118.** Sections 1.809–7 through 1.809–10 are removed.

§ 1.810–1 [Removed and Reserved]

■ **Par. 119.** Section 1.810–1 is removed and reserved.

§ 1.810–2 [Amended]

■ **Par. 120.** Section 1.810–2 is amended by removing ''and § 1.810–4'' from the first sentence in paragraph (c)(4).

§ 1.810–4 [Removed]

■ **Par. 121.** Section 1.810–4 is removed.

§ 1.815–4 [Amended]

■ **Par. 122.** Section 1.815–4 is amended by removing ''and § 1.802–5'' in paragraph (e).

§ 1.815–5 [Amended]

■ **Par. 123.** Section 1.815–5 is amended by removing ''and § 1.802–5'' from the second sentence.

§§ 1.821–1 through 1.821–5 [Removed]

■ **Par. 124.** Sections 1.821–1 through 1.821–5 are removed.

§§ 1.822–1 and 1.822–2 [Removed and Reserved]

■ **Par. 125.** Sections 1.822–1 and 1.822–2 are removed and reserved.

§ 1.822–3 [Amended]

■ **Par. 126.** Section 1.822–3 is amended by removing ''and shall be determined in accordance with § 1.803–6'' from the second sentence.

§ 1.822–4 [Amended]

■ **Par. 127.** Section 1.822–4 is amended by removing ''Sections 1.822–1 through 1.822–3 are applicable'' and adding in its place ''Section 1.822–3 is applicable'' in the first sentence.

§ 1.822–8 [Amended]

■ **Par. 128.** Section 1.822–8 is amended by:
■ 1. Designating the text of paragraph (a)(1) as paragraph (a)(1)(i).
■ 2. Designating the undesignated paragraph following newly designated paragraph (a)(1)(i) as paragraph (a)(1)(ii).
■ 3. Removing ''and paragraph (a) of § 1.825–1'' from the fourth sentence in newly designated paragraph (a)(1)(ii).

§ 1.822–12 [Amended]

■ **Par. 129.** Section 1.822–12 is amended by removing ''and paragraph (c)(2) of § 1.823–6'' from the seventh sentence in paragraph (a).

§§ 1.823–1 through 1.823–8 [Removed]

■ **Par. 130.** Sections 1.823–1 through 1.823–8 are removed.

§§ 1.825–1 through 1.825–3 [Removed]

■ **Par. 131.** Sections 1.825–1 through 1.825–3 are removed.

§ 1.831–2 [Amended]

■ **Par. 132.** Section 1.831–2 is amended by removing the last sentence.

§ 1.831–4 [Removed]

■ **Par. 133.** Section 1.831–4 is removed.

§ 1.832–7T [Removed]

■ **Par. 134.** Section 1.832–7T is removed.

§ 1.861–9T [Amended]

■ **Par. 135.** Section 1.861–9T is amended by:
■ 1. Removing the third and fourth sentences in paragraph (b)(3)(ii).
■ 2. Redesignating paragraph (b)(3)(ii) as paragraph (b)(3)(ii)(A).
■ 3. Designate the *Example* following paragraph (b)(3)(ii)(A) as paragraph (b)(3)(ii)(B).

§ 1.871–1 [Amended]

■ **Par. 136.** Section 1.871–1(a) is amended by:
■ 1. Removing ''Chapters 1, 5, and 24'' and adding ''Chapters 1 and 24'' in its place in the fifth sentence.
■ 2. Removing ''and §§ 1.1491–1 through 1.1494–1 of this part'' in the sixth sentence.

§ 1.902–3 [Amended]

■ **Par. 137.** Section 1.902–3 in amended by removing and reserving paragraph (g)(2).

§ 1.92–3T [Removed]

■ **Par. 138.** Section 1.921–3T is removed.

§ 1.922–1 [Removed]

■ **Par. 139.** Section 1.922–1 is removed.

§ 1.923–1T [Removed]

■ **Par. 140.** Section 1.923–1T is removed.

§ 1.924(a)–1T [Removed]

■ **Par. 141.** Section 1.924(a)–1T is removed.

§ 1.924(c)–1 [Removed]

■ **Par. 142.** Section 1.924(c)–1 is removed.

§ 1.924(d)–1 [Removed]

■ **Par. 143.** Section 1.924(d)–1 is removed.

§ 1.924(e)–1 [Removed]

■ **Par. 144.** Section 1.924(e)–1 is removed.

§§ 1.925(a)–1 and 1.925(a)–1T [Removed]

■ **Par. 145.** Sections 1.925(a)–1 and 1.925(a)–1T are removed.

§ 1.925(b)–1T [Removed]

■ **Par. 146.** Section 1.925(b)–1T is removed.

§ 1.926(a)–1 [Removed]

■ **Par. 147.** Section 1.926(a)–1 is removed.

§ 1.926(a)–1T [Removed]

■ **Par. 148.** Section 1.926(a)–1T is removed.

§ 1.927(b)–1T [Removed and Reserved]

■ **Par. 149.** Section 1.927(b)–1T is removed and reserved.

§ 1.927(d)–1 [Removed and Reserved]

■ **Par. 150.** Section 1.927(d)–1 is removed and reserved.

§§ 1.927(e)–1 and 1.927(e)–2T [Removed]

■ **Par. 151.** Sections 1.927(e)–1 and 1.927(e)–2T are removed.

§ 1.927(f)–1 [Removed]

■ **Par. 152.** Section 1.927(f)–1 is removed.

§§ 1.941–1 through 1.941–3 [Removed]

■ **Par. 153.** The undesignated center heading ''China Trade Act Corporations'' and §§ 1.941–1 through 1.941–3 are removed.

§ 1.943–1 [Removed]

■ **Par. 154.** Section 1.943–1 is removed.

§ 1.951–2 [Removed and Reserved]

■ **Par. 155.** Section 1.951–2 is removed and reserved.

§ 1.962–1 [Amended]

■ **Par. 156.** Section 1.962–1 is amended by:
■ 1. Designating the undesignated paragraph following paragraph (a)(2) as paragraph (a)(3).
■ 2. Removing the last sentence of newly designated paragraph (a)(3).

§ 1.962–2 [Amended]

■ **Par. 157.** Section 1.962–2 is amended by:

■ 1. Removing ''Except as provided in § 1.962–4, a'' and adding in its place ''A'' in the first sentence of paragraph (b) introductory text.
■ 2. Removing ''and § 1.962–4'' in paragraph (c)(1).

§ 1.962–4 [Removed]

■ **Par. 158.** Section 1.962–4 is removed.

§§ 1.963–1, 1.963–4, and 1.963–5 [Removed and Reserved]

■ **Par. 159.** Sections 1.963–1, 1.963–4, and 1.963–5 are removed and reserved.

§§ 1.963–7 and 1.963–8 [Removed]

■ **Par. 160.** Sections 1.963–7 and 1.963–8 are removed.

§ 1.964–4(e) [Removed and Reserved]

■ **Par. 161.** Section 1.964–4 is amended by removing and reserving paragraph (e).

§ 1.1034–1 [Removed]

■ **Par. 162.** Section 1.1034–1 is removed.

§ 1.1038–1 [Amended]

■ **Par. 163.** Section 1.1038–1 is amended by removing the second sentence in paragraph (a)(5).

§ 1.1223–1 [Amended]

■ **Par. 164.** Section 1.1223–1 is amended by removing the second sentence in paragraph (g).

§ 1.1232–1 [Amended]

■ **Par. 165.** Section 1.1232–1 is amended by:
■ 1. In paragraph (a), removing ''(1)'' and ''(2)'' from the first sentence and removing ''(i)'' and ''(ii)'' from the last sentence.
■ 2. In paragraphs (a), (c)(1), and (d), removing ''§§ 1.1232–2 through 1.1232–4'' and adding in its place ''§§ 1.1232–3 and 1.1232–3A''.

§ 1.1232–2 [Removed and Reserved]

■ **Par. 166.** Section 1.1232–2 is removed and reserved.

§ 1.1232–4 [Removed]

■ **Par. 167.** Section 1.1232–4 is removed.

§§ 1.1247–1 through 1.1247–5 [Removed]

■ **Par. 168.** Sections 1.1247–1 through 1.1247–5 are removed.

§ 1.1402(e)(4)–1 [Amended]

■ **Par. 169.** Section 1.1402(e)(4)–1 is amended by removing ''§§ 31.3121(b)(8)–1 and 31.3121(k)–1'' and adding ''§ 31.3121(b)(8)–1'' in its place in the last sentence.

§ 1.1402(g)–1 [Amended]

■ **Par. 170.** Section 1.1402(g)–1 is amended by removing the first sentence in paragraph (c).

§ 1.1491–1 [Removed]

■ **Par. 171.** The undesignated center heading ''Tax on Transfers To Avoid Income Tax'' and § 1.1491–1 are removed.

§ 1.1492–1 [Removed]

■ **Par. 172.** Section 1.1492–1 is removed.

§ 1.1493–1 [Removed]

■ **Par. 173.** Section 1.1493–1 is removed.

§§ 1.1494–1 and 1.1494–2 [Removed]

■ **Par. 174.** Sections 1.1494–1 and 1.1494–2 are removed.
■ **Par. 175.** Section 1.6012–2 is amended by revising paragraph (k) to read as follows:

§ 1.6012–2 Corporations required to make returns of income.

* * * * *

(k) *Other provisions.* For returns by fiduciaries or corporations, see § 1.6012–3. For information returns by corporations regarding payments of dividends, see §§ 1.6042–1 through 1.6042–3, inclusive; regarding corporate dissolutions or liquidations, see § 1.6043–1; regarding distributions in liquidation, see § 1.6043–2; regarding payments of patronage dividends, see §§ 1.6044–1 through 1.6044–4, inclusive; and regarding certain payments of interest, see §§ 1.6049–1 and 1.6049–1. For returns as to formation or reorganization of foreign corporations, see §§ 1.6046–1 through 1.6046–3, inclusive.

* * * * *

§ 1.6012–4 [Amended]

■ **Par. 176.** Section 1.6012–4 is amended by removing the third sentence.

§ 1.6035–1 [Removed and Reserved]

■ **Par. 177.** Section 1.6035–1 is removed and reserved.

§ 1.6035–3 [Removed]

■ **Par. 178.** Section 1.6035–3 is removed.

§ 1.6049–7T [Removed]

■ **Par. 179.** Section 1.6049–7T is removed.

§ 1.6050H–1 [Amended]

■ **Par. 180.** Section 1.6050H–1 is amended by removing the second sentence in paragraph (g)(1).

§ 1.6050H–1T [Removed]

■ **Par. 181.** Section 1.6050H–1T is removed.

§ 1.6050H–2 [Amended]

■ **Par. 182.** Section 1.6050H–2 is amended by removing the second sentence in paragraph (g)(1).

§ 1.6071–1 [Amended]

■ **Par. 183.** Section 1.6071–1 is amended by removing and reserving paragraph (c)(5).

§ 1.6072–4 [Amended]

■ **Par. 184.** Section 1.6072–4 is amended by removing and reserving paragraph (b).

§ 1.6091–1 [Amended]

■ **Par. 185.** Section 1.6091–1 is amended by removing and reserving paragraph (b)(5).

§ 1.6654–4 [Removed and Reserved]

■ **Par. 186.** Section 1.6654–4 is removed and reserved.

PART 5—TEMPORARY INCOME TAX REGULATIONS UNDER THE REVENUE ACT OF 1978

■ **Par. 187.** The authority citation for part 5 continues to read as follows:

Authority: 26 U.S.C. 7805.

§ 5.856–1 [Removed]

■ **Par. 188.** Section 5.856–1 is removed.

PART 5c—TEMPORARY INCOME TAX REGULATIONS UNDER THE ECONOMIC RECOVERY TAX ACT OF 1981

■ **Par. 189.** The authority citation for part 5c continues to read as follows:

Authority: 26 U.S.C. 168(f)(8)(G) and 7805.

§§ 5c.103–1 through 5c.103–3 [Removed]

■ **Par. 190.** Sections 5c.103–1 through 5c.103–3 are removed.

§§ 5c.168(f)(8)–1 through 5c.168(f)(8)–11 [Removed]

■ **Par. 191.** Sections 5c.168(f)(8)–1 through 5c.168(f)(8)–11 are removed.

PART 5f—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

■ **Par. 192.** The authority citation for part 5f continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 5f.103–3 [Removed]

■ **Par. 193.** Section 5f.103–3 is removed.

§ 5f.168(f)(8)–1 [Removed]

■ **Par. 194.** Section 5f.168(f)(8)–1 is removed.

PART 7—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1976

■ **Par. 195.** The authority citation for part 7 continues to read as follows:

Authority: 26 U.S.C. 7805, unless otherwise stated.

§ § 7.105–1 and 7.105–2 [Removed]

■ **Par. 196.** Sections 7.105–1 and 7.105–2 are removed.

§ 7.704–1 [Removed]

■ **Par. 197.** Section 7.704–1 is removed.

PART 11—TEMPORARY INCOME TAX REGULATIONS UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

■ **Par. 198.** The authority citation for part 11 continues to read as follows:

Authority: 26 U.S.C. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805), unless otherwise noted.

§ 11.401(d)(1)–1 [Removed]

■ **Par. 199.** Section 11.401(d)(1)–1 is removed.

§ 11.402(e)(4)(A)–1 [Removed]

■ **Par. 200.** Section 11.402(e)(4)(A)–1 is removed.

§ 11.402(e)(4)(B)–1 [Removed]

■ **Par. 201.** Section 11.402(e)(4)(B)–1 is removed.

§ 11.404(a)(6)–1 [Removed]

■ **Par. 202.** Section 11.404(a)(6)–1 is removed.

PART 13—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1969

■ **Par. 203.** The authority citation for part 13 continues to read as follows:

Authority: 26 U.S.C. 7805.

§ 13.4 [Removed and Reserved]

■ **Par. 204.** Section 13.4 is removed and reserved.

PART 16—[Removed]

■ **Par. 205.** Under the authority of 26 U.S.C. 7805, part 16 is removed.

PART 19—TEMPORARY REGULATIONS UNDER THE REVENUE ACT OF 1964

■ **Par. 206.** Under the authority of 26 U.S.C. 7805, part 19 is removed.

PART 20—ESTATE TAX; ESTATES OF DECEDENTS DYING AFTER AUGUST 16, 1954

■ **Par. 207.** The authority citation for part 20 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 20.0–1 [Amended]

■ **Par. 208.** Section 20.0–1 is amended by removing ''§§ 20.2201–1 to'' and adding ''§§ 20.2203–1 through'' in its place in paragraph (b)(3).

§ 20.2201–1 [Removed]

■ **Par. 209.** Section 20.2201–1 is removed.

PART 25—GIFT TAX; GIFTS MADE AFTER DECEMBER 31, 1954

■ **Par. 210.** The authority citation for part 25 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 25.2522(a)–2 [Removed]

■ **Par. 211.** Section 25.2522(a)–2 is removed.

PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME TAX AT SOURCE

■ **Par. 212.** The authority citation for part 31 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 31.03 [Amended]

■ **Par. 213.** Section 31.0–3 is amended by removing ''(1)'' and '', and (2) to the extent provided in § 31.3121(k)–3, to services performed before 1955 the remuneration for which was paid before 1955'' from the fourth sentence in paragraph (a).

§ 31.3121(a)(9)–1 [Removed and Reserved]

■ **Par. 214.** Section 31.3121(a)(9)–1 is removed and reserved.

§ 31.3121(b)(8)–2 [Removed]

■ **Par. 215.** Section 31.3121(b)(8)–2 is removed.

§ 31.3121(b)(10)–1 [Amended]

■ **Par. 216.** Section 31.3121(b)(10)–1 is amended by removing ''§ 31.3121(b)(8)–2, relating to services performed in the employ of religious, charitable, educational, and certain other organizations exempt from income tax;'' from paragraph (b).

§§ § 31.3121(k)–1 through 31.3121(k)–4 [Removed]

■ **Par. 217** Sections 31.3121(k)–1 through 31.3121(k)–4 are removed.

§ 31.3121(r)–1 [Amended]

■ **Par. 218.** Section 31.3121(r)–1 is amended by removing paragraph (e).

§ 31.3501(a)–1T [Amended]

■ **Par. 219.** Section 31.3501(a)–1T is amended by:

■ 1. In A–7:

■ i. Removing ''§ 1.61–2T and § 1.132–1T'' and adding ''§§ 1.61–21 and 1.132–1 of this chapter'' in its place in the first sentence.

■ ii. Removing ''Q/A–11 of § 1.61–2T'' and adding ''§ 1.61–21'' in its place in the first parenthetical.

■ iii. Removing ''§ 1.61–2T'' and adding ''§ 1.61–21'' in its place wherever it appears in the third sentence.

■ 2. Removing ''§ 1.61–2T'' and adding ''§ 1.61–21 of this chapter'' in its place wherever it appears in Q–8.

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAXES

■ **Par. 220.** The authority citation for part 48 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 48.4041–18 [Removed and Reserved]

■ **Par. 221.** Section 48.4041–18 is removed and reserved.

§ 48.4091–3 [Removed and Reserved]

■ **Par. 222.** Section 48.4091–3 is removed and reserved.

PART 49—FACILITIES AND SERVICES EXCISE TAXES

■ **Par. 223.** The authority citation for part 49 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 49.4251–3 [Removed and Reserved]

■ **Par. 224.** Section 49.4251–3 is removed and reserved.

§ § 49.4252–1 and 49.4252–3 [Removed and Reserved]

■ **Par. 225.** Sections 49.4252–1 and 49.4252–3 are removed and reserved.

§ § 49.4252–6 and 49.4252–7 [Removed]

■ **Par. 226.** Sections 49.4252–6 and 49.4252–7 are removed.

§ § 49.4253–8 and 49.4253–9 [Removed and Reserved]

■ **Par. 227.** Sections 49.4253–8 and 49.4253–9 are removed and reserved.

§§ 49.4263–1 through 49.4263–4 [Removed and Reserved]

■ **Par. 228.** Sections 49.4263–1 through 49.4263–4 are removed and reserved.

§ 49.4263–6 [Removed]

■ **Par. 229.** Section 49.4263–6 is removed.

PART 54—PENSION EXCISE TAXES

■ **Par. 230.** The authority citation for part 54 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 54.4972–1 [Removed]

■ **Par. 231.** Section 54.4972–1 is removed.

§ 54.4981A–1T [Removed]

■ **Par. 232.** Section 54.4981A–1T is removed.

PART 55—EXCISE TAX ON REAL ESTATE INVESTMENT TRUSTS AND REGULATED INVESTMENT COMPANIES

■ **Par. 233.** The authority citation for part 55 is amended by removing the entry for § 55.4981–1 to read in part as follows:

Authority: 26 U.S.C. 6001, 6011, 6071, 6091, and 7805 * * *

§ 55.4981–1 [Removed and Reserved]

■ **Par. 234.** Section 55.4981–1 is removed and reserved.

§ 55.4981–2 [Amended]

■ **Par. 235.** Section 55.4981–2 is amended by removing the third sentence.

PART 148—CERTAIN EXCISE TAX MATTERS UNDER THE EXCISE TAX TECHNICAL CHANGES ACT OF 1958

■ **Par. 236.** Under the authority of 26 U.S.C. 7805, part 148 is removed.

PART 301—PROCEDURE AND ADMINISTRATION

■ **Par. 237.** The authority citation for part 301 is amended by removing the entries for §§ 301.6241–1T and 301.6245–1T to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 301.6035–1 [Removed]

■ **Par. 238.** Section 301.6035–1 is removed.

§ 301.6048–1 [Removed]

■ **Par. 239.** Section 301.6048–1 is removed.

§ 301.6096–2 [Removed]

■ **Par. 240.** Section 301.6096–2 is removed.

§ 301.6241–1T [Removed]

■ **Par. 241** Section 301.6241–1T is removed.

§ 301.6245–1T [Removed]

■ **Par. 242.** Section 301.6245–1T is removed.

§§ 301.6501(o)–1 through 301.6501(o)–3 [Removed]

■ **Par. 243.** Sections 301.6501(o)–1 through 301.6501(o)–3 are removed.

§ 301.6511(d)–7 [Removed]

■ **Par. 244.** Section 301.6511(d)–7 is removed.

§ 301.6511(g)–1 [Removed]

■ **Par. 245.** Section 301.6511(g)–1 is removed.

§ 301.6723–1A [Removed]

■ **Par. 246.** Section 301.6723–1A is removed.

PART 404—TEMPORARY REGULATIONS ON PROCEDURE AND ADMINISTRATION UNDER THE TAX REFORM ACT OF 1976

■ **Par. 247.** The authority citation for part 404 continues to read as follows:

Authority: Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

§ 404.6048–1 [Removed and Reserved]

■ **Par. 248** Section 404.6048–1 is removed and reserved.

PART 601—STATEMENT OF PROCEDURAL RULES

■ **Par. 249.** The authority citation for part 601 continues to read in part as follows:

Authority: 5 U.S.C. 301 and 552 * * *

§ 601.201 [Amended]

■ **Par. 250.** Section 601.201 is amended by removing ''§ 1.401–4(c) of the Income Tax Regulations'' and adding ''§ 1.401(a)(4)–5 of this chapter'' in its place in paragraph (q)(2)(ii).

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

■ **Par. 251.** The authority citation for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805.

§ 602.101 [Amended]

■ **Par. 252.** Section 602.101 is amended by removing the entries for §§ 1.23–5, 1.42–2, 1.46–11, 1.56–1, 1.56A–1 through 1.56A–5, 1.58–9(c)(5)(iii)(B), 1.58–9(e)(3), 1.61–2T, 1.103–15AT, 1.103–18, 1.103(n)–2T, 1.103(n)–4T, 1.132–1T, 1.132–2T, 1.132–5T, 1.168(f)(8)–1T, 1.177–1, 1.341–7, 1.401–12(n), 1.404(a)–4, 1.412(b)–5, 1.453–10, 1.453A–2, 1.475(b)–4, 1.551–4, 1.552–3 through 1.552–5, 1.556–2, 1.586–2, 1.593–1, 1.593–6, 1.593–6A, 1.593–7, 1.595–1, 1.821–1, 1.821–3, 1.821–4, 1.823–2, 1.823–5, 1.823–6, 1.825–1, 1.831–4, 1.921–3T, 1.923–1T, 1.924(a)–1T, 1.925(a)–1T, 1.925(b)–1T, 1.926(a)–1T, 1.927(b)–1T, 1.927(d)–1, 1.927(e)–1T, 1.927(e)–2T, 1.927(f)–1, 1.962–4, 1.1034–1, 1.1247–1, 1.1247–2, 1.1247–4, 1.1247–5, 1.1492–1, 1.1494–1, 1.6035–1, 1.6035–3, 1.6049–7T, 1.6050H–1T, 1.6654–4, 5c.168(f)(8)–1, 5c.168(f)(8)–2, 5c.168(f)(8)–6, 5c.168(f)(8)–8, 5f.103–3, 16.3–1, 31.3121(k)–4, 48.4041–18, 48.4091–3, 54.4972–1, 54.4981A–1T, 301.6035–1, 301.6241–1T, 301.6501(o)–2, 301.6723–1A(d), and 404.6048–1.

Kirsten Wielobob,

Deputy Commissioner for Services and Enforcement.

Approved: November 27, 2018.

David J. Kautter,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2019–03474 Filed 3–11–19; 4:15 pm]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms, and Explosives

27 CFR Parts 447, 478, and 479

[Docket No. 2018R–22F; AG Order No. 4406–2019]

RIN 1140–AA52

Bump-Stock-Type Devices

AGENCY: Bureau of Alcohol, Tobacco, Firearms, and Explosives; Department of Justice.

ACTION: Final rule; ratification.

SUMMARY: The Attorney General is ratifying a final rule, published in the **Federal Register** on December 26, 2018, that amended the definition of ''machinegun'' (or ''machine gun'') in Department of Justice regulations. The ratification is issued as a prudential matter in light of pending litigation.

DATES: March 14, 2019.

FOR FURTHER INFORMATION CONTACT: Vivian Chu, Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice, 99 New York Ave. NE, Washington, DC 20226; telephone: (202) 648–7070.

SUPPLEMENTARY INFORMATION: On December 26, 2018, the Department of Justice published a final rule in the

Federal Register that amended the definition of ''machinegun'' (or ''machine gun'') contained in 27 CFR 447.11, 478.11, and 479.11. *See* 83 FR 66514. That final rule, which was adopted after the publication of a notice of proposed rulemaking in the **Federal Register** and a period of public comment, was signed by Acting Attorney General Matthew G. Whitaker on December 18, 2018.

That final rule has become the subject of litigation in which parties have argued that Mr. Whitaker was not validly serving as the Acting Attorney General, as either a statutory or constitutional matter.

On February 14, 2019, I was sworn in as Attorney General following confirmation by the Senate and appointment by the President. Although I believe that the challenges to Mr. Whitaker's designation lack merit, I elected, out of an abundance of caution, to independently reevaluate the above-mentioned rule and the underlying rulemaking record.

Having now familiarized myself with the rulemaking record that was before the Acting Attorney General and having reevaluated those materials without any deference to his earlier decision, I have personally come to the conclusion that it is appropriate to ratify and affirm the final rule as it was published at 83 FR 66514, and I hereby do so.

Dated: March 11, 2019.

William P. Barr,

Attorney General.

[FR Doc. 2019–04799 Filed 3–12–19; 11:15 am]

BILLING CODE 4410–FY–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2009–0226; FRL–9990–74–Region 4]

Air Plan Approval; GA: Emission Reduction Credits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve changes to the Georgia State Implementation Plan (SIP) to revise the emission reduction credits (ERC) regulation. EPA is approving portions of the SIP revision submitted by the State of Georgia, through the Georgia Department of Natural Resources' Environmental Protection Division (GA EPD) on September 15, 2008. The revision expands the eligibility for sources in Barrow County that can participate in the ERC Program, adds a provision for reevaluation of the Certificates of ERC, changes the administrative fees, and eliminates an exemption for certain types of ERCs. This action is being taken pursuant to the Clean Air Act (CAA or Act).

DATES: This rule is effective April 15, 2019.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2009–0226. All documents in the docket are listed on the *www.regulations.gov* website. Although listed in the index, some information may not be publicly available, *i.e.,* Confidential Business Information 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 electronically through *www.regulations.gov* or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Madolyn Sanchez, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. Ms. Sanchez can be reached via telephone at (404) 562–9644 or via electronic mail at *sanchez.madolyn@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On September 15, 2008, GA EPD submitted a SIP revision to EPA for approval that involves changes to Georgia's emissions reduction credits rule and the administrative fees found in Georgia Rule 391–3–1–.03(13). Rule 391–3–1–.03(13) provides for the creation, banking, transfer, and use of nitrogen oxides (NO_X) and volatile organic compounds (VOC) ERCs in Federally designated ozone nonattainment areas in Georgia and administrative fees associated with the ERC Program.

GA EPD oversees the ERC Program, which was created in 1999 and approved into Georgia's SIP on July 10, 2001. *See* 66 FR 35906. The ERC Program facilitates construction permitting for major emission sources that are subject to nonattainment new source review (NNSR) permitting in Georgia ozone nonattainment areas. Emissions point sources within the 25-county area surrounding Atlanta that require Best Available Control Technology and offset permitting are also eligible for the ERC Program.

The ERC Program allows eligible sources that voluntarily reduce emissions in the affected counties to certify and ''bank'' these reductions as ERCs for future use by themselves or others. The banked ERCs hold their value for ten years, at which point they begin devaluing ten percent per year until they have reached 50 percent of their original value. The ERC Program is intended to help the Atlanta area achieve compliance with federal standards for ground-level ozone. The ERC does not allow for any increase in emissions of NO_X or VOC in the area to which it is applicable. In this action, EPA is approving the portion of Georgia's submission that makes changes to the applicability, discounting and revocation, and administrative fees sections of Rule 391–3–1–.03(13)—''Emission Reduction Credits.''

II. Analysis of State's Submittals

The September 15, 2008, SIP revision involves changes to Georgia's Rule 391–3–1–.03—''Permits'' paragraph (13)(a), which modifies eligibility to participate in the ERC Program for stationary sources in Barrow County by removing Barrow County from the list of counties with sources eligible to create and bank NO_X and VOC ERCs only for electric generating units that have the potential to emit NO_X and VOC emissions in amounts greater than 100 tons per year (tpy), and adding Barrow County to the list of counties with sources eligible to create and bank NO_X and VOC ERCs for any stationary source that has the potential to emit NO_X and VOC emissions in amounts greater than 100 tpy. This change expands the universe of stationary sources in Barrow County that may voluntarily reduce NO_X and VOC emissions and then credit those reductions at an equal or reduced rate against future emissions of those pollutants—thus incentivizing overall emissions reductions. Accordingly, EPA is approving this change as SIP strengthening.

Under paragraph (13)(d), Georgia removes a provision that previously allowed ERCs created through the shutdown of individual process equipment to retain their value indefinitely. Like ERCs created through other methods, these ERCs will now retain their original value for ten years, at which point they will begin devaluing ten percent per year until they have reached 50 percent of their original value. EPA has concluded that the removal of this provision will strengthen Georgia's SIP because the change will decrease the value of these ERCs when they are used to offset emissions occurring more than ten years in the future, thus reducing overall emissions in areas where the Program is implemented. Accordingly, EPA is approving the revision to the Georgia SIP.

Under paragraph (13)(d), Georgia adds a new provision that allows owners to re-evaluate certificates of ERCs to determine if credits specified in the certificate have been discounted or revoked in accordance with the requirements of Rule 391–3–1–.03(13)(d)1. EPA is approving this provision as consistent with section 110(a) of the CAA.

Under paragraph (13)(h), Georgia revises the administrative fees for the ERC Program. EPA is approving this provision as consistent with section 110(a) of the CAA.

EPA has concluded that these changes will not interfere with any applicable requirement concerning attainment and reasonable progress, nor any other applicable requirement of the CAA. EPA is therefore approving these changes to the Georgia SIP.[1]

On September 25, 2017 (82 FR 44543), EPA proposed to approve the above revisions to Georgia's SIP. The proposed rule accompanied a direct final rule published on the same day in the **Federal Register**. *See* 82 FR 44519. EPA received comments on the portion of the rulemaking regarding EPA's method of revision to the Georgia SIP table at 40 CFR 52.570(c). Accordingly, EPA withdrew the direct final action. *See* 82 FR 55511.

III. Response to Comment

As stated previously, EPA received comments on the direct final rule. The comments are located in the docket for this action, and a summary of the comments and EPA's response is provided below.

Comment: The Commenter does not challenge the substance of the State rule EPA has proposed to approve into Georgia's SIP. But the Commenter disagrees with EPA's method of revision to the Georgia SIP table at 40 CFR 52.570(c), arguing that EPA incorrectly updated the ''State effective date'' column to September 11, 2008, for Georgia Rule 391–3–1–03. The Commenter states that ''the table is supposed to identify the regulations that have been approved by EPA into the SIP, not simply identify the state-effective date of the version of the regulations that EPA acted on most recently.'' According to the Commenter, EPA's revision of the state effective date creates an impression of approving a different version of Rule 391–3–1–.03 than has actually been incorporated into the SIP.

Response: EPA acknowledges that the September 25, 2017, rulemaking action's change to the Georgia SIP table entry for Rule 391–3–1–.03 may have created confusion. Accordingly, EPA has decided to revise the table to minimize confusion.

IV. 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 Georgia Rule 391–3–1–.03(13)—''Emission Reduction Credits,'' state effective September 11, 2008.[2] EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and/or at the EPA Region 4 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, has been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference by the Director of the Federal Register in the next update to the SIP compilation.[3]

V. Final Action

EPA is approving the aforementioned changes to the Georgia SIP emissions reduction credits rule and the administrative fees found in Georgia Rule 391–3–1–.03(13) submitted on September 15, 2008, because they are consistent with the CAA and its implementing regulations.

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. *See* 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. 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] Other portions of the September 15, 2008, submission were previously approved, and therefore, are not before EPA for consideration in this action. *See* 77 FR 59554 (September 28, 2012) and 79 FR 36218 (June 26, 2014).

[2] The most recent state effective date for the version of Georgia Rule 391–3–1-.03(13) that EPA has approved, including the version of Rule 391–3–1–.03(13)(a), (d), and (h) that are the subject of this final action, is August 1, 2013. As a result, the table at 40 CFR 51.570(c) will reflect the state effective for Rule 391–3–1–.03(13) as August 1, 2013, with the exception of subsection .03(13)(c) as noted in the Explanation column of the table. In addition, EPA is taking this opportunity to reformat the identification of the SIP-approved portions of Georgia Rule 391–3–1–.03 in the table for ease of reference.

[3] *See* 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).

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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

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 13, 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, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides, Volatile organic compounds.

Dated: February 28, 2019.

Mary S. Walker,

Acting Regional Administrator, Region 4.

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.*

Subpart L—Georgia

■ 2. In § 52.570, the table in paragraph (c) is amended by:

■ a. Adding an undesignated heading entitled ''Permits'' after the entry ''391–3–1–.02(14)'';

■ b. Revising the entry ''391–3–1–.03''; and

■ c. Adding entries for ''391–3–1–.03(1)'' through ''391–3–1–.03(8)'' and ''391–3–1–.03(11)'' through ''391–3–1–.03(13)''.

The additions and revisions read as follows:

§ 52.570 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED GEORGIA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
*	*	*	*	*
	Permits			
391–3–1–.03:				
391–3–1–.03(1)	Construction (SIP) Permit	8/17/1994	60 FR 45048, 8/30/1995	
391–3–1–.03(2)	Operating (SIP) Permit	12/26/2001	67 FR 45909, 7/11/2002	With the exception of paragraph (e).
391–3–1–.03(3)	Revocation, Suspension, Modification or Amendment of Permits.	2/23/1979	44 FR 54047, 9/18/1979	
391–3–1–.03(4)	Permits Not Transferable	11/20/1975	41 FR 35184, 8/20/1976	
391–3–1–.03(5)	Permits Public Records	10/28/1992	61 FR 3819, 2/2/1996	
391–3–1–.03(6)	Exemptions	8/9/2012	78 FR 21065, 4/9/2013	
391–3–1–.03(7)	Combined Permits and Applications.	2/23/1979	44 FR 54047, 9/18/1979	
391–3–1–.03(8)	Permit Requirements	8/1/2013	82 FR 47993, 10/16/2017	Paragraph (g) is the version that was state- effective 9/13/2011.
391–3–1–.03(11)	Permit by Rule	7/20/2005	75 FR 6309, 2/9/2010	
391–3–1–.03(12)	Generic Permit	8/17/1994	60 FR 45048, 8/30/1995	
391–3–1–.03(13)	Emission Reduction Credits	9/11/2008	3/14/2019, [Insert citation of publication]	Except subparagraph 391–3–1–.03(13)(f), which was approved into the SIP with a state-effective date of 7/18/2001, and subparagraphs (b), (c), (e), (g), and (i), which were approved into the SIP with a state-effective date of 2/16/2000.
*	*	*	*	*

* * * * *

[FR Doc. 2019–04646 Filed 3–13–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

Tolerances and Exemptions for Pesticide Chemical Residues in Food

CFR Correction

■ In Title 40 of the Code of Federal Regulations, Parts 150 to 189, revised as of July 1, 2018, on page 685, in § 180.601, in the table in paragraph (a), the parts per million of cyazofamid for the commodity ''Herb subgroup 19A'' is corrected to read ''90''.

[FR Doc. 2019–04793 Filed 3–13–19; 8:45 am]

BILLING CODE 1301–00–D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 1065

Engine-Testing Procedures

CFR Correction

■ In Title 40 of the Code of Federal Regulations, Part 1060 to End, revised as of July 1, 2018, on page 230, in § 1065.670, paragraph (a) introductory text is reinstated to read as follows:

§ 1065.670 NO_X intake-air humidity and temperature corrections.

* * * * *

(a) For compression-ignition engines, correct for intake-air humidity using the following equation:

* * * * *

[FR Doc. 2019–04792 Filed 3–13–19; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 190204057–9057–01]

RIN 0648–BI70

Pacific Halibut Fisheries; Catch Sharing Plan

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

ACTION: Final rule.

SUMMARY: The Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration (NOAA), on behalf of the International Pacific Halibut Commission (IPHC), publishes as regulations the 2019 annual management measures governing the Pacific halibut fishery that have been recommended by the IPHC and accepted by the Secretary of State. This action is intended to enhance the conservation of Pacific halibut and further the goals and objectives of the Pacific Fishery Management Council (PFMC) and the North Pacific Fishery Management Council (NPFMC).

DATES: The IPHC's 2019 annual management measures are valid March 14, 2019. The 2019 management measures are effective until superseded.

ADDRESSES: Additional requests for information regarding this action may be obtained by contacting the International Pacific Halibut Commission, 2320 W Commodore Way, Suite 300, Seattle, WA 98199–1287; or Sustainable Fisheries Division, NMFS Alaska Region, P.O. Box 21668, Juneau, AK 99802, Attn: Ellen Sebastian, Records Officer; or Sustainable Fisheries Division, NMFS West Coast Region, 7600 Sand Point Way NE, Seattle, WA 98115. This final rule also is accessible via the internet at the Federal eRulemaking portal at *http://www.regulations.gov,* identified by docket number NOAA–NMFS–2019–0006.

FOR FURTHER INFORMATION CONTACT: For waters off Alaska, Kurt Iverson, 907–586–7210; or, for waters off the U.S. West Coast, Keeley Kent, 206–526–4655.

SUPPLEMENTARY INFORMATION:

Background

The IPHC has recommended regulations that would govern the Pacific halibut fishery in 2019, pursuant to the Convention between Canada and the United States for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention), signed at Ottawa, Ontario, on March 2, 1953, as amended by a Protocol Amending the Convention (signed at Washington, DC, on March 29, 1979).

As provided by the Northern Pacific Halibut Act of 1982 (Halibut Act) at 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may accept or reject, on behalf of the United States, regulations recommended by the IPHC in accordance with the Convention (Halibut Act, Sections 773–773k). The Secretary of State, with the concurrence of the Secretary of Commerce, accepted the 2019 IPHC regulations as provided by the Halibut Act at 16 U.S.C. 773–773k.

The Halibut Act provides the Secretary of Commerce with the authority and general responsibility to carry out the requirements of the Convention and the Halibut Act. The Regional Fishery Management Councils may develop, and the Secretary of Commerce may implement, regulations governing harvesting privileges among U.S. fishermen in U.S. waters that are in addition to, and not in conflict with, approved IPHC regulations. The NPFMC has exercised this authority most notably in developing halibut management programs for three fisheries that harvest halibut in Alaska: The subsistence, sport, and commercial fisheries. The PFMC has exercised this authority by developing a catch sharing plan governing the allocation of halibut and management of sport fisheries on the U.S. West Coast.

The IPHC apportions catch limits for the Pacific halibut fishery among regulatory areas (Figure 1): Area 2A (Oregon, Washington, and California), Area 2B (British Columbia), Area 2C (Southeast Alaska), Area 3A (Central Gulf of Alaska), Area 3B (Western Gulf of Alaska), and Area 4 (subdivided into 5 areas, 4A through 4E, in the Bering Sea and Aleutian Islands of Western Alaska).

Subsistence and sport halibut fishery regulations for Alaska are codified at 50 CFR part 300. Commercial halibut fisheries off Alaska are subject to the Individual Fishing Quota (IFQ) Program and Community Development Quota (CDQ) Program (50 CFR part 679) regulations, and the area-specific catch sharing plans (CSPs) for Areas 2C, 3A, and Areas 4C, 4D, and 4E.

The NPFMC implemented a CSP among commercial IFQ and CDQ halibut fisheries in IPHC Regulatory Areas 4C, 4D, and 4E (Area 4, Western Alaska) through rulemaking, and the Secretary of Commerce approved the plan on March 20, 1996 (61 FR 11337). The Area 4 CSP regulations were codified at 50 CFR 300.65, and were amended on March 17, 1998 (63 FR 13000). New annual regulations pertaining to the Area 4 CSP also may be implemented through IPHC action, subject to acceptance by the Secretary of State.

The NPFMC recommended and NMFS implemented through rulemaking a CSP for guided sport (charter) and commercial IFQ halibut fisheries in IPHC Regulatory Area 2C and Area 3A on January 13, 2014 (78 FR 75844, December 12, 2013). The Area 2C and 3A CSP regulations are codified at 50 CFR 300.65. The CSP defines an

annual process for allocating halibut between the commercial and charter fisheries so that each sector's allocation varies in proportion to halibut abundance, specifies a public process for setting annual management measures, and authorizes limited annual leases of commercial IFQ for use in the charter fishery as guided angler fish (GAF).

The IPHC held its annual meeting in Victoria, British Columbia, Canada, January 28–February 1, 2019, and recommended a number of changes to the previous IPHC regulations (83 FR 10390, March 6, 2018). The recommendations also supersede the regulations for catch limits, catch share plan allocations, and charter halibut management measures implemented in 2018 by NMFS in interim final rules for the waters off Alaska (83 FR 12133, March 20, 2018) and for waters off Washington, Oregon, and California (83 FR 13080, March 26, 2018). The Secretary of State accepted the annual management measures, including the following changes to the previous IPHC regulations for 2019:

1. New commercial halibut fishery opening and closing dates in Section 9;

2. New halibut catch limits in all regulatory areas in Section 12 and revisions to the table in Section 4 that specifies the commercial, sport, and Treaty fishing catch limits for all IPHC areas; and

3. New management measures for Area 2C and Area 3A guided sport fisheries in Section 29.

4. Minor revisions and clarifications to regulatory language.

Pursuant to regulations at 50 CFR 300.62, the 2019 IPHC annual management measures are published in the **Federal Register** to provide notice of their immediate regulatory effectiveness and to inform persons subject to the regulations of their restrictions and requirements. Because NMFS publishes the regulations applicable to the entire Convention area, these regulations include some provisions relating to and affecting Canadian fishing and fisheries. NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current Federal and IPHC regulations prior to fishing.

Catch Limits

The IPHC recommended to the governments of Canada and the United States catch limits for 2019 totaling 29,430,000 lb (13,349.22 mt). The IPHC recommended area-specific catch limits for 2019 that were higher than the catch limits implemented in 2018 in most of its management areas, with exceptions in Areas 2B and 3B, where catch limits were reduced relative to the 2018 implemented levels. A description of the process the IPHC used to set these catch limits follows.

In 2018, the IPHC conducted its annual stock assessment using a range of updated data sources as described in detail in the IPHC overview of data sources for the Pacific halibut stock assessment, harvest policy, and related analyses (IPHC–2019–AM095–08; available at *www.iphc.int*). To evaluate the Pacific halibut stock, the IPHC used an ''ensemble'' of four equally weighted models, comprised of two long time-series models, and two short time-series models incorporating data from 1996 to the present. Each time-series length used data series that are divided either by four geographical regions or aggregated into coastwide summaries. These models incorporate data from the 2018 IPHC survey, the 2018 commercial halibut fishery, the most recent NMFS trawl survey, weight-at-age estimates by region, and age distribution information for bycatch, sport, and sublegal discard removals. As has been the case since 2012, the results of the ensemble models are integrated, and incorporate uncertainty in natural mortality rates, environmental effects on recruitment, and other structural and parameter categories. The data and assessment models used by the IPHC are reviewed by the IPHC's Scientific Review Board comprised of non-IPHC scientists who provide an independent scientific review of the stock assessment data and models and provide recommendations to IPHC staff and to the Commission. The Scientific Review Board did not identify any substantive errors in the data or methods used in the 2019 stock assessment. NMFS believes the IPHC's data and assessments models constitute best available science on the status of the Pacific halibut resource.

The IPHC's data, including the setline survey, indicate that the Pacific halibut stock declined continuously from the late 1990s to around 2011, largely as a result of decreasing size at a given age (size-at-age), higher harvest rates in 2000s, as well as somewhat weaker recruitment strengths than those observed during the 1980s. The biomass of spawning females is estimated to have stabilized near 190,000,000 lb (86,182.55 mt) in 2011. In subsequent years, through 2016, the stock was estimated to have gradually increased. Results from the 2019 stock assessment incorporate recent efforts to expand the setline survey in Areas 2A, 2B, and 2C. In addition, improvements in the setline spatial coverage have helped reduce the uncertainty in the Weight Per Unit Effort (WPUE) and Number Per Unit Effort (NPUE) indices. Overall, the 2019 spawning biomass is currently estimated to be 199,000,000 lb (90,264.88), which is 43 percent of unfished levels, as defined by the IPHC's interim harvest strategy policy.

The IPHC's interim management procedure strives to maintain the total mortality of halibut across its range from all sources based on a reference level of fishing intensity so that the Spawning Potential Ratio (SPR) is equal to 46 percent. The reference fishing intensity of F46 percent SPR seeks to allow a level of fishing intensity that is expected to result in approximately 46 percent of the spawning stock biomass per recruit compared to an unfished stock (*i.e.,* no fishing mortality). Lower values indicate higher fishing intensity. Additional information on the status of the halibut resource under these catch limit alternatives is provided in the Analysis (see **ADDRESSES**).

The IPHC harvest decision table (Table 3 in Assessment of the Pacific halibut stock at the end of 2018; IPHC–2019–AM095–09) provides a comparison of the relative risk of a decrease in stock biomass, status, or fishery metrics, for a range of alternative harvest levels for 2019. The IPHC adopted catch limits for 2019 totaling 29,430,000 lb (13,349.22 mt) coastwide. This corresponds to a fishing intensity of F47 percent, which is slightly more conservative than the interim reference level of F46 percent. The IPHC noted this more precautionary management approach considers the inherent uncertainties in the stock assessment models, particularly the estimates of the relative strength of the 2011 and 2012 year-classes and the scale of the recent biomass, which was tied to the outcome of additional data collected in 2018 by the expansion of the coastwide setline survey.

If these catch limits are fully harvested in 2019, and other sources of removals from bycatch, personal use, sport, subsistence, and wastage in the commercial fishery in 2019 are similar to those observed in 2018, then the total Pacific halibut removals would be approximately 40,340,000 lb (18,297.92 mt) in 2019. At 40,340,000 lb of total removals from all sources, the IPHC estimates that the spawning stock biomass will decrease over the period from 2020 to 2022 relative to 2019. Specifically, the IPHC estimates that there is an 84 percent probability that the spawning stock biomass will decrease in 2020 relative to 2019, and that there is a 34 percent probability that the decrease in 2020 will be at least

5 percent of the 2019 spawning stock biomass.

This final rule does not establish the combined commercial and recreational catch limit for Area 2B (British Columbia), which is subject to rulemaking by the Canada and British Columbia governments. However, the IPHC's recommendation for the Area 2B catch limit is directly related to the current and future U.S. catch limits established by this final rule and is therefore discussed herein. The IPHC determined the combined catch limit for Area 2B by basing 30 percent of the catch on the target Total Constant Exploitation Yield (TCEY) distribution for Area 2B under the current interim management procedure. The remaining 70 percent of the Area 2B catch limit is based on 20 percent of the total coastwide TCEY, which reflects the recent historical average share that has been assigned to Area 2B. Taken together, the weighted average of these two factors assigns a catch limit of 5,950,000 lb (2,698.87 mt) to Area 2B. The IPHC indicated its intent that this catch limit formula should apply for each year from 2019 through 2022, subject to any substantive conservation concerns. In 2019, the Area 2B catch limit equates to 20.2 percent of the total 29,430,000 lb (13,349.22 mt) coastwide catch limit.

The IPHC recommended an allocation to Area 2A that would provide a TCEY of 1,650,000 lb (748.43 mt) with a combined commercial, subsistence, and recreational catch limit of 1,500,000 lb (680.39 mt). Additionally, the IPHC indicated its intent that this TCEY should apply for a period from 2019 through 2022, subject to any substantive conservation concerns. This fixed allocation is larger than the catch limit that would apply to Area 2A under the adopted fishing intensity of F47 percent and the stock assessment's 2019 coastwide TCEY distribution. To achieve the Area 2A and Area 2B allocations and still maintain the target estimates of coastwide fishing intensity and TCEY, the IPHC recommended catch limits in other IPHC areas in U.S. waters that are intended to maintain total mortality to the adopted fishing intensity of F47 percent.

After the adjustments to Areas 2A and 2B were accounted for, the IPHC apportioned the remaining TCEY to the Alaska regulatory areas after considering the distribution of harvestable biomass of halibut based on the Fishery Independent Setline Survey. The only U.S. area with a reduced catch limit relative to 2018 is Area 3B (−11.1 percent; see Table 1). Information from the Fishery Independent Setline Survey indicated a lower amount of harvestable biomass of halibut in Area 3B in 2019 relative to 2018. Areas 3A, 4A, 4B, and 4CDE received increases over 2018 levels that ranged from 8.6 percent in Area 3A to 29.1 percent in the combined Areas 4CDE. The IPHC recommended these TCEY, and the resulting catch limits after considering the distribution of the harvestable biomass, the recommendations from the IPHC's advisory boards, and public input received at the annual meeting. After considering this information, the IPHC determined that the 2019 catch limit recommendations are consistent with its conservation objectives for the halibut stock and its management objectives for the halibut fisheries.

The IPHC also considered the Catch Sharing Plan for Area 4CDE developed by the NPFMC in its catch limit recommendation. When the Area 4CDE catch limit is greater than 1,657,600 lb (751.87 mt), a direct allocation of 80,000 lb (36.29 mt) is made to Area 4E to provide CDQ fishermen in that area with additional harvesting opportunity. After this 80,000 lb allocation is deducted from the catch limit, the remainder is divided among Areas 4C, 4D, and 4E according to the percentages specified in the CSP. Those percentages are 46.43 percent each to 4C and 4D, and 7.14 percent to 4E. The IPHC recommended a catch limit for Area 4CDE of 2,040,000 lb (925.33 mt) for 2019.

TABLE 1—PERCENT CHANGE IN CATCH LIMITS FROM 2018 TO 2019 BY IPHC REGULATORY AREA

Regulatory area	2018 Catch limit (lb)	2019 Catch limit (lb)	Change from 2018 (percent)
2A [1]	1,190,000	1,500,000	+26.1
2B [2]	6,223,985	5,950,000	−4.4
2C [3]	4,450,000	4,490,000	+0.9
3A [3]	9,450,000	10,260,000	+8.6
3B	2,620,000	2,330,000	−11.1
4A	1,370,000	1,650,000	+20.4
4B	1,050,000	1,210,000	+15.2
4CDE	1,580,000	2,040,000	+29.1
Coastwide	27,933,985	29,430,000	+5.4

[1] Area 2A catch limit includes sport, commercial, and tribal catch limits.
[2] Area 2B catch limit includes sport and commercial catch limits.
[3] Shown is the combined commercial and charter allocation under the Area 2C and Area 3A CSP. This value includes allocations to the charter sector and charter wastage, and an amount for commercial landings and wastage. The 2019 commercial catch limits after deducting wastage are 3,610,000 lb in Area 2C and 8,060,000 lb in Area 3A.

Commercial Halibut Fishery Opening and Closing Dates

The IPHC considers advice from the IPHC's two advisory boards when selecting opening and closing dates for the halibut fishery. The opening date for all IPHC areas is March 15, 2019. The Conference Board had requested an earlier date (March 2), while the Processor Board recommended an opening date of March 23, suggesting that a later opening date facilitates halibut marketing. The IPHC indicated the March 15 date takes into account some unique challenges and uncertainties in the U.S. for meeting critical administrative deadlines this year. The closing date for the halibut fisheries in all areas is November 14, 2019. This date takes into account the anticipated time required to fully harvest the commercial halibut catch limits, seasonal holidays, and adequate time for IPHC staff to review the complete record of 2019 commercial catch data for use in the 2019 stock assessment process.

In the Area 2A non-treaty directed commercial fishery, the IPHC recommended seven 10-hour fishing periods. Each fishing period shall begin at 0800 hours and terminate at 1800 hours local time on June 26, July 10,

July 24, August 7, August 21, September 4, and September 18, 2019. The IPHC also requested consideration of additional opening and fishing period limits (vessel quota) in Area 2A. The IPHC Secretariat responded by establishing an additional opening on June 27, 2019. This opening would also conform to the same 10-hour, 0800 to 1800 daily schedule as indicated above.

Area 2A Catch Sharing Plan

The NMFS West Coast Region will publish a proposed rule for changes to the Pacific Halibut Catch Sharing Plan for Area 2A off Washington, Oregon, and California. A separate final rule will be published to approve changes to the Area 2A CSP and to implement the portions of the CSP and management measures that are not implemented through the IPHC annual management measures that are published in this final rule. These measures include the sport fishery allocations and management measures for Area 2A. The proposed and final rules for the Area 2A CSP will be available on the NOAA Fisheries West Coast Region's website at *http://www.westcoast.fisheries.noaa.gov/fisheries/management/pacific_halibut_management.html,* and also at *www.regulations.gov*.

Catch Sharing Plan for Area 2C and Area 3A

In 2014, NMFS implemented a CSP for Area 2C and Area 3A. The CSP defines an annual process for allocating halibut between the charter and commercial fisheries in Area 2C and Area 3A, and establishes allocations for each fishery. To allow flexibility for individual commercial and charter fishery participants, the CSP also authorizes annual transfers of commercial halibut IFQ as GAF to charter halibut permit holders for harvest in the charter fishery. Under the CSP, the IPHC recommends combined catch limits (CCLs) for the charter and commercial halibut fisheries in Area 2C and Area 3A. Each CCL includes estimates of discard mortality (wastage) for each fishery. The CSP was implemented to achieve the halibut fishery management goals of the NPFMC. More information is provided in the final rule implementing the CSP (78 FR 75844, December 12, 2013). Implementing regulations for the CSP are at 50 CFR 300.65. The Area 2C and Area 3A CSP allocation tables are located in Tables 1 through 4 of subpart E of 50 CFR part 300.

At its January-February meeting, the IPHC recommended a CCL of 4,490,000 lb (2,036.63 mt) for Area 2C. Following the CSP allocations in Tables 1 and 3 of subpart E of 50 CFR part 300, the charter fishery is allocated 820,000 lb (371.95 mt) of the CCL and the remainder of the CCL, 3,670,000 lb (1,664.68 mt), is allocated to the commercial fishery. Wastage in the amount of 60,000 lb (27.22 mt) was deducted from the commercial allocation to obtain the commercial catch limit of 3,610,000 lb (1,637.47 mt). The commercial allocation increased by 30,000 lb (13.61 mt) or 0.8 percent, from the 2018 allocation of 3,640,000 lb (1,651.08 mt) (including wastage). The charter allocation for 2019 is 10,000 lb (4.54 mt), or 1.2 percent greater than the 2018 charter sector allocation of 810,000 lb (367.41 mt).

The IPHC recommended a CCL of 10,260,000 lb (4,653.86 mt) for Area 3A. Following the CSP allocations in Tables 2 and 4 of subpart E of 50 CFR part 300, the charter fishery is allocated 1,890,000 lb (857.29 mt) of the CCL and the remainder of the CCL, 8,370,000 lb (3,796.57 mt), is allocated to the commercial fishery. Wastage in the amount of 310,000 lb (140.61 mt) was deducted from the commercial allocation to obtain the commercial catch limit of 8,060,000 lb (3,655.95 mt). The commercial allocation increased by about 700,000 lb (317.51 mt) or 9.1 percent, from the 2018 allocation of 7,670,000 lb (3,479.05 mt) (including wastage). The charter allocation increased by 100,000 lb (45.36 mt), or 5.6 percent, from the 2018 allocation of 1,790,000 lb (811.93 mt).

Charter Halibut Management Measures for Area 2C and Area 3A

Guided (charter) recreational halibut anglers are managed under different regulations than unguided recreational halibut anglers in Areas 2C and 3A in Alaska. According to Federal regulations at 50 CFR 300.61, a charter vessel angler means a person, paying or non-paying, receiving sport fishing guide services for halibut. Sport fishing guide services means assistance, for compensation or with the intent to receive compensation, to a person who is sport fishing, to take or attempt to take halibut by accompanying or physically directing the sport fisherman in sport fishing activities during any part of a charter vessel fishing trip. A charter vessel fishing trip is the time period between the first deployment of fishing gear into the water from a charter vessel by a charter vessel angler and the offloading of one or more charter vessel anglers or any halibut from that vessel. The charter fishery regulations described below apply only to charter vessel anglers receiving sport fishing guide services during a charter vessel fishing trip for halibut in Area 2C or Area 3A. These regulations do not apply to unguided recreational anglers in any regulatory area in Alaska, or guided anglers in areas other than Areas 2C and 3A.

The NPFMC formed the Charter Halibut Management Committee as an industry advisory body to provide recommendations for annual management measures intended to limit charter harvest to the charter catch limit. The committee is composed of representatives from the charter fishing industry in Areas 2C and 3A. The committee considered previously analyzed alternatives and also suggested new alternative measures that were analyzed in October 2018. After reviewing an analysis of the effects of the alternative measures on estimated charter removals, the committee made recommendations for preferred management measures to the NPFMC for 2019. The NPFMC considered the recommendations of the committee along with public testimony to develop its recommendation to the IPHC, and the IPHC took action consistent with the NPFMC's recommendations. The NPFMC has used this process to select and recommend annual management measures to the IPHC since 2012.

The IPHC recognizes the role of the NPFMC to develop policy and regulations that allocate the Pacific halibut resource among fishermen in and off Alaska, and that NMFS has developed numerous regulations to support the NPFMC's goals of limiting charter harvests. The IPHC concluded that in Area 3A, with its higher recommended catch limits relative to 2018, management measures should be slightly less restrictive than in 2018. In Area 2C, where catch limits are expected to be very similar to 2018, the IPHC determined that charter management measures should remain the same as 2018. For each management area, the analysis suggests the management measures will achieve the IPHC's overall conservation objective to keep halibut harvests within established catch limits, and will also meet the NPFMC's allocation objectives. The IPHC determined that limiting charter harvests by implementing the management measures discussed below would meet these objectives.

Management Measures for Charter Vessel Fishing in Area 2C

The preliminary estimate of 2018 charter removals in Area 2C was below the 2018 charter allocation by about 80,000 lb (36.29 mt) or 10.0 percent, indicating that the 2018 management measures were appropriate and effective

at limiting harvest by charter vessel anglers to the charter allocation. The analysis of alternative management measures indicated that both effort and harvest were projected to increase in 2018 under *status quo* regulations; however, the 10,000 lb (4.54 mt) increase in the charter catch limit, combined with 2018 management measures that resulted in harvests below the allocation, prompted the IPHC to conclude that *status quo* management measures are appropriate, and that management measures adopted for Area 2C in 2018 should carry over to 2019.

Specifically, for 2019 in Area 2C, the IPHC recommended the continuation of a one-fish daily bag limit with a reverse slot limit that prohibits a person on board a charter vessel referred to in 50 CFR 300.65 and fishing in Area 2C from taking or possessing any halibut, with head on, that is greater than 38 inches (96.5 cm) and less than 80 inches (203.2 cm), as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail. The projected charter removal under the 2019 recommended reverse slot limit is 833,000 lb (377.84 mt), which is 13,000 lb (5.90 mt) and 1.6 percent above the charter allocation. The IPHC noted that the Area 2C charter halibut harvest has consistently been below the charter allocation for the past several years, and that projected halibut mortality resulting from these management measures are accounted for when the total halibut removals from all sources are calculated.

Management Measures for Charter Vessel Fishing in Area 3A

The preliminary estimate of charter removals in Area 3A in 2018 exceeded the charter allocation by 77,244 lb (35.04 mt), or 4.3 percent. Starting in 2014, charter vessel anglers in Area 3A have been limited to a two-fish daily bag limit with a maximum size limit on one fish. One effect of the maximum size limit has been that the number of fish harvested per angler has steadily decreased, but the average weight of harvested fish has increased as many anglers opted to maximize the size of retained fish.

This final rule amends the 2018 management measures applicable to the charter halibut fishery in Area 3A. The NPFMC and IPHC considered 2018 information on charter removals and the projections of charter harvest for 2019. After considering 2018 harvest information, the NPFMC and IPHC determined that slightly less restrictive management measures in Area 3A were appropriate to limit charter removals, including wastage, to the 2019 allocation.

For 2019, the IPHC recommended continuing the following management measures for Area 3A from 2018: (1) A two-fish bag limit with a 28-inch (71.1 cm) size limit on one of the halibut; (2) a one-trip per day limit for the entire season; (3) an annual limit of four fish, with a reporting requirement; and, (4) prohibition on halibut retention by charter vessel anglers on Wednesdays. In addition, the IPHC recommended a prohibition on halibut retention on five Tuesdays from July 16 through August 13. The projected charter harvest for 2019 under this combination of recommended measures is 1,882,000 lb (853.66 mt), 8,000 lb (3.63 mt) below the charter allocation. Each of these management measures is described in more detail below.

Size Limit for Halibut Retained on a Charter Vessel in Area 3A

The 2019 charter halibut fishery in Area 3A will be managed under a two-fish daily bag limit in which one of the retained halibut may be of any size and one of the retained halibut must be 28 inches (71.1 cm) total length or less. This is the same maximum size limit adopted from 2016 through 2018. This daily bag and size limit will be combined with additional restrictions to limit charter halibut removals to the 2019 allocation.

Trip Limit for Charter Vessels Harvesting Halibut in Area 3A

As in 2016 through 2018, charter halibut permits and charter vessels are only authorized for use to catch and retain halibut on one charter halibut fishing trip per day in Area 3A. If no halibut are retained during a charter vessel fishing trip, the charter halibut permit and vessel may be used to take an additional trip to catch and retain halibut that day.

For purposes of the trip limit in Area 3A in 2019, a charter vessel fishing trip will end when anglers or halibut are offloaded, or at the end of the calendar day, whichever occurs first. Charter operators are still able to conduct overnight trips and anglers may retain a bag limit of halibut on each calendar day, but operators are not allowed to begin another overnight trip until the day after the trip ends. GAF halibut are exempt from the trip limit; therefore, GAF could be used to harvest halibut on a second trip in a day, but only if exclusively GAF halibut were harvested on that trip.

Day-of-Week Closures in Area 3A

The NPFMC and the IPHC recommended continuing the day-of-week closure on Wednesdays for Area 3A in 2019. No retention of halibut by charter vessel anglers will be allowed in Area 3A on Wednesdays. To further reduce harvest, retention of halibut is also prohibited on five Tuesdays in 2019: July 16, July 23, July 30, August 6, and August 13. Retention of only GAF halibut will be allowed on charter vessels on Wednesdays and the five closed Tuesdays; all other halibut that are caught while fishing on a charter vessel must be released. The five Tuesday closures is expected to increase the charter halibut harvest by 2.7 percent relative to 2018, when six Tuesdays were closed.

Annual Limit of Four Fish for Charter Vessels Anglers in Area 3A

For 2019, charter vessel anglers will continue to be limited to harvesting no more than four halibut on charter vessel fishing trips in Area 3A during a calendar year. This limit applies only to halibut caught and retained during charter vessel fishing trips in Area 3A. Halibut harvested while unguided fishing, fishing in other IPHC regulatory areas, or harvested as GAF will not accrue toward the annual limit.

To enforce the annual limit in 2019, each charter vessel angler who is required to have a State of Alaska sport fishing license and who harvests halibut will be required to record those halibut on the back of the fishing license. For those anglers who are not required to have a sport fishing license (*e.g.,* youth and senior anglers), a nontransferable Sport Harvest Record Card must be obtained from an Alaska Department of Fish and Game (ADF&G) office, the ADF&G website, or a fishing license vendor, on which to record halibut harvested aboard a charter vessel. Immediately upon retention of a halibut for which an annual limit has been established, the charter vessel angler must record the date, location (Area 3A), and species of the catch (halibut), in ink, on the harvest record card or back of the sport fishing license.

If the original sport fishing license or harvest record is lost, a duplicate or additional sport fishing license or harvest record card must be obtained and completed for all halibut previously retained during that year that were subject to the annual limit.

Only halibut caught during a charter vessel fishing trip in Area 3A accrue toward the 4-fish annual limit and must be recorded on the license or harvest record card. As noted above, halibut

that are harvested while charter fishing in regulatory areas other than Area 3A will not accrue toward the annual limit and are not subject to the reporting requirement. Likewise, halibut harvested while sport fishing without a guide in Area 3A, harvested while subsistence fishing, or harvested as GAF do not accrue toward the annual limit and should not be recorded on the license or harvest record. Finally, halibut that are caught during a charter vessel fishing trip that bear IPHC external tags are exempt from the annual limit and reporting requirements (see Section 21 of the IPHC regulations).

Annual Halibut Management Measures

The following annual management measures for the 2019 Pacific halibut fishery are those recommended by the IPHC and accepted by the Secretary of State, with the concurrence of the Secretary of Commerce.

1. Short Title

These Regulations may be cited as the Pacific Halibut Fishery Regulations.

2. Application

(1) These Regulations apply to persons and vessels fishing for Pacific halibut in, or possessing Pacific halibut taken from, the maritime area as defined in Section 3.

(2) Sections 3 to 7 apply generally to all Pacific halibut fishing.

(3) Sections 8 to 21 apply to commercial fishing for Pacific halibut.

(4) Section 22 applies to tagged Pacific halibut caught by any vessel.

(5) Section 23 applies to the United States treaty Indian fishery in Subarea 2A–1.

(6) Section 24 applies to customary and traditional fishing in Alaska.

(7) Section 25 applies to Aboriginal groups fishing for food, social and ceremonial purposes in British Columbia.

(8) Sections 26 to 29 apply to sport fishing for Pacific halibut.

(9) These Regulations do not apply to fishing operations authorized or conducted by the Commission for research purposes.

3. Definitions

(1) In these Regulations,

(a) ''authorized officer'' means any State, Federal, or Provincial officer authorized to enforce these Regulations including, but not limited to, the National Marine Fisheries Service (NOAA Fisheries), Canada's Department of Fisheries and Oceans (DFO), Alaska Wildlife Troopers (AWT), United States Coast Guard (USCG), Washington Department of Fish and Wildlife (WDFW), the Oregon State Police (OSP), and California Department of Fish and Wildlife (CDFW);

(b) ''authorized clearance personnel'' means an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor;

(c) ''charter vessel'' outside of Alaska waters means a vessel used for hire in sport fishing for Pacific halibut, but not including a vessel without a hired operator, and in Alaska waters means a vessel used while providing or receiving sport fishing guide services for Pacific halibut;

(d) ''commercial fishing'' means fishing, the resulting catch of which is sold or bartered; or is intended to be sold or bartered, other than i) sport fishing, ii) treaty Indian ceremonial and subsistence fishing as referred to in section 23, iii) customary and traditional fishing as referred to in section 24 and defined by and regulated pursuant to NOAA Fisheries regulations published at 50 CFR part 300, and iv) Aboriginal groups fishing in British Columbia as referred to in section 25;

(e) ''Commission'' or ''IPHC'' means the International Pacific Halibut Commission;

(f) ''daily bag limit'' means the maximum number of Pacific halibut a person may take in any calendar day from Convention waters;

(g) ''fishing'' means the taking, harvesting, or catching of fish, or any activity that can reasonably be expected to result in the taking, harvesting, or catching of fish, including specifically the deployment of any amount or component part of gear anywhere in the maritime area;

(h) ''fishing period limit'' means the maximum amount of Pacific halibut that may be retained and landed by a vessel during one fishing period;

(i) ''land'' or ''offload'' with respect to Pacific halibut, means the removal of Pacific halibut from the catching vessel;

(j) ''license'' means a Pacific halibut fishing license issued by the Commission pursuant to section 5;

(k) ''maritime area'', in respect of the fisheries jurisdiction of a Contracting Party, includes without distinction areas within and seaward of the territorial sea and internal waters of that Party;

(l) ''net weight'' of a Pacific halibut means the weight of Pacific halibut that is without gills and entrails, head-off, washed, and without ice and slime. If a Pacific halibut is weighed with the head on or with ice and slime, the required conversion factors for calculating net weight are a 2 percent deduction for ice and slime and a 10 percent deduction for the head;

(m) ''operator'', with respect to any vessel, means the owner and/or the master or other individual on board and in charge of that vessel;

(n) ''overall length'' of a vessel means the horizontal distance, rounded to the nearest foot, between the foremost part of the stem and the aftermost part of the stern (excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments);

(o) ''person'' includes an individual, corporation, firm, or association;

(p) ''regulatory area'' means an IPHC Regulatory Area referred to in section 7;

(q) ''setline gear'' means one or more stationary, buoyed, and anchored lines with hooks attached;

(r) ''sport fishing'' or ''recreational fishing'' means all fishing other than (i) commercial fishing, (ii) treaty Indian ceremonial and subsistence fishing as referred to in section 23, (iii) customary and traditional fishing as referred to in section 24 and defined in and regulated pursuant to NOAA Fisheries regulations published in 50 CFR part 300, and (iv) Aboriginal groups fishing in British Columbia as referred to in section 25;

(s) ''tender'' means any vessel that buys or obtains fish directly from a catching vessel and transports it to a port of landing or fish processor;

(t) ''VMS transmitter'' means a NOAA Fisheries-approved vessel monitoring system transmitter that automatically determines a vessel's position and transmits it to a NOAA Fisheries-approved communications service provider.[1]

(2) In these Regulations, all bearings are true and all positions are determined by the most recent charts issued by the United States National Ocean Service or the Canadian Hydrographic Service.

4. Limits

(1) The fishery limits resulting from the IPHC-adopted values and the Contracting Party catch sharing arrangements are as follows:

[1] Call NOAA Enforcement Division, Alaska Region, at 907–586–7225 between the hours of 0800 and 1600 local time for a list of NOAA Fisheries-approved VMS transmitters and communications service providers.

IPHC Regulatory Area	Fishery limits (net weight)	
	Pounds (lbs)	Metric tons (t)
Area 2A (California, Oregon, Washington)	1,500,000	680.39
Non-treaty directed commercial (south of Pt. Chehalis)	254,426	115.41
Non-treaty incidental catch in salmon troll fishery	44,899	20.37
Non-treaty incidental catch in sablefish fishery (north of Pt. Chehalis)	70,000	31.75
Treaty Indian commercial	497,000	225.44
Treaty Indian ceremonial and subsistence (year-round)	28,000	12.70
Recreational—Washington	277,100	125.69
Recreational—Oregon	289,575	131.35
Recreational—California	39,000	17.69
Area 2B (British Columbia)(includes recreational catch allocation)	5,950,000	2,698.90
Area 2C (southeastern Alaska) (combined commercial/guided recreational)	4,490,000	2,036.63
Commercial fishery (3,610,000 catch and 60,000 incidental mortality)	3,670,000	1,664.68
Guided sport fishery (includes catch and incidental mortality)	820,000	371.95
Area 3A (central Gulf of Alaska) (combined commercial/guided recreational)	10,260,000	4,653.86
Commercial fishery (8,060,000 catch and 310,000 incidental mortality)	8,370,000	3,678.64
Guided recreational fishery (includes catch and incidental mortality)	1,890,000	857.29
Area 3B (western Gulf of Alaska)	2,330,000	1,056.87
Area 4A (eastern Aleutians)	1,650,000	748.43
Area 4B (central/western Aleutians)	1,210,000	548.85
Area 4CDE	2,040,000	925.33
Area 4C (Pribilof Islands)	910,000	412.77
Area 4D (northwestern Bering Sea)	910,000	412.77
Area 4E (Bering Sea flats)	220,000	99.79
Total	29,430,000	13,349.22

5. Licensing Vessels for Area 2A

(1) No person shall fish for Pacific halibut from a vessel, nor possess Pacific halibut on board a vessel, used either for commercial fishing or as a charter vessel in IPHC Regulatory Area 2A, unless the Commission has issued a license valid for fishing in IPHC Regulatory Area 2A in respect of that vessel.

(2) A license issued for a vessel operating in IPHC Regulatory Area 2A shall be valid only for operating either as a charter vessel or a commercial vessel, but not both.

(3) A vessel with a valid IPHC Regulatory Area 2A commercial license cannot be used to sport fish for Pacific halibut in IPHC Regulatory Area 2A.

(4) A license issued for a vessel operating in the commercial fishery in Area 2A shall be valid for one of the following:

(a) The directed commercial fishery during the fishing periods specified in paragraph (2) of section 9;

(b) the incidental catch fishery during the sablefish fishery specified in paragraph (3) of section 9; or

(c) the incidental catch fishery during the salmon troll fishery specified in paragraph (4) of section 9.

(5) No person may apply for or be issued a license for a vessel operating in the incidental catch fishery during the salmon troll fishery in paragraph (4)(c), if that vessel was previously issued a license for either the directed commercial fishery in paragraph (4)(a) or the incidental catch fishery during the sablefish fishery in paragraph (4)(b).

(6) A license issued in respect to a vessel referred to in paragraph (1) of this section must be carried on board that vessel at all times and the vessel operator shall permit its inspection by any authorized officer.

(7) The Commission shall issue a license in respect to a vessel, without fee, from its office in Seattle, Washington, upon receipt of a completed ''Application for Vessel License for the Pacific Halibut Fishery'' form.

(8) A vessel operating in the directed commercial fishery in IPHC Regulatory Area 2A must have submitted its ''Application for Vessel License for the Pacific Halibut Fishery'' form no later than 2359 hours local time on 30 April, or the first weekday in May if 30 April is a Saturday or Sunday.

(9) A vessel operating in the incidental catch fishery during the sablefish fishery in IPHC Regulatory Area 2A must have submitted its ''Application for Vessel License for the Pacific Halibut Fishery'' form postmarked no later than 2359 hours local time on 15 March, or the next weekday in March if 15 March is a Saturday or Sunday.

(10) A vessel operating in the incidental catch fishery during the salmon troll fishery in IPHC Regulatory Area 2A must have submitted its ''Application for Vessel License for the Pacific Halibut Fishery'' form no later than 2359 hours local time on 15 March, or the next weekday in March if 15 March is a Saturday or Sunday.

(11) Application forms are available from the IPHC Secretariat.

(12) Information on the ''Application for Vessel License for the Pacific Halibut Fishery'' form must be accurate.

(13) The ''Application for Vessel License for the Pacific Halibut Fishery'' form shall be completed by the vessel owner.

(14) Licenses issued under this section shall be valid only during the year in which they are issued.

(15) A new license is required for a vessel that is sold, transferred, renamed, or for which the documentation is changed.

(16) The license required under this section is in addition to any license, however designated, that is required under the laws of the United States of America or any of its States.

(17) The United States of America may suspend, revoke, or modify any license issued under this section under policies and procedures in U.S. Code Title 15, CFR part 904.

6. In-Season Actions

(1) The Commission is authorized to establish or modify regulations during the season after determining that such action:

(a) Will not result in exceeding the catch limit established preseason for each IPHC Regulatory Area;

(b) is consistent with the Convention between Canada and the United States of America for the Preservation of the

Halibut Fishery of the Northern Pacific Ocean and Bering Sea, and applicable domestic law of either Canada or the United States of America; and

(c) is consistent, to the maximum extent practicable, with any domestic catch sharing plans or other domestic allocation programs developed by the governments of Canada or the United States of America.

(2) In-season actions may include, but are not limited to, establishment or modification of the following:

(a) closed areas;
(b) fishing periods;
(c) fishing period limits;
(d) gear restrictions;
(e) recreational bag limits;
(f) size limits; or
(g) vessel clearances.

(3) In-season changes will be effective at the time and date specified by the Commission.

(4) The Commission will announce in-season actions under this section by providing notice to major Pacific halibut processors; Federal, State, United States of America treaty Indian, and Provincial fishery officials; and the media.

7. Regulatory Areas

The following areas shall be IPHC Regulatory Areas (see Figure 1) for the purposes of the Convention:

(1) IPHC Regulatory Area 2A includes all waters off the states of California, Oregon, and Washington;

(2) IPHC Regulatory Area 2B includes all waters off British Columbia;

(3) IPHC Regulatory Area 2C includes all waters off Alaska that are east of a line running 340° true from Cape Spencer Light (58°11′56″ N latitude, 136°38′26″ W longitude) and south and east of a line running 205° true from said light;

(4) IPHC Regulatory Area 3A includes all waters between Area 2C and a line extending from the most northerly point on Cape Aklek (57°41′15″ N latitude, 155°35′00″ W longitude) to Cape Ikolik (57°17′17″ N latitude, 154°47′18″ W longitude), then along the Kodiak Island coastline to Cape Trinity (56°44′50″ N latitude, 154°08′44″ W longitude), then 140° true;

(5) IPHC Regulatory Area 3B includes all waters between Area 3A and a line extending 150° true from Cape Lutke (54°29′00″ N latitude, 164°20′00″ W longitude) and south of 54°49′00″ N latitude in Isanotski Strait;

(6) IPHC Regulatory Area 4A includes all waters in the Gulf of Alaska west of Area 3B and in the Bering Sea west of the closed area defined in section 11 that are east of 172°00′00″ W longitude and south of 56°20′00″ N latitude;

(7) IPHC Regulatory Area 4B includes all waters in the Bering Sea and the Gulf of Alaska west of IPHC Regulatory Area 4A and south of 56°20′00″ N latitude;

(8) IPHC Regulatory Area 4C includes all waters in the Bering Sea north of IPHC Regulatory Area 4A and north of the closed area defined in section 11 which are east of 171°00′00″ W longitude, south of 58°00′00″ N latitude, and west of 168°00′00″ W longitude;

(9) IPHC Regulatory Area 4D includes all waters in the Bering Sea north of IPHC Regulatory Areas 4A and 4B, north and west of IPHC Regulatory Area 4C, and west of 168°00′00″ W longitude; and

(10) Area 4E includes all waters in the Bering Sea north and east of the closed area defined in section 11, east of 168°00′00″ W longitude, and south of 65°34′00″ N latitude.

8. Fishing in Regulatory Area 4E and 4D

(1) Section 8 applies only to any person fishing for, or any vessel that is used to fish for, IPHC Regulatory Area 4E Community Development Quota (CDQ) Pacific halibut, IPHC Regulatory Area 4D CDQ Pacific halibut, or IPHC Regulatory Area 4D IFQ received by transfer by a CDQ organization provided that the total annual Pacific halibut catch of that person or vessel is landed at a port within IPHC Regulatory Areas 4E or 4D.

(2) A person may retain Pacific halibut taken with setline gear that are smaller than the size limit specified in section 14, provided that no person may sell or barter such Pacific halibut.

(3) The manager of a CDQ organization that authorizes persons to harvest Pacific halibut in the IPHC Regulatory Area 4E or 4D CDQ fisheries or IFQ received by transfer by a CDQ organization must report to the Commission the total number and weight of undersized Pacific halibut taken and retained by such persons pursuant to section 8, paragraph (2). This report, which shall include data and methodology used to collect the data, must be received by the Commission prior to 1 November of the year in which such Pacific halibut were harvested.

9. Fishing Periods

(1) The fishing periods for each regulatory area apply where the catch limits specified in section 12 have not been taken.

(2) Each fishing period in the IPHC Regulatory Area 2A directed commercial fishery [2] shall begin at 0800 hours and terminate at 1800 hours local time on 26 June, 27 June, 10 July, 24 July, 7 August, 21 August, 4 September, and 18 September, unless the Commission specifies otherwise.

(3) Notwithstanding paragraph (7) of section 12, an incidental catch fishery [3] is authorized during the sablefish seasons in Area 2A in accordance with regulations promulgated by NOAA Fisheries. This fishery will occur between 1200 hours local time on 15 March and 1200 hours local time on 14 November.

(4) Notwithstanding paragraph (2), and paragraph (7) of section 12, an incidental catch fishery is authorized during salmon troll seasons in Area 2A in accordance with regulations promulgated by NOAA Fisheries. This fishery will occur between 1200 hours local time on 15 March and 1200 hours local time on 14 November.

(5) The fishing period in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall begin at 1200 hours local time on 15 March and terminate at 1200 hours local time on 14 November, unless the Commission specifies otherwise.

(6) All commercial fishing for Pacific halibut in IPHC Regulatory Areas 2A, 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall cease at 1200 hours local time on 14 November.

10. Closed Periods

(1) No person shall engage in fishing for Pacific halibut in any IPHC Regulatory Area other than during the fishing periods set out in section 9 in respect of that area.

(2) No person shall land or otherwise retain Pacific halibut caught outside a fishing period applicable to the regulatory area where the Pacific halibut was taken.

(3) Subject to paragraphs (7), (8), (9), and (10) of section 20, these Regulations do not prohibit fishing for any species of fish other than Pacific halibut during the closed periods.

(4) Notwithstanding paragraph (3), no person shall have Pacific halibut in his/her possession while fishing for any other species of fish during the closed periods.

(5) No vessel shall retrieve any Pacific halibut fishing gear during a closed period if the vessel has any Pacific halibut on board.

(6) A vessel that has no Pacific halibut on board may retrieve any Pacific

[2] The directed fishery is restricted to waters that are south of Point Chehalis, Washington, (46°53.30′ N latitude) under regulations promulgated by NOAA Fisheries and published in the **Federal Register**.

[3] The incidental fishery during the directed, fixed gear sablefish season is restricted to waters that are north of Point Chehalis, Washington, (46°53.30′ N latitude) under regulations promulgated by NOAA Fisheries at 50 CFR 300.63. Landing restrictions for Pacific halibut retention in the fixed gear sablefish fishery can be found at 50 CFR 660.231.

halibut fishing gear during the closed period after the operator notifies an authorized officer or representative of the Commission prior to that retrieval.

(7) After retrieval of Pacific halibut gear in accordance with paragraph (6), the vessel shall submit to a hold inspection at the discretion of the authorized officer or representative of the Commission.

(8) No person shall retain any Pacific halibut caught on gear retrieved in accordance with paragraph (6).

(9) No person shall possess Pacific halibut on board a vessel in a regulatory area during a closed period unless that vessel is in continuous transit to or within a port in which that Pacific halibut may be lawfully sold.

11. Closed Area

All waters in the Bering Sea north of 55°00′00″ N latitude in Isanotski Strait that are enclosed by a line from Cape Sarichef Light (54°36′00″ N latitude, 164°55′42″ W longitude) to a point at 56°20′00″ N latitude, 168°30′00″ W longitude; thence to a point at 58°21′25″ N latitude, 163°00′00″ W longitude; thence to Strogonof Point (56°53′18″ N latitude, 158°50′37″ W longitude); and then along the northern coasts of the Alaska Peninsula and Unimak Island to the point of origin at Cape Sarichef Light are closed to Pacific halibut fishing and no person shall fish for Pacific halibut therein or have Pacific halibut in his/her possession while in those waters except in the course of a continuous transit across those waters. All waters in Isanotski Strait between 55°00′00″ N latitude and 54°49′00″ N latitude are closed to Pacific halibut fishing.

12. Commercial Catch Limits

(1) The total allowable commercial catch of Pacific halibut to be taken during the commercial Pacific halibut fishing periods specified in section 9 shall be limited to the net weights expressed in pounds or metric tons shown in the following table:

IPHC Regulatory Area	Commercial catch limit—net weight	
	Pounds	Metric tons
2A: directed commercial, and incidental commercial catch during salmon troll fishery	299,325	135.77
2A: incidental commercial during sablefish fishery	70,000	31.75
2B [4]	5,100,000	2,313.34
2C [5]	3,610,000	1,637.49
3A [6]	8,060,000	3,655.99
3B	2,330,000	1,056.87
4A	1,650,000	748.43
4B	1,210,000	548.85
4C	910,000	412.77
4D	910,000	412.77
4E	220,000	99.79

[4] IPHC allocates the catch limit to IPHC Regulatory Area 2B as a combined commercial and sport catch limit (5,950,000 pounds). DFO allocates that amount between commercial and sport according to their allocation policy. In addition to the commercial fishery amount, 60,000 pounds has been allocated for research purposes. This amount also excludes any overage/underage adjustments. See section 28 for sport fishing regulations.

[5] For IPHC Regulatory Area 2C, the commercial catch limit adopted by the Commission includes catch (3,610,000 pounds) reported in the table plus estimated incidental mortality from the commercial fishery (60,000 pounds) for a total of 3,670,000 pounds. This total amount is included in the combined commercial and guided sport sector catch limit set by IPHC and allocated by NOAA Fisheries by a catch sharing plan (4,490,000 pounds).

[6] For IPHC Regulatory Area 3A, the commercial catch limit adopted by the Commission includes catch (8,060,000 pounds) reported in the table plus estimated incidental mortality from the commercial fishery (310,000 pounds) for a total of 8,370,000 pounds. This total amount is included in the combined commercial and guided sport sector catch limit set by IPHC and allocated by NOAA Fisheries by a catch sharing plan (10,260,000 pounds).

(2) Notwithstanding paragraph (1), regulations pertaining to the division of the IPHC Regulatory Area 2A catch limit between the directed commercial fishery and the incidental catch fishery as described in paragraph (4) of section 9 will be promulgated by NOAA Fisheries and published in the **Federal Register**.

(3) The Commission shall determine and announce to the public the date on which the catch limit for IPHC Regulatory Area 2A will be taken.

(4) Notwithstanding paragraph (1), the commercial fishing in IPHC Regulatory Area 2B will close only when all Individual Vessel Quotas (IVQs) assigned by DFO are taken, or 14 November, whichever is earlier.

(5) Notwithstanding paragraph (1), IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E will each close only when all Individual Fishing Quotas (IFQ) and all CDQs issued by NOAA Fisheries have been taken, or 14 November, whichever is earlier.

(6) If the Commission determines that the catch limit specified for IPHC Regulatory Area 2A in paragraph (1) would be exceeded in an unrestricted 10-hour fishing period as specified in paragraph (2) of section 9, the catch limit for that area shall be considered to have been taken and the directed commercial fishery closed as announced by the Commission.

(7) When under paragraphs (2), (3), and (6) the Commission has announced a date on which the catch limit for IPHC Regulatory Area 2A will be taken, no person shall fish for Pacific halibut in that area after that date for the rest of the year, unless the Commission has announced the reopening of that area for Pacific halibut fishing.

(8) Notwithstanding paragraph (1), the total allowable catch of Pacific halibut that may be taken in the IPHC Regulatory Area 4E directed commercial fishery is equal to the combined annual catch limits specified for the IPHC Regulatory Areas 4D and 4E CDQ fisheries and any IPHC Regulatory Area 4D IFQ received by transfer by a CDQ organization. The annual IPHC Regulatory Area 4D catch limit will decrease by the equivalent amount of CDQ and IFQ received by transfer by a CDQ organization taken in IPHC Regulatory Area 4E in excess of the annual IPHC Regulatory Area 4E catch limit.

(9) Notwithstanding paragraph (1), the total allowable catch of Pacific halibut that may be taken in the IPHC Regulatory Area 4D directed commercial fishery is equal to the combined annual catch limits specified for IPHC Regulatory Areas 4C and 4D. The annual IPHC Regulatory Area 4C catch limit will decrease by the equivalent amount of Pacific halibut taken in IPHC

Regulatory Area 4D in excess of the annual IPHC Regulatory Area 4D catch limit.

13. Fishing Period Limits

(1) It shall be unlawful for any vessel to retain more Pacific halibut than authorized by that vessel's license in any fishing period for which the Commission has announced a fishing period limit.

(2) The operator of any vessel that fishes for Pacific halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of Pacific halibut to a commercial fish processor, completely offload all Pacific halibut on board said vessel to that processor and ensure that all Pacific halibut is weighed and reported on State fish tickets.

(3) The operator of any vessel that fishes for Pacific halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of Pacific halibut other than to a commercial fish processor, completely offload all Pacific halibut on board said vessel and ensure that all Pacific halibut are weighed and reported on State fish tickets.

(4) The provisions of paragraph (3) are not intended to prevent retail over-the-side sales to individual purchasers so long as all the Pacific halibut on board is ultimately offloaded and reported.

(5) When fishing period limits are in effect, a vessel's maximum retainable catch will be determined by the Commission based on:

(a) The vessel's overall length in feet and associated length class;

(b) the average performance of all vessels within that class; and

(c) the remaining catch limit.

(6) Length classes are shown in the following table:

Overall length (in feet)	Vessel class
1–25	A
26–30	B
31–35	C
36–40	D
41–45	E
46–50	F
51–55	G
56+	H

(7) Fishing period limits in Area 2A apply only to the directed Pacific halibut fishery referred to in paragraph (2) of section 9.

14. Size Limits

(1) No person shall take or possess any Pacific halibut that:

(a) With the head on, is less than 32 inches (81.3 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail, as illustrated in Figure 2; or

(b) with the head removed, is less than 24 inches (61.0 cm) as measured from the base of the pectoral fin at its most anterior point to the extreme end of the middle of the tail, as illustrated in Figure 2.

(2) No person on board a vessel fishing for, or tendering, Pacific halibut in any IPHC Regulatory Area shall possess any Pacific halibut that has had its head removed, except that Pacific halibut frozen at sea with its head removed may be possessed on board a vessel by persons in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E if authorized by Federal regulations.

(3) The size limit in paragraph (1)(b) will not be applied to any Pacific halibut that has had its head removed after the operator has landed the Pacific halibut.

15. Careful Release of Pacific Halibut

(1) All Pacific halibut that are caught and are not retained shall be immediately released outboard of the roller and returned to the sea with a minimum of injury by:

(a) Hook straightening;

(b) cutting the gangion near the hook; or

(c) carefully removing the hook by twisting it from the Pacific halibut with a gaff.

(2) Except that paragraph (1) shall not prohibit the possession of Pacific halibut on board a vessel that has been brought aboard to be measured to determine if the minimum size limit of the Pacific halibut is met and, if sublegal-sized, is promptly returned to the sea with a minimum of injury.

16. Vessel Clearance in IPHC Regulatory Area 4

(1) The operator of any vessel that fishes for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D must obtain a vessel clearance before fishing in any of these areas, and before the landing of any Pacific halibut caught in any of these areas, unless specifically exempted in paragraphs (10), (13), (14), (15), or (16).

(2) An operator obtaining a vessel clearance required by paragraph (1) must obtain the clearance in person from the authorized clearance personnel and sign the IPHC form documenting that a clearance was obtained, except that when the clearance is obtained via VHF radio referred to in paragraphs (5), (8), and (9), the authorized clearance personnel must sign the IPHC form documenting that the clearance was obtained.

(3) The vessel clearance required under paragraph (1) prior to fishing in IPHC Regulatory Area 4A may be obtained only at Nazan Bay on Atka Island, Dutch Harbor or Akutan, Alaska, from an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor.

(4) The vessel clearance required under paragraph (1) prior to fishing in IPHC Regulatory Area 4B may only be obtained at Nazan Bay on Atka Island or Adak, Alaska, from an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor.

(5) The vessel clearance required under paragraph (1) prior to fishing in IPHC Regulatory Area 4C or 4D may be obtained only at St. Paul or St. George, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.

(6) The vessel operator shall specify the specific regulatory area in which fishing will take place.

(7) Before unloading any Pacific halibut caught in IPHC Regulatory Area 4A, a vessel operator may obtain the clearance required under paragraph (1) only in Dutch Harbor or Akutan, Alaska, by contacting an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor.

(8) Before unloading any Pacific halibut caught in IPHC Regulatory Area 4B, a vessel operator may obtain the clearance required under paragraph (1) only in Nazan Bay on Atka Island or Adak, by contacting an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor by VHF radio or in person.

(9) Before unloading any Pacific halibut caught in IPHC Regulatory Areas 4C and 4D, a vessel operator may obtain the clearance required under paragraph (1) only in St. Paul, St. George, Dutch Harbor, or Akutan, Alaska, either in person or by contacting an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor. The clearances obtained in St. Paul or St. George, Alaska, can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.

(10) Any vessel operator who complies with the requirements in

section 19 for possessing Pacific halibut on board a vessel that was caught in more than one regulatory area in IPHC Regulatory Area 4 is exempt from the clearance requirements of paragraph (1) of this section, provided that:

(a) The operator of the vessel obtains a vessel clearance prior to fishing in IPHC Regulatory Area 4 in either Dutch Harbor, Akutan, St. Paul, St. George, Adak, or Nazan Bay on Atka Island by contacting an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor. The clearance obtained in St. Paul, St. George, Adak, or Nazan Bay on Atka Island can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel. This clearance will list the areas in which the vessel will fish; and

(b) before unloading any Pacific halibut from IPHC Regulatory Area 4, the vessel operator obtains a vessel clearance from Dutch Harbor, Akutan, St. Paul, St. George, Adak, or Nazan Bay on Atka Island by contacting an authorized officer of the United States of America, a representative of the Commission, or a designated fish processor. The clearance obtained in St. Paul or St. George can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel. The clearance obtained in Adak or Nazan Bay on Atka Island can be obtained by VHF radio.

(11) Vessel clearances shall be obtained between 0600 and 1800 hours, local time.

(12) No Pacific halibut shall be on board the vessel at the time of the clearances required prior to fishing in IPHC Regulatory Area 4.

(13) Any vessel that is used to fish for Pacific halibut only in IPHC Regulatory Area 4A and lands its total annual Pacific halibut catch at a port within IPHC Regulatory Area 4A is exempt from the clearance requirements of paragraph (1).

(14) Any vessel that is used to fish for Pacific halibut only in IPHC Regulatory Area 4B and lands its total annual Pacific halibut catch at a port within IPHC Regulatory Area 4B is exempt from the clearance requirements of paragraph (1).

(15) Any vessel that is used to fish for Pacific halibut only in IPHC Regulatory Areas 4C or 4D or 4E and lands its total annual Pacific halibut catch at a port within IPHC Regulatory Areas 4C, 4D, 4E, or the closed area defined in section 11, is exempt from the clearance requirements of paragraph (1).

(16) Any vessel that carries a transmitting VMS transmitter while fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D and until all Pacific halibut caught in any of these areas is landed, is exempt from the clearance requirements of paragraph (1) of this section, provided that:

(a) The operator of the vessel complies with NOAA Fisheries' vessel monitoring system regulations published at 50 CFR 679.28(f)(3), (4) and (5); and

(b) the operator of the vessel notifies NOAA Fisheries Office for Law Enforcement at 800–304–4846 (select option 1 to speak to an Enforcement Data Clerk) between the hours of 0600 and 0000 (midnight) local time within 72 hours before fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D and receives a VMS confirmation number.

17. Logs

(1) The operator of any U.S. vessel fishing for Pacific halibut that has an overall length of 26 feet (7.9 meters) or greater shall maintain an accurate log of Pacific halibut fishing operations. The operator of a vessel fishing in waters in and off Alaska must use one of the following logbooks: The Groundfish/IFQ Longline and Pot Gear Daily Fishing Logbook, in electronic or paper form, provided by NOAA Fisheries; the Alaska hook-and-line logbook provided by Petersburg Vessel Owners Association or Alaska Longline Fisherman's Association; the Alaska Department of Fish and Game (ADFG) longline-pot logbook; or the logbook provided by IPHC. The operator of a vessel fishing in IPHC Regulatory Area 2A must use either the WDFW Voluntary Sablefish Logbook, Oregon Department of Fish and Wildlife (ODFW) Fixed Gear Logbook, or the logbook provided by IPHC.

(2) The logbook referred to in paragraph (1) must include the following information:

(a) The name of the vessel and the State (ADFG, WDFW, ODFW, or CDFW) or Tribal ID number;

(b) the date(s) upon which the fishing gear is set or retrieved;

(c) the latitude and longitude coordinates or a direction and distance from a point of land for each set or day;

(d) the number of skates deployed or retrieved, and number of skates lost; and

(e) the total weight or number of Pacific halibut retained for each set or day.

(3) The logbook referred to in paragraph (1) shall be:

(a) Maintained on board the vessel;

(b) updated not later than 24 hours after 0000 (midnight) local time for each day fished and prior to the offloading or sale of Pacific halibut taken during that fishing trip;

(c) retained for a period of two years by the owner or operator of the vessel;

(d) open to inspection by an authorized officer or any authorized representative of the Commission upon demand; and

(e) kept on board the vessel when engaged in Pacific halibut fishing, during transits to port of landing, and until the offloading of all Pacific halibut is completed.

(4) The log referred to in paragraph (1) does not apply to the incidental Pacific halibut fishery during the salmon troll season in IPHC Regulatory Area 2A defined in paragraph (4) of section 9.

(5) The operator of any Canadian vessel fishing for Pacific halibut shall maintain an accurate record in the British Columbia Integrated Groundfish Fishing Log.

(6) The log referred to in paragraph (5) must include the following information:

(a) The name of the vessel and the DFO vessel registration number;

(b) the date(s) upon which the fishing gear is set and retrieved;

(c) the latitude and longitude coordinates for each set;

(d) the number of skates deployed or retrieved, and number of skates lost; and

(e) the total weight or number of Pacific halibut retained for each set.

(7) The log referred to in paragraph (5) shall be:

(a) Maintained on board the vessel;

(b) retained for a period of two years by the owner or operator of the vessel;

(c) open to inspection by an authorized officer or any authorized representative of the Commission upon demand;

(d) kept on board the vessel when engaged in Pacific halibut fishing, during transits to port of landing, and until the offloading of all Pacific halibut is completed;

(e) submitted to the DFO within seven days of offloading; and

(f) submitted to the Commission within seven days of the final offload if not previously collected by a Commission employee.

(8) No person shall make a false entry in a log referred to in this section.

18. Receipt and Possession of Pacific Halibut

(1) No person shall receive Pacific halibut caught in IPHC Regulatory Area 2A from a United States of America vessel that does not have on board the license required by section 5.

(2) No person shall possess on board a vessel a Pacific halibut other than whole or with gills and entrails removed, except that this paragraph

shall not prohibit the possession on board a vessel of:

(a) Pacific halibut cheeks cut from Pacific halibut caught by persons authorized to process the Pacific halibut on board in accordance with NOAA Fisheries regulations published at 50 CFR part 679;

(b) fillets from Pacific halibut offloaded in accordance with section 18 that are possessed on board the harvesting vessel in the port of landing up to 1800 hours local time on the calendar day following the offload [7]; and

(c) Pacific halibut with their heads removed in accordance with section 14.

(3) No person shall offload Pacific halibut from a vessel unless the gills and entrails have been removed prior to offloading.[8]

(4) It shall be the responsibility of a vessel operator who lands Pacific halibut to continuously and completely offload at a single offload site all Pacific halibut on board the vessel.

(5) A registered buyer (as that term is defined in regulations promulgated by NOAA Fisheries and codified at 50 CFR part 679) who receives Pacific halibut harvested in IFQ and CDQ fisheries in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, directly from the vessel operator that harvested such Pacific halibut must weigh all the Pacific halibut received and record the following information on Federal catch reports: date of offload; name of vessel; vessel number (State, Tribal or Federal, not IPHC vessel number); scale weight obtained at the time of offloading, including the scale weight (in pounds) of Pacific halibut purchased by the registered buyer, the scale weight (in pounds) of Pacific halibut offloaded in excess of the IFQ or CDQ, the scale weight of Pacific halibut (in pounds) retained for personal use or for future sale, and the scale weight (in pounds) of Pacific halibut discarded as unfit for human consumption. All Pacific halibut harvested in IFQ or CDQ fisheries in Areas IPHC Regulatory 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, must be weighed with the head on and the head-on weight must be recorded on Federal catch reports as specified in this paragraph, unless the Pacific halibut is frozen at sea and exempt from the head-on landing requirement at Section 14(2).

(6) The first recipient, commercial fish processor, or buyer in the United States of America who purchases or receives Pacific halibut directly from the vessel operator that harvested such Pacific halibut must weigh and record all Pacific halibut received and record the following information on State fish tickets: The date of offload; vessel number (State or Federal, not IPHC vessel number) or Tribal ID number; total weight obtained at the time of offload including the weight (in pounds) of Pacific halibut purchased; the weight (in pounds) of Pacific halibut offloaded in excess of the IFQ, CDQ, or fishing period limits; the weight of Pacific halibut (in pounds) retained for personal use or for future sale; and the weight (in pounds) of Pacific halibut discarded as unfit for human consumption. All Pacific halibut harvested in IFQ or CDQ fisheries in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, must be weighed with the head on and the head-on weight must be recorded on State fish tickets as specified in this paragraph, unless the Pacific halibut is frozen at sea and exempt from the head-on landing requirement at Section 14(2).

(7) For Pacific halibut landings made in Alaska, the requirements as listed in paragraphs (5) and (6) can be met by recording the information in the Interagency Electronic Reporting Systems, eLandings in accordance with NOAA Fisheries regulation published at 50 CFR part 679.

(8) The master or operator of a Canadian vessel that was engaged in Pacific halibut fishing must weigh and record all Pacific halibut on board said vessel at the time offloading commences and record on Provincial fish tickets or Federal catch reports: The date; locality; name of vessel; the name(s) of the person(s) from whom the Pacific halibut was purchased; and the scale weight obtained at the time of offloading of all Pacific halibut on board the vessel including the pounds purchased, pounds in excess of IVQs, pounds retained for personal use, and pounds discarded as unfit for human consumption. All Pacific halibut must be weighed with the head on and the head-on weight must be recorded on the Provincial fish tickets or Federal catch reports as specified in this paragraph, unless the Pacific halibut is frozen at sea and exempt from the head-on landing requirement at Section 14(2).

(9) No person shall make a false entry on a State or Provincial fish ticket or a Federal catch or landing report referred to in paragraphs (5), (6), and (8) of section 18.

(10) A copy of the fish tickets or catch reports referred to in paragraphs (5), (6), and (8) shall be:

(a) Retained by the person making them for a period of three years from the date the fish tickets or catch reports are made; and

(b) open to inspection by an authorized officer or any authorized representative of the Commission.

(11) No person shall possess any Pacific halibut taken or retained in contravention of these Regulations.

(12) When Pacific halibut are landed to other than a commercial fish processor, the records required by paragraph (6) shall be maintained by the operator of the vessel from which that Pacific halibut was caught, in compliance with paragraph (10).

(13) No person shall tag Pacific halibut unless the tagging is authorized by IPHC permit or by a Federal or State agency.

19. Fishing Multiple Regulatory Areas

(1) Except as provided in this section, no person shall possess at the same time on board a vessel Pacific halibut caught in more than one IPHC Regulatory Area.

(2) Pacific halibut caught in more than one of the IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E may be possessed on board a vessel at the same time only if:

(a) Authorized by NOAA Fisheries regulations published at 50 CFR Section 679.7(f)(4); and

(b) the operator of the vessel identifies the regulatory area in which each Pacific halibut on board was caught by separating Pacific halibut from different areas in the hold, tagging Pacific halibut, or by other means.

20. Fishing Gear

(1) No person shall fish for Pacific halibut using any gear other than hook and line gear,

(a) except that vessels licensed to catch sablefish in IPHC Regulatory Area 2B using sablefish trap gear as defined in the Condition of Licence can retain Pacific halibut caught as bycatch under regulations promulgated by DFO; or

(b) except that a person may retain Pacific halibut taken with longline or single pot gear if such retention is authorized by NOAA Fisheries regulations published at 50 CFR part 679.

(2) No person shall possess Pacific halibut taken with any gear other than hook and line gear,

(a) except that vessels licensed to catch sablefish in IPHC Regulatory Area 2B using sablefish trap gear as defined by the Condition of Licence can retain Pacific halibut caught as bycatch under regulations promulgated by DFO; or

(b) except that a person may possess Pacific halibut taken with longline or

[7] DFO has more restrictive regulations; therefore, section 18 paragraph (2)(b) does not apply to fish caught in IPHC Regulatory Area 2B or landed in British Columbia.

[8] DFO did not adopt this regulation; therefore, Section 18 paragraph (3) does not apply to fish caught in IPHC Regulatory Area 2B.

single pot gear if such possession is authorized by NOAA Fisheries regulations published at 50 CFR part 679.

(3) No person shall possess Pacific halibut while on board a vessel carrying any trawl nets or fishing pots capable of catching Pacific halibut,

(a) except that in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E, Pacific halibut heads, skin, entrails, bones or fins for use as bait may be possessed on board a vessel carrying pots capable of catching Pacific halibut, provided that a receipt documenting purchase or transfer of these Pacific halibut parts is on board the vessel; or

(b) except that in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E, Pacific halibut may be possessed on board a vessel carrying pots capable of catching Pacific halibut, provided such possession is authorized by NOAA Fisheries regulations published at 50 CFR part 679 as referenced in paragraphs (1) and (2) of this section; or

(c) except that in IPHC Regulatory Area 2B, Pacific halibut may be possessed on board a vessel carrying sablefish trap gear, provided such possession is authorized by the Condition of Licence regulations promulgated by DFO as referenced in paragraphs (1) and (2) of this section.

(4) All gear marker buoys carried on board or used by any United States of America vessel used for Pacific halibut fishing shall be marked with one of the following:

(a) The vessel's State license number; or

(b) the vessel's registration number.

(5) The markings specified in paragraph (4) shall be in characters at least four inches in height and one-half inch in width in a contrasting color visible above the water and shall be maintained in legible condition.

(6) All gear marker buoys carried on board or used by a Canadian vessel used for Pacific halibut fishing shall be:

(a) Floating and visible on the surface of the water; and

(b) legibly marked with the identification plate number of the vessel engaged in commercial fishing from which that setline is being operated.

(7) No person on board a vessel used to fish for any species of fish anywhere in IPHC Regulatory Area 2A during the 72-hour period immediately before the fishing period for the directed commercial fishery shall catch or possess Pacific halibut anywhere in those waters during that Pacific halibut fishing period unless, prior to the start of the Pacific halibut fishing period, the vessel has removed its gear from the water and has either:

(a) Made a landing and completely offloaded its catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(8) No vessel used to fish for any species of fish anywhere in IPHC Regulatory Area 2A during the 72-hour period immediately before the fishing period for the directed commercial fishery may be used to catch or possess Pacific halibut anywhere in those waters during that Pacific halibut fishing period unless, prior to the start of the Pacific halibut fishing period, the vessel has removed its gear from the water and has either:

(a) Made a landing and completely offloaded its catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(9) No person on board a vessel from which setline gear was used to fish for any species of fish anywhere in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E during the 72-hour period immediately before the opening of the Pacific halibut fishing season shall catch or possess Pacific halibut anywhere in those areas until the vessel has removed all of its setline gear from the water and has either:

(a) Made a landing and completely offloaded its entire catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(10) No vessel from which setline gear was used to fish for any species of fish anywhere in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E during the 72-hour period immediately before the opening of the Pacific halibut fishing season may be used to catch or possess Pacific halibut anywhere in those areas until the vessel has removed all of its setline gear from the water and has either:

(a) Made a landing and completely offloaded its entire catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(11) Notwithstanding any other provision in these Regulations, a person may retain, possess and dispose of Pacific halibut taken with trawl gear only as authorized by Prohibited Species Donation regulations of NOAA Fisheries.

21. Supervision of Unloading and Weighing

The unloading and weighing of Pacific halibut may be subject to the supervision of authorized officers to assure the fulfillment of the provisions of these Regulations.

22. Retention of Tagged Pacific Halibut

(1) Nothing contained in these Regulations prohibits any vessel at any time from retaining and landing a Pacific halibut that bears a Commission external tag at the time of capture, if the Pacific halibut with the tag still attached is reported at the time of landing and made available for examination by a representative of the Commission or by an authorized officer.

(2) After examination and removal of the tag by a representative of the Commission or an authorized officer, the Pacific halibut:

(a) May be retained for personal use; or

(b) may be sold only if the Pacific halibut is caught during commercial Pacific halibut fishing and complies with the other commercial fishing provisions of these Regulations.

(3) Any Pacific halibut that bears a Commission external tag must count against commercial IVQs, CDQs, or IFQs unless otherwise exempted by State, Provincial, or Federal regulations.

(4) Any Pacific halibut that bears a Commission external tag will not count against sport daily bag limits or possession limits, may be retained outside of sport fishing seasons, and are not subject to size limits in these regulations.

(5) Any Pacific halibut that bears a Commission external tag will not count against daily bag limits, possession limits, or catch limits in the fisheries described in section 23, paragraph (7), section 24, or section 25.

23. Fishing by United States Treaty Indian Tribes

(1) Pacific halibut fishing in Subarea 2A–1 by members of 'United States treaty Indian' tribes located in the State of Washington shall be regulated under regulations promulgated by NOAA Fisheries and published in the **Federal Register**.

(2) Subarea 2A–1 includes all waters off the coast of Washington that are north of the Quinault River, WA (47°21.00′ N lat.), and east of 125°44.00′ W long; all waters off the coast of Washington that are between the Quinault River, WA (47°21.00′ N lat.), and Point Chehalis, WA (46°53.30′ N lat.), and east of 125°08.50′ W long.; and all inland marine waters of Washington.

(3) Section 14 (size limits), section 15 (careful release of Pacific halibut), section 17 (logs), section 18 (receipt and possession of Pacific halibut) and section 20 (fishing gear), except paragraphs (7) and (8) of section 20, apply to commercial fishing for Pacific halibut in Subarea 2A–1 by the treaty Indian tribes.

(4) Regulations in paragraph (3) of this section that apply to State fish tickets apply to Tribal tickets that are authorized by WDFW.

(5) Section 4 (Licensing Vessels for IPHC Regulatory Area 2A) does not apply to commercial fishing for Pacific halibut in Subarea 2A–1 by treaty Indian tribes.

(6) Commercial fishing for Pacific halibut in Subarea 2A–1 is permitted with hook and line gear from 15 March through 14 November, or until 497,000 pounds (225.44 metric tons) net weight is taken, whichever occurs first.

(7) Ceremonial and subsistence fishing for Pacific halibut in Subarea 2A–1 is permitted with hook and line gear from 1 January through 31 December, and is estimated to take 28,000 pounds (12.70 metric tons) net weight.

24. Customary and Traditional Fishing in Alaska

(1) Customary and traditional fishing for Pacific halibut in Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall be governed pursuant to regulations promulgated by NMFS and published in 50 CFR part 300.

(2) Customary and traditional fishing is authorized from 1 January through 31 December.

25. Aboriginal Groups Fishing for Food, Social and Ceremonial Purposes in British Columbia

(1) Fishing for Pacific halibut for food, social and ceremonial purposes by Aboriginal groups in Regulatory Area 2B shall be governed by the Fisheries Act of Canada and regulations as amended from time to time.

26. Sport Fishing for Pacific Halibut—General

(1) No person shall engage in sport fishing for Pacific halibut using gear other than a single line with no more than two hooks attached; or a spear.

(2) Any size limit promulgated under IPHC or NOAA Fisheries regulations shall be measured in a straight line passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail as depicted in Figure 2.

(3) Any Pacific halibut brought aboard a vessel and not immediately returned to the sea with a minimum of injury will be included in the daily bag limit of the person catching the Pacific halibut.

(4) No person may possess Pacific halibut on a vessel while fishing in a closed area.

(5) No Pacific halibut caught by sport fishing shall be offered for sale, sold, traded, or bartered.

(6) No Pacific halibut caught in sport fishing shall be possessed on board a vessel when other fish or shellfish aboard said vessel are destined for commercial use, sale, trade, or barter.

(7) The operator of a charter vessel shall be liable for any violations of these Regulations committed by an angler on board said vessel. In Alaska, the charter vessel guide, as defined in 50 CFR 300.61 and referred to in 50 CFR 300.65, 300.66, and 300.67, shall be liable for any violation of these Regulations committed by an angler on board a charter vessel.

27. Sport Fishing for Pacific Halibut—IPHC Regulatory Area 2A

(1) The total allowable catch of Pacific halibut shall be limited to:

(a) 277,100 pounds (125.69 metric tons) net weight in waters off Washington;

(b) 289,575 pounds (131.35 metric tons) net weight in waters off Oregon; and

(c) 39,000 pounds (17.69 metric tons) net weight in waters off California.

(2) The Commission shall determine and announce closing dates to the public for any area in which the catch limits promulgated by NOAA Fisheries are estimated to have been taken.

(3) When the Commission has determined that a subquota under paragraph (8) of this section is estimated to have been taken, and has announced a date on which the season will close, no person shall sport fish for Pacific halibut in that area after that date for the rest of the year, unless a reopening of that area for sport Pacific halibut fishing is scheduled in accordance with the Catch Sharing Plan for IPHC Regulatory Area 2A, or announced by the Commission.

(4) In California, Oregon, or Washington, no person shall fillet, mutilate, or otherwise disfigure a Pacific halibut in any manner that prevents the determination of minimum size or the number of fish caught, possessed, or landed.

(5) The possession limit on a vessel for Pacific halibut in the waters off the coast of Washington is the same as the daily bag limit. The possession limit for Pacific halibut on land in Washington is two daily bag limits.

(6) The possession limit on a vessel for Pacific halibut caught in the waters off the coast of Oregon is the same as the daily bag limit. The possession limit for Pacific halibut on land in Oregon is three daily bag limits.

(7) The possession limit on a vessel for Pacific halibut caught in the waters off the coast of California is one daily bag limit. The possession limit for Pacific halibut on land in California is one daily bag limit.

(8) Specific regulations describing fishing periods, catch limits, fishing dates, and daily bag limits are promulgated by NOAA Fisheries and published in the **Federal Register**.

28. Sport Fishing for Pacific Halibut—IPHC Regulatory Area 2B

(1) In all waters off British Columbia:[9] [10]

(a) the sport fishing season will open on 1 February unless more restrictive regulations are in place;

(b) the sport fishing season will close when the sport catch limit allocated by DFO, is taken, or 31 December, whichever is earlier; and

(c) the daily bag limit is two Pacific halibut of any size per day per person.

(2) In British Columbia, no person shall fillet, mutilate, or otherwise disfigure a Pacific halibut in any manner that prevents the determination of minimum size or the number of fish caught, possessed, or landed.

(3) The possession limit for Pacific halibut in the waters off the coast of British Columbia is three Pacific halibut.[9] [10]

29. Sport Fishing for Pacific Halibut—IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, 4E

(1) In Convention waters in and off Alaska:[11] [12]

(a) The sport fishing season is from 1 February to 31 December.

(b) The daily bag limit is two Pacific halibut of any size per day per person unless a more restrictive bag limit applies in Commission regulations or Federal regulations at 50 CFR 300.65.

(c) No person may possess more than two daily bag limits.

(d) No person shall possess on board a vessel, including charter vessels and pleasure craft used for fishing, Pacific halibut that have been filleted, mutilated, or otherwise disfigured in any manner, except that each Pacific halibut may be cut into no more than 2 ventral pieces, 2 dorsal pieces, and 2

[9] DFO could implement more restrictive regulations for the sport fishery; therefore, anglers are advised to check the current Federal or Provincial regulations prior to fishing.

[10] For regulations on the experimental recreational fishery implemented by DFO, check the current Federal or Provincial regulations.

[11] NMFS could implement more restrictive regulations for the sport fishery or components of it; therefore, anglers are advised to check the current Federal or State regulations prior to fishing.

[12] Charter vessels are prohibited from harvesting Pacific halibut in IPHC Regulatory Areas 2C and 3A during one charter vessel fishing trip under regulations promulgated by NMFS at 50 CFR 300.66.

cheek pieces, with a patch of skin on each piece, naturally attached.

(e) Pacific halibut in excess of the possession limit in paragraph (1)(c) of this section may be possessed on a vessel that does not contain sport fishing gear, fishing rods, hand lines, or gaffs.

(f) Pacific halibut harvested on a charter vessel fishing trip in IPHC Regulatory Areas 2C or 3A must be retained on board the charter vessel on which the Pacific halibut was caught until the end of the charter vessel fishing trip as defined at 50 CFR 300.61.

(g) Guided angler fish (GAF), as described at 50 CFR 300.65, may be used to allow a charter vessel angler to harvest additional Pacific halibut up to the limits in place for unguided anglers, and are exempt from the requirements in paragraphs (2) and (3) of this section.

(2) For guided sport fishing (as referred to in 50 CFR 300.65) in IPHC Regulatory Area 2C:

(a) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain more than one Pacific halibut per calendar day.

(b) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain any Pacific halibut that with head on is greater than 38 inches (96.5 cm) and less than 80 inches (203.2 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail.

(3) For guided sport fishing (as referred to in 50 CFR 300.65) in IPHC Regulatory Area 3A:

(a) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain more than two Pacific halibut per calendar day.

(b) At least one of the retained Pacific halibut must have a head-on length of no more than 28 inches (71.1 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail. If a person sport fishing on a charter vessel in IPHC Regulatory Area 3A retains only one Pacific halibut in a calendar day that Pacific halibut may be of any length.

(c) A ''charter halibut permit'' (as referred to in 50 CFR 300.67) may only be used for one charter vessel fishing trip in which Pacific halibut are caught and retained per calendar day. A charter vessel fishing trip is defined at 50 CFR 300.61 as the time period between the first deployment of fishing gear into the water by a charter vessel angler (as defined at 50 CFR 300.61) and the offloading of one or more charter vessel anglers or any Pacific halibut from that vessel. For purposes of this trip limit, a charter vessel fishing trip ends at 2359 (Alaska local time) on the same calendar day that the fishing trip began, or when any anglers or Pacific halibut are offloaded, whichever comes first.

(d) A charter vessel on which one or more anglers catch and retain Pacific halibut may only make one charter vessel fishing trip per calendar day. A charter vessel fishing trip is defined at 50 CFR 300.61 as the time period between the first deployment of fishing gear into the water by a charter vessel angler (as defined at 50 CFR 300.61) and the offloading of one or more charter vessel anglers or any Pacific halibut from that vessel. For purposes of this trip limit, a charter vessel fishing trip ends at 2359 (Alaska local time) on the same calendar day that the fishing trip began, or when any anglers or Pacific halibut are offloaded, whichever comes first.

(e) No person on board a charter vessel may catch and retain Pacific halibut on any Wednesday, or on the following Tuesdays: 16 July, 23 July, 30 July, 6 August, and 13 August.

(f) Charter vessel anglers may catch and retain no more than four (4) Pacific halibut per calendar year on board charter vessels in IPHC Regulatory Area 3A. Pacific halibut that are retained as GAF, retained while on a charter vessel fishing trip in other Commission regulatory areas, or retained while fishing without the services of a guide do not accrue toward the 4-fish annual limit. For purposes of enforcing the annual limit, each angler must:

(1) Maintain a nontransferable harvest record in the angler's possession if retaining a Pacific halibut for which an annual limit has been established. Such harvest record must be maintained either on the back of the angler's State of Alaska sport fishing license or on a Sport Fishing Harvest Record Card obtained, without charge, from ADF&G offices, the ADF&G website, or fishing license vendors; and

(2) immediately upon retaining a Pacific halibut for which an annual limit has been established, record the date, location (IPHC Regulatory Area 3A), and species of the catch (Pacific halibut), in ink, on the harvest record; and

(3) record the information required by paragraph 3(g)(2) on any duplicate or additional sport fishing license issued to the angler or any duplicate or additional Sport Fishing Harvest Record Card obtained by the angler for all Pacific halibut previously retained during that year that were subject to the harvest record reporting requirements of this section; and

(4) carry the harvest record on his or her person while fishing for Pacific halibut.

30. Previous Regulations Superseded

These Regulations shall supersede all previous regulations of the Commission, and these Regulations shall be effective each succeeding year until superseded.

BILLING CODE 3510–22–P

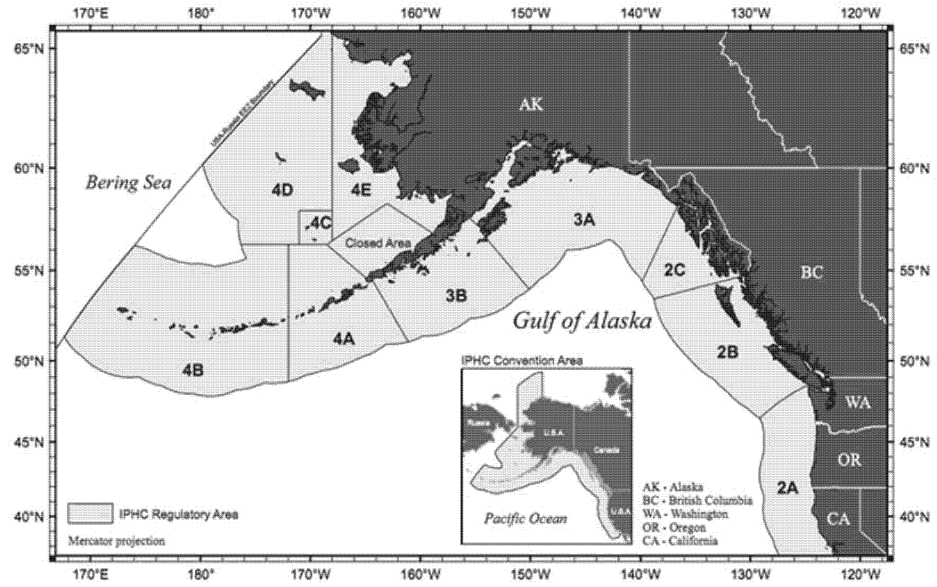

Figure 1. Regulatory areas for the Pacific halibut fishery.

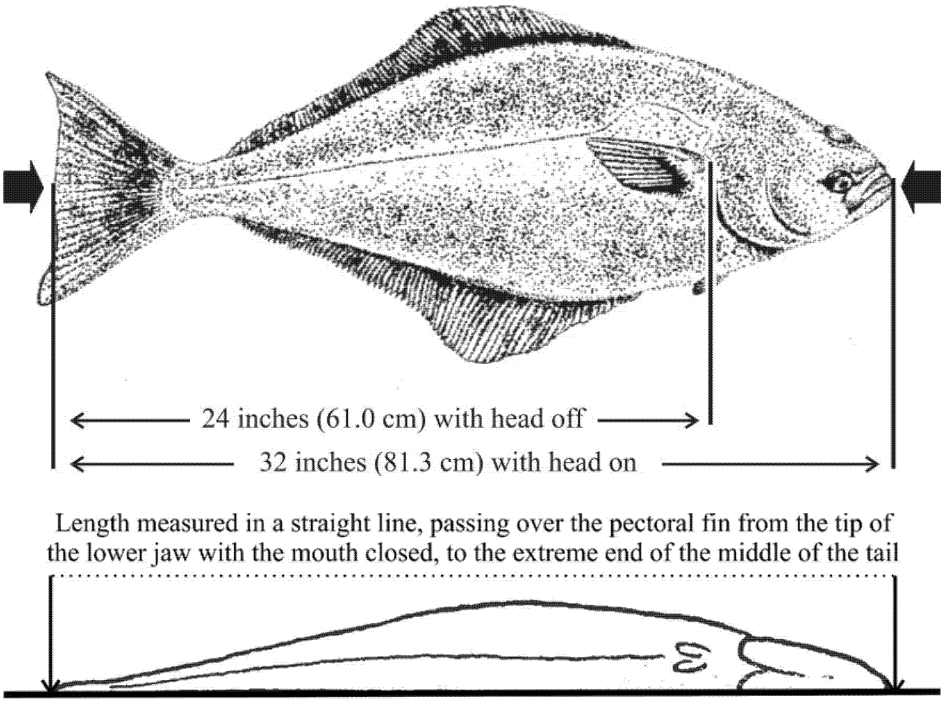

Figure 2. Minimum commercial size.

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Classification

IPHC Regulations

These IPHC annual management measures are a product of an agreement between the United States and Canada and are published in the **Federal Register** to provide notice of their effectiveness and content. Pursuant to section 4 of the Northern Pacific Halibut Act of 1982, 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may ''accept or reject'' but not modify these recommendations of the IPHC. The notice-and-comment and delay-in-effectiveness date provisions of the Administrative Procedure Act (APA), 5 U.S.C. 553(b) and (d), are inapplicable to IPHC management measures because this regulation involves a foreign affairs function of the United States, 5 U.S.C. 553(a)(1). As stated above, the Secretary

of State has no discretion to modify the recommendations of the IPHC. The additional time necessary to comply with the notice-and-comment and delay-in-effectiveness requirements of the APA would disrupt coordinated international conservation and management of the halibut fishery pursuant to the Convention. Furthermore, no other law requires prior notice and public comment for this rule. Because prior notice and an opportunity for public comment are not required to be provided for these portions of this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* are not applicable. Accordingly, no Regulatory Flexibility Analysis is required for this portion of the rule and none has been prepared. This final rule has been determined to be not significant for the purposes of Executive Order 12866.

Authority: 16 U.S.C. 773 *et seq.*

Dated: March 8, 2019.

Samuel D. Rauch III,

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

[FR Doc. 2019–04714 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 84, No. 50
Thursday, March 14, 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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2019–0107; Airspace Docket No. 19–ASW–4]

RIN 2120–AA66

Proposed Revocation of Class E Airspace; Morgan City, LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to remove Class E airspace extending upward from 700 feet above the surface at Morgan City, LA. The FAA is proposing this action due to the cancellation of the standard instrument approach procedures at the heliport making the airspace no longer necessary.

DATES: Comments must be received on or before April 29, 2019.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366–9826, or (800) 647–5527. You must identify FAA Docket No. FAA–2019–0107; Airspace Docket No. 19–ASW–4, at the beginning of your comments. You may also submit comments through the internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11C at NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

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

FOR FURTHER INFORMATION CONTACT: John Witucki, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5900.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would remove Class E airspace extending upward from 700 feet above the surface at Morgan City, LA that is no longer required.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2019–0107/Airspace Docket No. 19–ASW–4.'' The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by removing Class E airspace extending upward from 700 feet above the surface at Morgan City, LA.

The FAA is proposing this action due to the cancellation of the standard instrument approach procedures at the heliport making the airspace no longer necessary.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth

* * * * *

ASW LA E5 Morgan City, LA [Removed]

Issued in Fort Worth, Texas, on March 7, 2019.

Thomas Lattimer,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2019–04639 Filed 3–13–19; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Part 305

[3084–AB15]

Energy Labeling Rule

AGENCY: Federal Trade Commission (''FTC'' or ''Commission'').

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission proposes amending the Energy Labeling Rule (''Rule'') to make the Rule easier to use by reorganizing several sections, amending language to increase clarity, and eliminating several obsolete provisions. The proposed amendments have no substantive impact on the Rule's requirements. The Commission seeks comment regarding the proposed amendments and invites any suggestions to improve the Rule's format, organization, and clarity.

DATES: Comments must be received by April 15, 2019.

ADDRESSES: Interested parties may file a comment online or on paper:

• *Online:* Write ''Energy Labeling Reorganization, Matter No. R611004'' on your comment, and file your comment at *https://ftcpublic.commentworks.com/ftc/energylabeling* by following the instructions on the web-based form.

• *Paper:* Write ''Energy Labeling Reorganization, Matter No. R611004'' on your comment, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex B), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex B), Washington, DC 20024.

See the Instructions for Submitting Comments part of the **SUPPLEMENTARY INFORMATION** section below for additional information.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome (202–326–2889), Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Room CC–9528, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Background

The Commission issued the Energy Labeling Rule (''Rule'') in 1979,[1] pursuant to the Energy Policy and Conservation Act of 1975 (''EPCA'').[2] The Rule requires energy labeling for major home appliances and other consumer products to help consumers compare competing models. It also contains labeling requirements for refrigerators, refrigerator-freezers, freezers, dishwashers, water heaters, clothes washers, room air conditioners, furnaces, central air conditioners, heat pumps, plumbing products, lighting products, ceiling fans, and televisions.

The Rule requires manufacturers to attach yellow EnergyGuide labels to many of the covered products and prohibits retailers from removing these labels or rendering them illegible. In addition, it directs sellers, including retailers, to post label information on websites and in paper catalogs from which consumers can order products. EnergyGuide labels for most covered products contain three key disclosures: e\Estimated annual energy cost, a product's energy consumption or energy efficiency rating as determined by DOE test procedures, and a comparability range displaying the highest and lowest energy costs or efficiency ratings for all similar models. The Rule requires marketers to use national average costs for applicable energy sources (*e.g.,*

[1] 44 FR 66466 (Nov. 19, 1979).

[2] 42 U.S.C. 6294. EPCA also requires the Department of Energy (DOE) to develop test procedures that measure how much energy appliances use, and to determine the representative average cost a consumer pays for different types of energy.

electricity, natural gas, oil) as calculated by DOE in all cost calculations. Under the Rule, the Commission periodically updates comparability range and annual energy cost information based on manufacturer data submitted pursuant to the Rule's reporting requirements.[3]

II. Proposed Amendments

As the Commission has added new products and provisions to the Rule over the past several decades, some sections have become lengthy and difficult to navigate. To improve the Rule's organization and clarity, the Commission proposes several changes.[4]

First, the proposed amendments divide current section 305.3 (Description of covered products), which lists the specific product types (*e.g.,* clothes washers, LED lamps) covered by the Rule, into four different provisions organized by general product category (*i.e.,* appliances, furnaces and central air conditioners, lighting, and plumbing).[5] These changes should make it easier for stakeholders to identify relevant covered products, particularly for categories such as lighting, which contain several different product types and exemptions.

Second, the proposed amendments divide current section 305.11 into several different sections to make it easier to identify the labeling requirements applicable to specific products. Currently, section 305.11 addresses the label format and content for several appliances through a long list of instructions and exceptions. The proposed amendments divide this provision into several different sections: One for general layout and formatting requirements and six additional sections containing stand-alone label content requirements for refrigerator products, clothes washers, dishwashers, water heaters, room air conditioners, and pool heaters.[6]

Third, the proposed amendments remove obsolete references to provisions related to products produced decades ago (*e.g.,* exemptions for plumbing products produced before 1994).[7] Such provisions are no longer necessary because the Commission believes it unlikely that units produced before those dates are sold today. Finally, the proposed amendments make several minor changes to eliminate unnecessary cross references and correct typographical errors.

The Commission seeks comment on these proposed amendments and any suggestions to clarify, correct, or improve the Rule's organization and text, and, most importantly, make it easier to use. For instance, if there are any sections that are particularly confusing or unclear, commenters should identify them. As part of this proceeding, the Commission is not seeking comments on any additional, substantive changes to the Rule, such as modifications to label content, disclosure requirements, or product coverage.

III. Request for Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before April 15, 2019. Write ''Energy Labeling Reorganization, Matter No. R611004'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public FTC website, at *https://www.ftc.gov/policy/public-comments.*

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/energylabeling,* by following the instruction on the web-based form. If this Notice appears at *https://www.regulations.gov,* you also may file a comment through that website.

If you file your comment on paper, write ''Energy Labeling Reorganization, Matter No. R611004'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex B), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610, Washington, DC 20024. If possible, please submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible FTC website at *www.ftc.gov,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which is . . . privileged or confidential''—as provided by section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the FTC General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the public FTC website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC website, unless you submit a confidentiality request that meets the

[3] 16 CFR 305.10.

[4] To supplement the amendatory instructions at the end of this Notice, the FTC staff has posted a redline version of the Rule on the FTC website. See this version on the comment page for this proceeding at *https://www.ftc.gov/policy/public-comments/2018/12/initiative-791.*

[5] The four proposed product category sections are: § 305.3 (Description of appliances and consumer electronics), § 305.4 (Description of furnaces and central air conditioners), § 305.5 (Description of lighting products), and § 305.6 (Description of plumbing products).

[6] The revised sections include: § 305.13 (Layout, format, and placement of labels for all products), § 305.14 (Label content for refrigerators, refrigerator-freezers, and freezers); § 305.15 (Label content for clothes washers), § 305.16 (Label content for dishwashers), § 305.17 (Label content for water heaters), § 305.18 (Label content for room air conditioners), and § 305.19 (Label content for pool heaters). The amendments would renumber but otherwise retain the current labeling sections for heating and cooling equipment, ceiling fans, lighting products, plumbing products, and televisions.

[7] The proposed amendments also remove an obsolete provision related to industry petitions for revised energy representations made in response to new or amended DOE test procedures. At the time of the Rule's initial publication, the Commission had responsibility for reviewing such petitions under EPCA. However, DOE has that responsibility under the current statute, making this particular provision no longer operable. *See* 42 U.S.C. 6293(c)(3).

requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website to read this Notice of Proposed Rulemaking and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before April 15, 2019. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, *see https://www.ftc.gov/site-information/privacy-policy.* Because written comments appear adequate to present the views of all interested parties, the Commission has not scheduled an oral hearing regarding these proposed amendments.

Interested parties may request an opportunity to present views orally. If such a request is made, the Commission will publish a document in the **Federal Register** stating the time and place for such oral presentation(s) and describing the procedures that will be followed. Interested parties who wish to present oral views must submit a hearing request, on or before April 15, 2019, in the form of a written comment that describes the issues on which the party wishes to speak. If there is no oral hearing, the Commission will base its decision on the written rulemaking record.

IV. Paperwork Reduction Act

The current Rule contains recordkeeping, disclosure, testing, and reporting requirements that constitute information collection requirements as defined by 5 CFR 1320.3(c), the definitional provision within the Office of Management and Budget (OMB) regulations that implement the Paperwork Reduction Act. OMB has approved the Rule's existing information collection requirements through November 30, 2019 (OMB Control No. 3084–0069). The proposed amendments do not change the substance or frequency of the recordkeeping, disclosure, or reporting requirements and therefore do not require further OMB clearance.

V. Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603–604) are not applicable to this proceeding because the proposed amendments do not impose any new or different obligations on entities regulated by the Energy Labeling Rule. As explained elsewhere in this document, the proposed amendments do not change the substance or frequency of the recordkeeping, disclosure, or reporting requirements. Thus, the amendments will not have a ''significant economic impact on a substantial number of small entities.'' 5 U.S.C. 605. The Commission has therefore concluded that a regulatory flexibility analysis is not necessary, and certifies, under section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the proposed amendments will not have a significant economic impact on a substantial number of small entities. This rulemaking document constitutes notice of the above certification and statement to the Small Business Administration required under 5 U.S.C. 605(b).

VI. Communications by Outside Parties to the Commissioners or Their Advisors

Written communications and summaries or transcripts of oral communications respecting the merits of this proceeding, from any outside party to any Commissioner or Commissioner's advisor, will be placed on the public record. *See* 16 CFR 1.26(b)(5).

VII. Proposed Rule Language

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

For the reasons set out above, the Commission proposes to amend 16 CFR part 305 as follows:

PART 305—ENERGY AND WATER USE LABELING FOR CONSUMER PRODUCTS UNDER THE ENERGY POLICY AND CONSERVATION ACT (''ENERGY LABELING RULE'')

■ 1. The authority citation for Part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

■ 2. Amend § 305.2, by revising paragraphs (n), (q)(1), (q)(2), and (aa) to read as follows:

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(n) *Covered product* means any consumer product or consumer appliance product described in §§ 305.3, 305.4, 305.5, or 305.6 of this part.

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(q) *Estimated annual energy consumption and estimated annual operating or energy cost*—(1) *Estimated annual energy consumption* means the energy or (for plumbing products) water that is likely to be consumed annually in representative use of a consumer product, as determined in accordance with tests prescribed under section 323 of the Act (42 U.S.C. 6293).

(i) *Kilowatt-hour use per year,* or *kWh/yr.,* means estimated annual energy consumption expressed in kilowatt-hours of electricity.

(ii) *Therm use per year,* or *therms/yr.,* means estimated annual energy consumption expressed in therms of natural gas.

(iii) *Gallon use per year,* or *gallons/yr.,* means estimated annual energy consumption expressed in gallons of propane or No. 2 heating oil.

(2) *Estimated annual operating or energy cost* means the aggregate retail cost of the energy that is likely to be consumed annually in representative use of a consumer product, as determined in accordance with tests prescribed under section 323 of the Act (42 U.S.C. 6293).

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(aa) *New covered product* means a covered product the title of which has not passed to a purchaser who buys the product for purposes other than resale or leasing for a period in excess of one year.

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■ 3. Revise § 305.3 to read as follows:

§ 305.3 Description of appliances and consumer electronics.

(a) *Refrigerators and refrigerator-freezers.* (1) Electric refrigerator means a cabinet designed for the refrigerated storage of food, designed to be capable of achieving storage temperatures above 32 °F (0 °C) and below 39 °F (3.9 °C), and having a source of refrigeration requiring single phase, alternating current electric energy input only. An electric refrigerator may include a compartment for the freezing and storage of food at temperatures below 32 °F (0 °C), but does not provide a separate low temperature compartment designed for the freezing and storage of food at temperatures below 8 °F (−13.3 °C).

(2) *Electric refrigerator-freezer* means a cabinet which consists of two or more compartments with at least one of the compartments designed for the refrigerated storage of food and designed to be capable of achieving storage temperatures above 32 °F (0 °C) and below 39 °F (3.9 °C), and with at least one of the compartments designed for the freezing and storage of food at temperatures below 8 °F (−13.3 °C) which may be adjusted by the user to a temperature of 0 °F (−17.8 °C) or below. The source of refrigeration requires single phase, alternating current electric energy input only.

(b) *Freezer* means a cabinet designed as a unit for the freezing and storage of food at temperatures of 0 °F or below, and having a source of refrigeration requiring single phase, alternating current electric energy input only.

(c) *Dishwasher* means a cabinetlike appliance which, with the aid of water and detergent, washes, rinses, and dries (when a drying process is included) dishware, glassware, eating utensils and most cooking utensils by chemical, mechanical, and/or electrical means and discharges to the plumbing drainage system.

(1) *Water Heating Dishwasher* means a dishwasher which is designed for heating cold inlet water (nominal 50 °F) or a dishwasher for which the manufacturer recommends operation with a nominal inlet water temperature of 120 °F and may operate at either of these inlet water temperatures by providing internal water heating to above 120 °F in at least one wash phase of the normal cycle.

(2) [Reserved]

(d) *Water heater* means a product which utilizes oil, gas, or electricity to heat potable water for use outside the heater upon demand, including—

(1) Storage type units which heat and store water at a thermostatically controlled temperature, including gas storage water heaters with an input of 75,000 Btu per hour or less, oil storage water heaters with an input of 105,000 Btu per hour or less, and electric storage water heaters with an input of 12 kilowatts or less;

(2) Instantaneous type units which heat water but contain no more than one gallon of water per 4,000 Btu per hour of input, including gas instantaneous water heaters with an input of 200,000 Btu per hour or less, oil instantaneous water heaters with an input of 210,000 Btu per hour or less, and electric instantaneous water heaters with an input of 12 kilowatts or less; and

(3) Heat pump type units, with a maximum current rating of 24 amperes at a voltage no greater than 250 volts, which are products designed to transfer thermal energy from one temperature level to a higher temperature level for the purpose of heating water, including all ancillary equipment such as fans, storage tanks, pumps, or controls necessary for the device to perform its function.

(e) *Room air conditioner* means a consumer product, other than a packaged terminal air conditioner, which is powered by a single phase electric current and which is an encased assembly designed as a unit for mounting in a window or through the wall for the purpose of providing delivery of conditioned air to an enclosed space. It includes a prime source of refrigeration and may include a means for ventilating and heating.

(f) *Clothes washer* means a consumer product designed to clean clothes, utilizing a water solution of soap and/or detergent and mechanical agitation or other movement, and must be one of the following classes: Automatic clothes washers, semi-automatic clothes washers, and other clothes washers.

(1) Automatic clothes washer means a class of clothes washer which has a control system capable of scheduling a pre-selected combination of operations, such as regulation of water fill level, and performance of wash, rinse, drain and spin functions, without the need for the user to intervene subsequent to the initiation of machine operation. Some models may require user intervention to initiate these different segments of the cycle after the machine has begun operation, but they do not require the user to intervene to regulate the water temperature by adjusting the external water faucet valves.

(2) Semi-automatic clothes washer means a class of clothes washer that is the same as an automatic clothes washer except that the user must intervene to regulate the water temperature by adjusting the external water faucet valves.

(3) Other clothes washer means a class of clothes washer which is not an automatic or semi-automatic clothes washer.

(g) *Ceiling fan* means a nonportable device that is suspended from a ceiling for circulating air via the rotation of fan blades, excluding large-diameter and high-speed small diameter fans as defined in appendix U of subpart B of 10 CFR part 430. The requirements of this part are otherwise limited to those ceiling fans for which the Department of Energy has adopted and published test procedures for measuring energy usage.

(h) *Television* means a product that is designed to produce dynamic video, contains an internal TV tuner encased within the product housing, and is capable of receiving dynamic visual content from wired or wireless sources including but not limited to: Broadcast and similar services for terrestrial, cable, satellite, and/or broadband transmission of analog and/or digital signals; and/or display-specific data connections, such as HDMI, Component video, S-video, Composite video; and/or media storage devices such as a USB flash drive, memory card, or a DVD; and/or network connections, usually using internet Protocol, typically carried over Ethernet or Wi-Fi. The requirements of this part are limited to those televisions for which the Department of Energy has adopted and published test procedures for measuring energy use.

(i) *Pool heater* means an appliance designed for heating nonpotable water contained at atmospheric pressure, including heating water in swimming pools, spas, hot tubs and similar applications.

§ 305.11 [Removed and reserved]

■ 4. Remove and reserve § 305.11.

§§ 305.4 through 305.25 [Amended]

■ 5. Re-designate §§ 305.4 through 305.8, § 305.10, §§ 305.12 through §§ 305.17 and §§ 305.19 through §§ 305.25 as follows:

Old section	New section
§ 305.4	§ 305.7
§ 305.5	§ 305.8
§ 305.6	§ 305.9
§ 305.7	§ 305.10
§ 305.8	§ 305.11
§ 305.10	§ 305.12
§ 305.12	§ 305.20
§ 305.13	§ 305.21
§ 305.14	§ 305.22
§ 305.15	§ 305.23
§ 305.16	§ 305.24
§ 305.17	§ 305.25
§ 305.19	§ 305.26
§ 305.20	§ 305.27
§ 305.21	§ 305.28
§ 305.22	§ 305.29
§ 305.23	§ 305.30
§ 305.24	§ 305.31
§ 305.25	§ 305.32

■ 6. Add new § 305.4 to read as follows:

§ 305.4 Description of furnaces and central air conditioners.

(a) *Furnaces.* (1) Furnace means a product which utilizes only single-phase electric current, or single-phase electric current or DC current in conjunction with natural gas, propane, or home heating oil, and which—

(i) Is designed to be the principal heating sources for the living space of a residence;

(ii) Is not contained within the same cabinet with a central air conditioner whose rated cooling capacity is above 65,000 Btu per hour;

(iii) Is an electric central furnace, electric boiler, forced-air central furnace, gravity central furnace, or low pressure steam or hot water boiler; and

(iv) Has a heat input rate of less than 300,000 Btu per hour for electric boilers and low pressure steam or hot water boilers and less than 225,000 Btu per hour for forced-air central furnaces, gravity central furnaces, and electric central furnaces.

(2) *Electric central furnace* means a furnace designed to supply heat through

a system of ducts with air as the heating medium, in which heat is generated by one or more electric resistance heating elements and the heated air is circulated by means of a fan or blower.

(3) *Forced air central furnace* means a gas or oil burning furnace designed to supply heat through a system of ducts with air as the heating medium. The heat generated by combustion of gas or oil is transferred to the air within a casing by conduction through heat exchange surfaces and is circulated through the duct system by means of a fan or blower.

(4) *Gravity central furnace* means a gas fueled furnace which depends primarily on natural convection for circulation of heated air and which is designed to be used in conjunction with a system of ducts.

(5) *Electric boiler* means an electrically powered furnace designed to supply low pressure steam or hot water for space heating application. A low pressure steam boiler operates at or below 15 pounds per square inch gauge (psig) steam pressure; a hot water boiler operates at or below 160 psig water pressure and 250 °F water temperature.

(6) *Low pressure steam or hot water boiler* means an electric, gas or oil burning furnace designed to supply low pressure steam or hot water for space heating application. A low pressure steam boiler operates at or below 15 pounds psig steam pressure; a hot water boiler operates at or below 160 psig water pressure and 250 °F water temperature.

(7) *Outdoor furnace or boiler* is a furnace or boiler normally intended for installation out-of-doors or in an unheated space (such as an attic or a crawl space).

(8) *Weatherized warm air furnace or boiler* means a furnace or boiler designed for installation outdoors, approved for resistance to wind, rain, and snow, and supplied with its own venting system.

(b) *Central air conditioner* means a product, other than a packaged terminal air conditioner, which is powered by single phase electric current, air cooled, rated below 65,000 Btu per hour, not contained within the same cabinet as a furnace, the rated capacity of which is above 225,000 Btu per hour, and is a heat pump or a cooling only unit.

(1) Condenser-evaporator coil combination means a condensing unit made by one manufacturer and one of several evaporator coils, either manufactured by the same manufacturer or another manufacturer, intended to be combined with that particular condensing unit.

(2) Condensing unit means a component of a ''central air conditioner'' which is designed to remove heat absorbed by the refrigerant and to transfer it to the outside environment, and which consists of an outdoor coil, compressor(s), and air moving device.

(3) Evaporator coil means a component of a central air conditioner which is designed to absorb heat from an enclosed space and transfer the heat to a refrigerant.

(4) Single package unit means any central air conditioner in which all the major assemblies are enclosed in one cabinet.

(5) Split system means any central air conditioner in which one or more of the major assemblies are separate from the others.

(c) *Heat pump* means a product, other than a packaged terminal heat pump, which consists of one or more assemblies, powered by single phase electric current, rated below 65,000 Btu per hour, utilizing an indoor conditioning coil, compressor, and refrigerant-to-outdoor air heat exchanger to provide air heating, and may also provide air cooling, dehumidifying, humidifying, circulating, and air cleaning.

■ 7. Add new § 305.5 to read as follows:

§ 305.5 Description of lighting products.

(a) *Fluorescent lamp ballast* means a device which is used to start and operate fluorescent lamps by providing a starting voltage and current and limiting the current during normal operation.

(b) *Fluorescent lamp:* (1) Means a low pressure mercury electric-discharge source in which a fluorescing coating transforms some of the ultra-violet energy generated by the mercury discharge into light, including only the following:

(i) Any straight-shaped lamp (commonly referred to as 4-foot medium bi-pin lamps) with medium bi-pin bases of nominal overall length of 48 inches and rated wattage of 28 or more;

(ii) Any U-shaped lamp (commonly referred to as 2-foot U-shaped lamps) with medium bi-pin bases of nominal overall length between 22 and 25 inches and rated wattage of 28 or more;

(iii) Any rapid start lamp (commonly referred to as 8-foot high output lamps) with recessed double contact bases of nominal overall length of 96 inches and 0.800 nominal amperes, as defined in ANSI C78.1–1978 and related supplements (copies of ANSI C78.1–1978 and related supplements may be obtained from the American National Standards Institute, 11 West 42nd St., New York, NY 10036); and

(iv) Any instant start lamp (commonly referred to as 8-foot slimline lamps) with single pin bases of nominal overall length of 96 inches and rated wattage of 52 or more, as defined in ANSI C78.3–1978 (R1984) and related supplement ANSI C78.3a–1985 (copies of ANSI C78.3–1978 (R1984) and related supplement ANSI C78.3a–1985 may be obtained from the American National Standards Institute, 11 West 42nd St., New York, NY 10036); but

(2) *Fluorescent lamp* does not mean any lamp excluded by the Department of Energy, by rule, as a result of a determination that standards for such lamp would not result in significant energy savings because such lamp is designed for special applications or has special characteristics not available in reasonably substitutable lamp types; and

(3) *General service fluorescent lamp* means a fluorescent lamp which can be used to satisfy the majority of fluorescent applications, but does not mean any lamp designed and marketed for the following nongeneral lighting applications:

(i) Fluorescent lamps designed to promote plant growth;

(ii) Fluorescent lamps specifically designed for cold temperature installations;

(iii) Colored fluorescent lamps;

(iv) Impact-resistant fluorescent lamps;

(v) Reflectorized or aperture lamps;

(vi) Fluorescent lamps designed for use in reprographic equipment;

(vii) Lamps primarily designed to produce radiation in the ultra-violet region of the spectrum; and

(viii) Lamps with a color rendering index of 82 or greater.

(c) *General service lamp* means:

(1) A lamp that is:

(i) A medium base compact fluorescent lamp;

(ii) A general service incandescent lamp;

(iii) A general service light-emitting diode (LED or OLED) lamp; or

(iv) Any other lamp that the Secretary of Energy determines is used to satisfy lighting applications traditionally served by general service incandescent lamps.

(2) Exclusions. The term general service lamp does not include—

(i) Any lighting application or bulb shape described in paragraphs (e)(3)(ii)(A) through (T) of this section; and

(ii) Any general service fluorescent lamp.

(d) *Medium base compact fluorescent lamp* means an integrally ballasted

fluorescent lamp with a medium screw base, a rated input voltage range of 115 to 130 volts and which is designed as a direct replacement for a general service incandescent lamp; however, the term does not include—

(1) Any lamp that is:

(i) Specifically designed to be used for special purpose applications; and

(ii) Unlikely to be used in general purpose applications, such as the applications described in the definition of ''General Service Incandescent Lamp'' in paragraph (e)(3)(ii) of this section; or

(2) Any lamp not described in the definition of ''General Service Incandescent Lamp'' in this section and that is excluded by the Department of Energy, by rule, because the lamp is—

(i) Designed for special applications; and

(ii) Unlikely to be used in general purpose applications.

(e) *Incandescent lamp:* (1) Means a lamp in which light is produced by a filament heated to incandescence by an electric current, including only the following:

(i) Any lamp (commonly referred to as lower wattage nonreflector general service lamps, including any tungsten halogen lamp) that has a rated wattage between 30 and 199 watts, has an E26 medium screw base, has a rated voltage or voltage range that lies at least partially within 115 and 130 volts, and is not a reflector lamp;

(ii) Any lamp (commonly referred to as a reflector lamp) which is not colored or designed for rough or vibration service applications, that contains an inner reflective coating on the outer bulb to direct the light, an R, PAR, ER, BR, BPAR, or similar bulb shapes with E26 medium screw bases, a rated voltage or voltage range that lies at least partially within 115 and 130 volts, a diameter which exceeds 2.25 inches, and has a rated wattage that is 40 watts or higher;

(iii) Any general service incandescent lamp (commonly referred to as a high- or higher-wattage lamp) that has a rated wattage above 199 watts (above 205 watts for a high wattage reflector lamp); but

(2) Incandescent lamp does not mean any lamp excluded by the Secretary of Energy, by rule, as a result of a determination that standards for such lamp would not result in significant energy savings because such lamp is designed for special applications or has special characteristics not available in reasonably substitutable lamp types;

(3) *General service incandescent lamp* means:

(i) In general, a standard incandescent, halogen, or reflector type lamp that—

(A) Is intended for general service applications;

(B) Has a medium screw base;

(C) Has a lumen range of not less than 310 lumens and not more than 2,600 lumens; and

(D) Is capable of being operated at a voltage range at least partially within 110 and 130 volts.

(ii) Exclusions. The term ''general service incandescent lamp'' does not include the following incandescent lamps:

(A) An appliance lamp as defined at 42 U.S.C. 6291(30);

(B) A black light lamp;

(C) A bug lamp;

(D) A colored lamp as defined at 42 U.S.C. 6291(30);

(E) An infrared lamp;

(F) A left hand thread lamp;

(G) A marine lamp;

(H) A marine signal service lamp;

(I) A mine service lamp;

(J) A plant light lamp;

(K) A rough service lamp as defined at 42 U.S.C. 6291(30);

(L) A shatter resistant lamp (including a shatter-proof lamp and a shatter-protected lamp);

(M) A sign service lamp;

(N) A silver bowl lamp;

(O) A showcase lamp;

(P) A traffic signal lamp;

(Q) A vibration service lamp as defined at 42 U.S.C. 6291(30);

(R) A G shape lamp (as defined in ANSI C78.20–2003 and C79.1–2002) with a diameter of 5 inches or more;

(S) A T shape lamp (as defined in ANSI C78.20–2003 and C79.1–2002) and that uses not more than 40 watts or has a length of more than 10 inches; or

(T) A B, BA, CA, F, G16–½, G–25, G–30, S, or M–14 lamp (as defined in ANSI C79.1–2002 and ANSI C78.20–2003) of 40 watts or less.

(4) Incandescent reflector lamp means a lamp described in paragraph (e)(1)(ii) of this section; and

(5) Tungsten halogen lamp means a gas filled tungsten filament incandescent lamp containing a certain proportion of halogens in an inert gas.

(f) *Light emitting diode (LED)* means a p-n junction solid state device the radiated output of which is a function of the physical construction, material used, and exciting current of the device. The output of a light emitting diode may be in—

(1) The infrared region;

(2) The visible region; or

(3) The ultraviolet region.

(g) *Organic light emitting diode (OLED)* means a thin-film light-emitting device that typically consists of a series of organic layers between 2 electrical contacts (electrodes).

(h) *General service light-emitting diode (LED or OLED) lamp* means any light emitting diode (LED or OLED) lamp that:

(1) Is a consumer product;

(2) Is intended for general service applications;

(3) Has a medium screw base;

(4) Has a lumen range of not less than 310 lumens and not more than 2,600 lumens; and

(5) Is capable of being operated at a voltage range at least partially within 110 and 130 volts.

(i) *Metal halide lamp fixture* means a light fixture for general lighting application that is designed to be operated with a metal halide lamp and a ballast for a metal halide lamp and that is subject to and complies with Department of Energy efficiency standards issued pursuant to 42 U.S.C. 6295.

(1) Metal halide ballast means a ballast used to start and operate metal halide lamps.

(2) Metal halide lamp means a high intensity discharge lamp in which the major portion of the light is produced by radiation of metal halides and their products of dissociation, possibly in combination with metallic vapors.

(j) *Specialty consumer lamp* means

(1) Any lamp that:

(i) Is not included under the definition of general service lamp in this part;

(ii) Has a lumen range between 310 lumens and no more than 2,600 lumens or a rated wattage between 30 and 199;

(iii) Has one of the following bases:

(A) A medium screw base;

(B) A candelabra screw base;

(C) A GU–10 base; or

(D) A GU–24 base; and

(iv) Is capable of being operated at a voltage range at least partially within 110 and 130 volts.

(2) Inclusions. The term *specialty consumer lamp* includes, but is not limited to, the following lamps if such lamps meet the conditions listed in paragraph (1):

(i) Vibration-service lamps as defined at 42 U.S.C. 6291(30)(AA);

(ii) Rough service lamps as defined at 42 U.S.C. 6291(30)(X);

(iii) Appliance lamps as defined at 42 U.S.C. 6291(30)(T); and

(iv) Shatter resistant lamps (including a shatter proof lamp and a shatter protected lamp) as defined in 42 U.S.C. 6291(30)(Z).

(3) Exclusions. The term *specialty consumer lamp* does not include:

(i) A black light lamp;

(ii) A bug lamp;
(iii) A colored lamp;
(iv) An infrared lamp;
(v) A left-hand thread lamp;
(vi) A marine lamp;
(vii) A marine signal service lamp;
(viii) A mine service lamp;
(ix) A sign service lamp;
(x) A silver bowl lamp;
(xi) A showcase lamp;
(xii) A traffic signal lamp;
(xiii) A G-shape lamp with diameter of 5 inches or more;
(xiv) A C7, M–14, P, RP, S, or T shape lamp;
(xv) A intermediate screw-base lamp; and
(xvi) A plant light lamp.

■ 8. Add new § 305.6 to read as follows:

§ 305.6 Description of plumbing products.

(a) *Showerhead* means a component or set of components distributed in commerce for attachment to a single supply fitting, for spraying water onto a bather, typically from an overhead position, excluding safety shower showerheads.

(b) *Faucet* means a lavatory faucet, kitchen faucet, metering faucet, or replacement aerator for a lavatory or kitchen faucet.

(c) *Water closet* means a plumbing fixture having a water-containing receptor which receives liquid and solid body waste and, upon actuation, conveys the waste through an exposed integral trap seal into a gravity drainage system, except such term does not include fixtures designed for installation in prisons.

(d) *Urinal* means a plumbing fixture which receives only liquid body waste and, on demand, conveys the waste through a trap seal into a gravity drainage system, except such term does not include fixtures designed for installation in prisons.

■ 9. In newly re-designated § 305.7, delete paragraph (d)(3), remove the references ''305.20,'' ''305.6,'' ''305.19,'' and add in their place respectively the references ''305.27,'' ''305.9,'' and ''305.26,'' and revise paragraph (e) to read as follows:

§ 305.7 Prohibited acts.

* * * * *

(e) This part shall not apply to:

(1) Any covered product if it is manufactured, imported, sold, or held for sale for export from the United States, so long as such product is not in fact distributed in commerce for use in the United States, and such covered product or the container thereof bears a stamp or label stating that such covered product is intended for export.

(2) Televisions manufactured before May 10, 2011.

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■ 10. In newly re-designated § 305.8, revise paragraph (c) to read as follows:

§ 305.8 Determinations of estimated annual energy consumption, estimated annual operating cost, and energy efficiency rating, water use rate, and other required disclosure content.

* * * * *

(c) Representations for ceiling fans under § 305.21 and televisions under § 305.25 must be derived from applicable procedures in 10 CFR parts 429, 430, and 431.

■ 11. Revise newly re-designated § 305.9 to read as follows:

§ 305.9 Duty to provide labels on websites.

For each covered product required by this part to bear an EnergyGuide or Lighting Facts label, the manufacturer must make a copy of the label available on a publicly accessible website in a manner that allows catalog sellers to hyperlink to the label or download it for use in websites or paper catalogs. The label for each specific model must remain on the website for six months after production of that model ceases.

■ 12. In newly re-designated § 305.11, revise paragraph (a)(5) to read as follows, remove the references to ''§ 305.6(a)'' and ''§ 305.8(a),'' and add in their place respectively the words ''305.9'' and ''§ 305.11(a).'':

§ 305.11 Submission of data.

(a) * * *

(5) Manufacturers must submit a website address for the online EnergyGuide labels covered by § 305.9 in new model and annual reports required by this section. Manufacturers may accomplish this by either submitting a specific link to a URL for each label, a link to a PDF download for each label, or a link to a website that takes users directly to a searchable database of the covered labels from which the label image or download may be accessed using the model number as certified to DOE pursuant to 10 CFR part 429 and the model number advertised in product literature. Such label information must be submitted either at the time the model is certified to DOE pursuant to 10 CFR part 429 or at some time on or before the annual report date immediately following such certification. In lieu of submitting the required information to the Commission, manufacturers may submit such information to the Department of Energy via the CCMS at *https://regulations.doe.gov/ccms* as provided by 10 CFR 429.12. The requirements in this paragraph do not apply to Lighting Facts labels.

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■ 13. In newly re-designated § 305.12:
■ a. Revise the paragraph (c) introductory text and paragraph (c)(1);
■ b. Remove the reference ''§ 305.11'' and add in its place ''§ 305.14 through § 305.19''; and
■ c. Remove the reference to ''§ 305.20'' and add in its place ''§ 305.27''.

The revisions read as follows:

§ 305.12 Ranges of comparability on the required labels.

* * * * *

(c) *Operating costs or efficiency ratings outside current range.* When the estimated annual operating cost or energy efficiency rating of a given model of a product covered by this section falls outside the limits of the current range for that product, which could result from the introduction of a new or changed model, the manufacturer shall:

(1) Omit placement of such product on the scale appearing on the label, and

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■ 14. Add new § 305.13 to read as follows:

§ 305.13 Layout, format, and placement of labels for refrigerators, refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters, room air conditioners, and pool heaters.

(a) *Coverage.* The requirements of this section apply to labels for refrigerators, refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters, room air conditioners, and pool heaters.

(b) *Layout.* Energy labels shall use one size, similar colors, and typefaces with consistent positioning of headline, copy, and charts to maintain uniformity for immediate consumer recognition and readability. Trim size dimensions for the labels shall be as follows: Width must be between 5¼ inches and 5½ inches (13.34 cm. and 13.97 cm.); length must be between 7⅜ inches (18.73 cm.) and 7⅝ (19.37 cm.). Copy is to be set between 27 picas and 29 picas and copy page should be centered (right to left and top to bottom). Depth is variable but should follow closely the prototype and sample labels appearing at the end of this part illustrating the basic layout. All positioning, spacing, type sizes, and line widths should be similar to and consistent with the prototype and sample labels in appendix L to this part.

(c) *Type style and setting.* The Arial series typeface or equivalent shall be used exclusively on the label. Specific sizes and faces to be used are indicated on the prototype labels. No hyphenation should be used in setting headline or

copy text. Positioning and spacing should follow the prototypes closely. Generally, text must be set flush left with two points leading except where otherwise indicated. See the prototype labels for specific directions.

(d) *Colors.* The basic colors of all labels covered by this section shall be process yellow or equivalent and process black. The label shall be printed full bleed process yellow. All type and graphics shall be print process black.

(e) *Label types.* Except as indicated in paragraph (e)(3) of this section, the labels must be affixed to the product in the form of an adhesive label for any product covered by this section, or in the form of a hang tag for refrigerators, refrigerator-freezers, freezers, dishwashers, and clothes washers, as follows:

(1) *Adhesive labels.* All adhesive labels should be applied so they can be easily removed without the use of tools or liquids, other than water, but should be applied with an adhesive with an adhesion capacity sufficient to prevent their dislodgment during normal handling throughout the chain of distribution to the retailer or consumer. The paper stock for pressure-sensitive or other adhesive labels shall have a basic weight of not less than 58 pounds per 500 sheets (25″ x 38″) or equivalent, exclusive of the release liner and adhesive. A minimum peel adhesion capacity for the adhesive of 12 ounces per square inch is suggested, but not required if the adhesive can otherwise meet the above standard. In lieu of a label with adhesive backing, manufacturers may adhere the label with adhesive tape, provided the tape is affixed along the entire top and bottom of the label.

(2) *Hang tags.* Labels may be affixed to the product interior in the form of a hang tag using cable ties or double strings connected through reinforced punch holes, or with attachment and label material of equivalent or greater strength and durability. If paper stock is used for hang tags, it shall have a basic weight of not less than 110 pounds per 500 sheets (25½″ x 30½″ index). When materials are used to attach the hang tags to appliance products, the materials shall be of sufficient strength to insure that if gradual pressure is applied to the hang tag by pulling it away from where it is affixed to the product, the hang tag will tear before the material used to affix the hang tag to the product breaks.

(3) *Package labels for certain products.* Labels for electric instantaneous water heaters shall be printed on or affixed to the product's packaging in a conspicuous location. Labels for room air conditioners produced on or after October 1, 2019 shall be printed on or affixed to the principal display panel of the product's packaging.

(f) *Placement*—(1) *Adhesive labels.* Manufacturers shall affix adhesive labels to the covered products in such a position that it is easily read by a consumer examining the product. The label should be generally located on the upper-right-front corner of the product's front exterior. However, some other prominent location may be used as long as the label will not become dislodged during normal handling throughout the chain of distribution to the retailer or consumer. The top of the label should not exceed 74 inches from the base of taller products. The label can be displayed in the form of a flap tag adhered to the top of the appliance and bent (folded at 90°) to hang over the front, as long as this can be done with assurance that it will be readily visible.

(2) *Hang tags.* A hang tag shall be affixed to the interior of the product in such a position that it can be easily read by a consumer examining the product. A hang tag can be affixed in any position that meets this requirement as long as the label will not become dislodged during normal handling throughout the chain of distribution to the retailer or consumer. Hang tags may only be affixed in refrigerators, refrigerator-freezers, freezers, dishwashers, and clothes washers.

■ 15. Add new § 305.14 to read as follows:

§ 305.14 Label content for refrigerators, refrigerator-freezers, and freezers.

(a) *Label content.* (1) Headlines and texts, as illustrated in the prototype and sample labels in appendix L to this part, are standard for all labels.

(2) Name of manufacturer or private labeler shall, in the case of a corporation, be deemed to be satisfied only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used. Inclusion of the name of the manufacturer or private labeler is optional at the discretion of the manufacturer or private labeler.

(3) Model number(s) will be the designation given by the manufacturer or private labeler.

(4) Capacity or size is that determined in accordance with this part. The capacity provided on the label shall be the model's total refrigerated volume (VT) as determined in accordance with this part and the model description must be consistent with the categories described in Appendices A and B to this part.

(5) Unless otherwise indicated in this paragraph, estimated annual operating costs must be determined in accordance with this part. Labels for dual-mode refrigerator-freezers that can operate as either a refrigerator or a freezer must reflect the estimated energy cost of the model's most energy intensive configuration.

(6) Unless otherwise indicated in this paragraph, ranges of comparability for estimated annual operating costs are found in the appropriate appendices accompanying this part.

(7) Placement of the labeled product on the scale shall be proportionate to the lowest and highest estimated annual operating costs.

(8) Labels must contain the model's estimated annual energy consumption as determined in accordance with this part and as indicated on the sample labels in appendix L.

(9) Labels must contain statements as illustrated in the prototype labels in appendix L and specified as follows by product type:

(i) Labels for refrigerators, refrigerator-freezers, and freezers shall contain the text and graphics illustrated in sample labels of appendix L, including the statement:

Compare ONLY to other labels with yellow numbers.

Labels with yellow numbers are based on the same test procedures.

(ii) Labels for refrigerators and refrigerator-freezers must contain a statement as illustrated in the prototype labels in appendix L and specified as follows (fill in the blanks with the appropriate energy cost figure):

Your cost will depend on your utility rates and use.

Both cost ranges based on models of similar size capacity.

[Insert statement required by paragraph (a)(9)(iii) of this section].

Estimated energy cost based on a national average electricity cost of ____cents per kWh.

ftc.gov/energy.

(iii) Labels for refrigerators and refrigerator-freezers shall include the following as part of the statement required by paragraph (a)(9)(ii) of this section:

(A) For models covered under appendix A1 to this part, the sentence shall read:

Models with similar features have automatic defrost and no freezer.

(B) For models covered under appendix A2 to this part, the sentence shall read:

Models with similar features have manual defrost.

(C) For models covered under appendix A3 to this part, the sentence shall read:

Models with similar features have partial automatic defrost.

(D) For models covered under appendix A4 to this part, the sentence shall read:

Models with similar features have automatic defrost, top-mounted freezer, and no through-the-door ice.

(E) For models covered under appendix A5 to this part, the sentence shall read:

Models with similar features have automatic defrost, side-mounted freezer, and no through-the-door ice.

(F) For models covered under appendix A6 to this part, the sentence shall read:

Models with similar features have automatic defrost, bottom-mounted freezer, and no through-the-door ice.

(G) For models covered under appendix A7 to this part, the sentence shall read:

Models with similar features have automatic defrost, bottom-mounted freezer and through-the-door ice.

(H) For models covered under appendix A8 to this part, the sentence shall read:

Models with similar features have automatic defrost, side-mounted freezer, and through-the-door ice.

(iv) Labels for freezers must contain a statement as illustrated in the prototype labels in appendix L and specified as follows (fill in the blanks with the appropriate energy cost figure):

Your cost will depend on your utility rates and use.

[Insert statement required by paragraph (a)(10)(v) of this section].

Estimated energy cost based on a national average electricity cost of ____ cents per kWh.

ftc.gov/energy.

(v) For freezers, the following sentence shall be included as part of the statement required by paragraph (a)(9)(iv) of this section:

(A) For models covered under appendix B1 to this part, the sentence shall read:

Cost range based only on upright freezer models of similar capacity with manual defrost.

(B) For models covered under appendix B2 to this part, the sentence shall read:

Cost range based only on upright freezer models of similar capacity with automatic defrost.

(C) For models covered under appendix B3 to this part, the sentence shall read:

Cost range based only on chest and other freezer models of similar capacity.

(10) The following statement shall appear on each label as illustrated in the prototype and sample labels in appendix L to this part:

Federal law prohibits removal of this label before consumer purchase.

(b) *Additional information.* No marks or information other than that specified in this part shall appear on or directly adjoining this label except that:

(1) A part or publication number identification may be included on this label, as desired by the manufacturer. If a manufacturer elects to use a part or publication number, it must appear in the lower right-hand corner of the label and be set in 6-point type or smaller.

(2) The energy use disclosure labels required by the governments of Canada or Mexico may appear directly adjoining this label, as desired by the manufacturer.

(3) The manufacturer or private labeler may include the ENERGY STAR logo on the bottom right corner of the label for certified products. The logo must be 1 inch by 1 inch in size. Only manufacturers that have signed a Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers may add the ENERGY STAR logo to labels only on those covered products that are contemplated by the Memorandum of Understanding.

■ 16. Add new § 305.15 to read as follows:

§ 305.15 Label content for clothes washers.

(a) *Label content.* (1) Headlines and texts, as illustrated in the prototype and sample labels in appendix L to this part, are standard for all labels.

(2) Name of manufacturer or private labeler shall, in the case of a corporation, be deemed to be satisfied only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used. Inclusion of the name of the manufacturer or private labeler is optional at the discretion of the manufacturer or private labeler.

(3) Model number(s) will be the designation given by the manufacturer or private labeler.

(4) Capacity or size is that determined in accordance this part.

(5) Estimated annual operating costs are as determined in accordance with this part. Labels must disclose estimated annual operating cost for both electricity and natural gas as illustrated in the sample labels in appendix L to this part.

(6) Unless otherwise indicated in this paragraph, ranges of comparability for estimated annual operating costs are found in the appropriate appendices accompanying this part.

(7) Placement of the labeled product on the scale shall be proportionate to the lowest and highest estimated annual operating costs.

(8) Labels must contain the model's estimated annual energy consumption as determined in accordance with this part and as indicated on the sample labels in appendix L.

(9) Labels must contain a statement as illustrated in the prototype labels in appendix L and specified as follows (fill in the blanks with the appropriate capacity and energy cost figures):

Your costs will depend on your utility rates and use.

Cost range based only on [compact/standard] capacity models.

Estimated energy cost is based on six wash loads a week and a national average electricity cost of ____cents per kWh and natural gas cost of $ ____p per therm.

ftc.gov/energy.

(10) The following statement shall appear on each label as illustrated in the prototype and sample labels in appendix L:

Federal law prohibits removal of this label before consumer purchase.

(b) *Additional information.* No marks or information other than that specified in this part shall appear on or directly adjoining this label except that:

(1) A part or publication number identification may be included on this label, as desired by the manufacturer. If a manufacturer elects to use a part or publication number, it must appear in the lower right-hand corner of the label and be set in 6-point type or smaller.

(2) The energy use disclosure labels required by the governments of Canada or Mexico may appear directly adjoining this label, as desired by the manufacturer.

(3) The manufacturer or private labeler may include the ENERGY STAR logo on the bottom right corner of the label for certified products. The logo must be 1 inch by 1 inch in size. Only manufacturers that have signed a Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers may add the ENERGY STAR logo to labels only on those covered products that are contemplated by the Memorandum of Understanding.

■ 17. Add new § 305.16 to read as follows.

§ 305.16 Label content for dishwashers.

(a) *Label content.* (1) Headlines and texts, as illustrated in the prototype and sample labels in appendix L to this part, are standard for all labels.

(2) Name of manufacturer or private labeler shall, in the case of a corporation, be deemed to be satisfied only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used. Inclusion of the name of the manufacturer or private labeler is optional at the discretion of the manufacturer or private labeler.

(3) Model number(s) will be the designation given by the manufacturer or private labeler.

(4) Capacity or size is that determined in accordance with this part.

(5) Estimated annual operating costs are as determined in accordance with this part. Labels must disclose estimated annual operating cost for both electricity and natural gas as illustrated in the sample labels in appendix L to this part.

(6) Unless otherwise indicated in this paragraph, ranges of comparability for estimated annual operating costs are found in the appropriate appendices accompanying this part.

(7) Placement of the labeled product on the scale shall be proportionate to the lowest and highest estimated annual operating costs.

(8) Labels must contain the model's estimated annual energy consumption as determined in accordance with this part and as indicated on the sample labels in appendix L.

(9) Labels must contain a statement as illustrated in the prototype labels in appendix L and specified as follows (fill in the brackets with the appropriate capacity and the energy cost figures):

Your costs will depend on your utility rates and use.

Cost range based only on [compact/standard] capacity models.

Estimated energy cost is based on four washloads a week, and a national average electricity cost of [____] cents per kWh and natural gas cost of $[____] per therm.

For more information, visit *www.ftc.gov/energy.*

(10) The following statement shall appear on each label as illustrated in the prototype and sample labels in appendix L to this part:

Federal law prohibits removal of this label before consumer purchase.

(b) *Additional information.* No marks or information other than that specified in this part shall appear on or directly adjoining this label except that:

(1) A part or publication number identification may be included on this label, as desired by the manufacturer. If a manufacturer elects to use a part or publication number, it must appear in the lower right-hand corner of the label and be set in 6-point type or smaller.

(2) The energy use disclosure labels required by the governments of Canada or Mexico may appear directly adjoining this label, as desired by the manufacturer.

(3) The manufacturer or private labeler may include the ENERGY STAR logo on the bottom right corner of the label for certified products. The logo must be 1 inch by 1 inch in size. Only manufacturers that have signed a Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers may add the ENERGY STAR logo to labels only on those covered products that are contemplated by the Memorandum of Understanding.

■ 18. Add new § 305.17 to read as follows:

§ 305.17 Label content for water heaters.

(a) *Label content.* (1) Headlines and texts, as illustrated in the prototype and sample labels in appendix L to this part, are standard for all labels.

(2) Name of manufacturer or private labeler shall, in the case of a corporation, be deemed to be satisfied only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used. Inclusion of the name of the manufacturer or private labeler is optional at the discretion of the manufacturer or private labeler.

(3) Model number(s) will be the designation given by the manufacturer or private labeler.

(4) Capacity or size is that determined in accordance with this part. Capacity for storage water heaters shall be presented in both rated storage volume (''tank size (storage capacity)'') and first hour rating as indicated on the sample label in appendix L to this part.

(5) Estimated annual operating costs are as determined in accordance with this part.

(6) Unless otherwise indicated in this paragraph, ranges of comparability for estimated annual operating costs are found in the appropriate appendices accompanying this part.

(7) Placement of the labeled product on the scale shall be proportionate to the lowest and highest estimated annual operating costs.

(8) Labels must contain the model's estimated annual energy consumption as determined in accordance with this part and as indicated on the sample labels in appendix L to this part.

(9) Labels must contain a statement as illustrated in the prototype labels in appendix L to this part and specified as follows by product type:

(i) For water heaters covered by appendices D1, D2, and D3 to this part, the statement will read as follows (fill in the blanks with the appropriate fuel type, and energy cost figures):

Your costs will depend on your utility rates and use.

Cost range based only on models fueled by [natural gas, oil, propane, or electricity] with a [very small, low, medium, or high] first hour rating [fewer than 18 gallons, 18–50.9 gallons, 51–74.9 gallons, or greater than 75 gallons].

Estimated energy cost is based on a national average [electricity, natural gas, propane, or oil] cost of [____ cents per kWh or $____ per therm or gallon].

Estimated yearly energy use: ____ [kWh or therms].

ftc.gov/energy.

(ii) For instantaneous water heaters, the statement will read as follows (fill in the blanks with the appropriate model type, and the energy cost figures):

Your costs will depend on your utility rates and use.

Cost range based only on [electric models or models fueled by natural gas] with a [very small, low, medium, or high] gallons per minute rating [0 to 1.6, 1.7 to 2.7, 2.8 to 4.0, or greater than 4.0].

Estimated energy cost is based on a national average [electricity, natural gas, or propane] cost of [____ cents per kWh or $____ per therm or gallon].

Estimated yearly energy use: ____ [kWh or therms].

ftc.gov/energy.

(10) The following statement shall appear on each label as illustrated in the prototype and sample labels in appendix L:

Federal law prohibits removal of this label before consumer purchase.

(b) *Additional information.* No marks or information other than that specified in this part shall appear on or directly adjoining this label except that:

(1) A part or publication number identification may be included on this label, as desired by the manufacturer. If a manufacturer elects to use a part or publication number, it must appear in the lower right-hand corner of the label and be set in 6-point type or smaller.

(2) The energy use disclosure labels required by the governments of Canada or Mexico may appear directly adjoining this label, as desired by the manufacturer.

(3) The manufacturer or private labeler may include the ENERGY STAR logo on the bottom right corner of the label for certified products. The logo must be 1 inch by 1 inch in size. Only manufacturers that have signed a Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers may add the ENERGY STAR logo to labels only on those covered products that are contemplated by the Memorandum of Understanding.

■ 19. Add § 305.18 to read as follows:

§ 305.18 Label content for room air conditioners.

(a) *Label content.* (1) Headlines and texts, as illustrated in the prototype and sample labels in appendix L to this part, are standard for all labels.

(2) Name of manufacturer or private labeler shall, in the case of a corporation, be deemed to be satisfied only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used. Inclusion of the name of the manufacturer or private labeler is optional at the discretion of the manufacturer or private labeler.

(3) Model number(s) will be the designation given by the manufacturer or private labeler.

(4) Capacity or size is that determined in accordance with this part.

(5) Estimated annual operating costs are as determined in accordance with this part.

(6) Unless otherwise indicated in this paragraph, ranges of comparability for estimated annual operating costs are found in the appropriate appendices accompanying this part.

(7) Placement of the labeled product on the scale shall be proportionate to the lowest and highest estimated annual operating costs.

(8) Labels must contain the model's estimated annual energy consumption as determined in accordance with this part and as indicated on the sample labels in appendix L. Labels must contain the model's energy efficiency rating, as applicable, as determined in accordance with this part and as indicated on the sample labels in appendix L to this part.

(9) Labels must contain a statement as illustrated in the prototype labels in appendix L and specified as follows (fill in the blanks with the appropriate model type, year, energy type, and energy cost figure):

Your costs will depend on your utility rates and use.

Cost range based only on models [of similar capacity without reverse cycle and with louvered sides; of similar capacity without reverse cycle and without louvered sides; with reverse cycle and with louvered sides; or with reverse cycle and without louvered sides].

Estimated annual energy cost is based on a national average electricity cost of ____ cents per kWh and a seasonal use of 8 hours use per day over a 3 month period.

For more information, visit *www.ftc.gov/energy.*

(10) The following statement shall appear on each label as illustrated in the prototype and sample labels in appendix L:

Federal law prohibits removal of this label before consumer purchase.

(b) *Additional information.* No marks or information other than that specified in this part shall appear on or directly adjoining this label except that:

(1) A part or publication number identification may be included on this label, as desired by the manufacturer. If a manufacturer elects to use a part or publication number, it must appear in the lower right-hand corner of the label and be set in 6-point type or smaller.

(2) The energy use disclosure labels required by the governments of Canada or Mexico may appear directly adjoining this label, as desired by the manufacturer.

(3) The manufacturer or private labeler may include the ENERGY STAR logo on the bottom right corner of the label for certified products. The logo must be 1 inch by 1 inch in size. Only manufacturers that have signed a Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers may add the ENERGY STAR logo to labels only on those covered products that are contemplated by the Memorandum of Understanding.

■ 20. Add new § 305.19 to read as follows:

§ 305.19 Label content for pool heaters.

(a) *Label content.* (1) Headlines and texts, as illustrated in the prototype and sample labels in appendix L to this part, are standard for all labels.

(2) Name of manufacturer or private labeler shall, in the case of a corporation, be deemed to be satisfied only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used. Inclusion of the name of the manufacturer or private labeler is optional at the discretion of the manufacturer or private labeler.

(3) Model number(s) will be the designation given by the manufacturer or private labeler.

(4) Capacity or size is that determined in accordance with this part.

(5) Thermal efficiencies are as determined in accordance with this part.

(6) Unless otherwise indicated in this paragraph, ranges of comparability for thermal efficiencies are found in the appropriate appendices accompanying this part.

(7) Placement of the labeled product on the scale shall be proportionate to the lowest and highest thermal efficiencies.

(8) Labels must contain the model's energy efficiency rating or thermal efficiency, as applicable, as determined in accordance with this part and as indicated on the sample labels in appendix L to this part.

(9) Labels must contain a statement as illustrated in the prototype labels in appendix L and specified as follows:

Efficiency range based only on models fueled by [natural gas or oil].

For more information, visit *www.ftc.gov/energy.*

(10) The following statement shall appear on each label as illustrated in the prototype and sample labels in appendix L to this part:

Federal law prohibits removal of this label before consumer purchase.

(b) *Additional information.* No marks or information other than that specified in this part shall appear on or directly adjoining this label except that:

(1) A part or publication number identification may be included on this label, as desired by the manufacturer. If a manufacturer elects to use a part or publication number, it must appear in the lower right-hand corner of the label and be set in 6-point type or smaller.

(2) The energy use disclosure labels required by the governments of Canada or Mexico may appear directly adjoining this label, as desired by the manufacturer.

(3) The manufacturer or private labeler may include the ENERGY STAR logo on the bottom right corner of the label for certified products. The logo must be 1 inch by 1 inch in size. Only manufacturers that have signed a

Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers may add the ENERGY STAR logo to labels only on those covered products that are contemplated by the Memorandum of Understanding.

§ 305.20 [Amended]

■ 21. In newly re-designated § 305.20, remove the references to ''§ 305.5'' wherever they appear and add in their place the words ''this part,'' and remove the reference to ''7A'' and add in its place the reference ''7''.

§ 305.21 [Amended]

■ 22. In newly re-designated § 305.21, remove the references to ''§ 305.5'' wherever they appear and add in their place the reference ''§ 305.8.''

§ 305.23 [Amended]

■ 23. In newly re-designated § 305.23, remove the references ''§ 305.2(n),'' ''§ 305.2(w),'' ''§ 305.2(hh)'' wherever they appear and add in their place the words ''this part.''

§ 305.24 [Amended]

■ 24. Amend newly re-designated § 305.24 by removing paragraphs (b)(4) and (b)(5).

§ 305.25 [Amended]

■ 25. In newly re-designated § 305.25, for each reference indicated in the left column, remove the reference indicated from wherever it appears in the section, and add in its place the reference indicated in the right column:

Remove	Add
§ 305.11(d)(2)	§ 305.13(e)(2).
§ 305.5 of this part	this part.
§ 305.5	this part.
§ 305.6	§ 305.9.

§ 305.26 [Amended]

■ 26. In § 305.26, remove the references ''§ 305.11(f)'' and ''§ 305.4(e)'' and add in their place respectively the references ''this part'' and ''§ 305.7(e).''

§ 305.27 [Amended]

■ 27. In § 305.27, for each reference indicated in the left column, remove the reference indicated from wherever it appears in the section, and add in its place the reference indicated in the right column:

Remove	Add
§ 305.5	this part.
§ 305.5 and appendix K of this Part.	this part.
§ 305.7	this part.
§ 305.13	§ 305.21.
§ 305.15	§ 305.23.
§ 305.15(b)(3)(iv)	§ 305.23(b)(3)(iv).
§ 305.15(d)(1)	§ 305.23(g)(1).
§ 305.16	this part.
§ 305.20(a)(1)(ii)	§ 305.27(a)(1)(ii).
§ 305.20(b)(1)(i) and (ii).	§ 305.27(b)(1)(i) and (ii).

§ 305.29 [Amended]

■ 28. In § 305.29, remove the reference to ''§ 305.21(b)'' and add in its place the reference ''§ 305.28(b).''

By direction of the Commission, Commissioner Wilson dissenting.

Donald S. Clark,

Secretary.

The following will not appear in the Code of Federal Regulations:

Dissenting Statement of Commissioner Christine S. Wilson

I dissent from the Commission's decision to issue a **Federal Register** Notice seeking comment on the proposed changes to the Energy Labeling Rule. I appreciate that staff undertook this Rule review to improve its organization and clarity. Moreover, I understand that the Commission is required by statute to issue a rule governing the energy labeling of appliances.[1] I question, however, whether it is necessary for the Rule to prescribe the weight of the paper (58 pounds per 500 sheets) a manufacturer must use when printing the EnergyGuide label and the minimum peel capacity of the adhesive it must use to affix the label to the appliance. I believe this Commission should review its roster of rules with a deregulatory mindset. Consequently, the Commission should use this opportunity to rethink its approach to the scope and detail of this Rule's requirements.

Freeing businesses from unnecessarily prescriptive requirements benefits consumers. Airlines are one oft-quoted example. In the late 1970s, Alfred E. Kahn was appointed to run the Civil Aeronautics Board, which at that time regulated both price and non-price aspects of competition, including airline routes, fares, and schedules. Regulations even went so far as to specify the size of sandwiches served in flight.[2] Soon after taking office, Kahn recommended disbanding the agency, and Congress agreed.[3] The changes were dramatic: Inflation-adjusted round-trip airfares roughly halved over the next 30 years.[4] On some routes, prices fell even further. For example, the minimum inflation-adjusted price an airline could charge between New York and Los Angeles was $1,442 in 1974; consumers now routinely pay less than $300.[5]

Although deregulating energy labeling pales in comparison to Kahn's comprehensive deregulation of the airline industry, the same principle—to leave firms room to experiment within the bounds set by applicable law—applies here. For example, a manufacturer with particularly impressive energy conservation statistics might wish to trumpet that achievement with a larger and more detailed graphic. A manufacturer with less impressive statistics must of course satisfy its baseline labeling obligations. Surely, we as a Commission can provide guidance on labeling requirements without dictating minutia involving the type of paper and adhesive employed.

In short, I support fulfilling the statutory mandate that Congress has imposed, but cannot vote to issue the Rule in its present form. As it stands, the Rule is laden with many additional commandments that go far beyond what is necessary to fulfill our obligation under the relevant statute. Although the Commission long ago abandoned some of the most egregious instances of invasive regulatory zeal that earned it the sobriquet of the ''second most powerful legislature in Washington,'' [6] forswearing new mistakes is not enough. We must also revisit and pare back existing regulatory excesses, including

[1] Energy Policy and Conservation Act, 42 U.S.C. 6295.

[2] Interview with Alfred E. Kahn, Professor Emeritus of Economics, Cornell University, available at *https://www.pbs.org/fmc/interviews/kahn.htm* (''Since the airlines could not compete in price, they competed in quality . . . . Instead of competing on the meals that they gave and free in-flight entertainment, under regulation, internationally, that was prohibited, because that was another kind of competition. So they actually regulated the size of sandwiches in the international routes.'').

[3] The CAB's micromanagement of airlines' operations—up to and including sandwich sizes—led then-CAB Chairman Kahn, later the ''Father of Deregulation,'' to ask ''Is this what my mother raised me to do?'' See Herbert Hovenkamp, The Opening of American Law: Neoclassical Legal Thought, 1870–1970, at 321 (2015) (providing quote without attribution); see also Nancy L. Rose, In Remembrance of Alfred E. Kahn: Fred Kahn's Impact on Deregulation and Regulatory Reform, 102 Am. Econ. Rev. Papers & Proceedings 376 (2012).

[4] See, *e.g.,* Derek Thompson, How Airline Ticket Prices Fell 50% in 30 Years (and Why Nobody Noticed), The Atlantic, Feb. 28, 2013, *https://www.theatlantic.com/business/archive/2013/02/how-airline-ticket-prices-fell-50-in-30-years-and-why-nobody-noticed/273506/.*

[5] Id.

[6] See, *e.g.,* J. Howard Beales III & Timothy J. Muris, FTC Consumer Protection at 100: 1970s Redux or Protecting Markets to Protect Consumers?, 83 Geo. Wash. L. Rev. 2157, 2159 (2015) (quoting Jean Carper, The Backlash at the FTC, Wash. Post, Feb. 6, 1977, at C1).

some of the requirements contained in this rule.

[FR Doc. 2018–27324 Filed 3–13–19; 8:45 am]

BILLING CODE 6750–01–P

INTERNATIONAL TRADE COMMISSION

19 CFR Part 220

Submission and Consideration of Petitions for Duty Suspensions and Reductions

AGENCY: United States International Trade Commission.

ACTION: Proposed amendments to rule with request for comments.

SUMMARY: The United States International Trade Commission (Commission) proposes to amend Part 220 of its Rules of Practice and Procedure. Part 220 governs the submission and consideration of petitions for duty suspensions and reductions under the American Manufacturing Competitiveness Act of 2016. The amendments are necessary to clarify certain provisions and address concerns that have arisen in Commission practice.

DATES: To be assured of consideration, written comments must be received by 5:15 p.m.: April 15, 2019.

ADDRESSES: You may submit comments, identified by docket number MISC–046, Rulemaking Regarding Petitions for Duty Suspensions/Reductions, by any of the following methods:

—*Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

—*Agency Website: https://edis.usitc.gov.* Follow the instructions for submitting comments on the website.

—*Mail:* For paper submission. U.S. International Trade Commission, 500 E Street SW, Room 112A, Washington, DC 20436.

—*Hand Delivery/Courier:* U.S. International Trade Commission, 500 E Street SW, Room 112A, Washington, DC 20436. From the hours of 8:45 a.m. to 5:15 p.m.

Instructions: All submissions received must include the agency name and docket number (MISC–046, Rulemaking Regarding Petitions for Duty Suspensions/Reductions), along with a cover letter stating the nature of the commenter's interest in the proposed rulemaking. All comments received will be posted, without change, to *https://edis.usitc.gov* including any personal information provided. For paper copies, a signed original and 8 copies of each set of comments should be submitted to Lisa R. Barton, Secretary, U.S. International Trade Commission, 500 E Street SW, Room 112A, Washington, DC 20436.

For access to the docket to read background documents or comments received, go to *https://edis.usitc.gov* and/or the U.S. International Trade Commission, 500 E Street SW, Room 112A, Washington, DC 20436.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary, telephone (202) 205–2000 or William Gearhart, Esquire, Office of the General Counsel, United States International Trade Commission, telephone (202) 205–3091. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at 202–205–1810. General information concerning the Commission may also be obtained by accessing its website at *https://www.usitc.gov.*

SUPPLEMENTARY INFORMATION: The preamble below is designed to assist readers in understanding these proposed amendments to the Commission's Rules of Practice and Procedure (the Rules). This preamble provides background information, a regulatory analysis of the amendments, a section-by-section explanation of the amendments, and a description of the amendments to the Rules. The Commission encourages members of the public to comment on whether the language of the amendments is sufficiently clear for users to understand, and to submit any other comments they wish to make on the amendments.

These amendments are being promulgated in accordance with the Administrative Procedure Act (5 U.S.C. 553) (APA). If the Commission decides to proceed with this rulemaking after reviewing the comments filed in response to this notice, the proposed rule revisions will be promulgated in accordance with the applicable requirements of the APA and will be codified in 19 CFR part 220.

Background

Section 335 of the Tariff Act of 1930 (19 U.S.C. 1335) authorizes the Commission to adopt such reasonable procedures, rules and regulations as it deems necessary to carry out its functions and duties. In addition, section 3(b)(5) of the American Manufacturing Competitiveness Act of 2016 (19 U.S.C. 1332 note) (the Act) directs the Commission to prescribe and publish in the **Federal Register**, and on a publicly available internet website of the Commission, procedures to be complied with by members of the public submitting petitions for duty suspensions and reductions under section 3(b)(1)(A) of that Act.

The Commission is amending its rules governing the submission and consideration of petitions for duty suspensions and reductions under the Act. Section 3 of the Act establishes a process for the submission and consideration of petitions for duty suspensions and reductions. More specifically, it directs the Commission to publish notices, not later than October 15, 2016, and October 15, 2019, that requests members of the public to submit petitions to the Commission for duty suspensions and reductions, provided they can demonstrate that they are likely beneficiaries of such duty suspensions or reductions. The Act also provides that the petitioners must submit disclosure forms with respect to such duty suspensions and reductions. The petitions and disclosure forms must be submitted during the 60-day period beginning on the date of publication of the Commission's notices. Section 3 of the Act also lists the types of information that must be included in a petition.

Section 3 of the Act requires that the Commission publish on its website all petitions that contain the required information and the related disclosure forms no later than 30 days after the close of the 60-day filing period. It also provides that members of the public will have 45 days from the date of the notice's publication to submit comments to the Commission regarding the petitions and disclosure forms. The Commission must make those comments available to the public on the Commission's website.

The Commission adopted the rules it is amending as a final rule effective December 26, 2018 (see notice published in the **Federal Register** on December 26, 2018 (83 FR 66102)). In so doing the Commission adopted, without change, the interim rule published in the **Federal Register** on September 30, 2016 (61 FR 67144). In its notice promulgating the interim rule, the Commission invited interested parties to file comments on the interim rule; no comments were filed. In its notice of final rulemaking published on December 26, 2018, the Commission stated that it may propose several amendments to this final rule.

These amendments modify the text of sections 220.5, 220.6, 220.7, 220.9, 220.10, and 220.11 of Part 220. In addition, these amendments re-designate current sections 220.11, 220.12, 220.13, and 220.14 as sections

220.12, 220.13, 220.14, and 220.15, respectively. The Commission is inviting comments only on the changes in the text of the above rule sections.

The changes principally (1) require petitions to include certain additional information to assist the Commission in evaluating a petition, (2) clarify and provide additional instruction with respect to information to be included in a petition, (3) revise the requirement regarding the time when a petition may be withdrawn. The changes also divide section 220.11 into two sections, section 220.11 and section 220.12, and renumber current sections 220.12 through 220.14.

Procedure for Adopting the Proposed Amendments

Consistent with its ordinary practice, the Commission is issuing these proposed amendments in accordance with the notice-and-comment rulemaking procedure in section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553). That procedure entails the following steps: (1) Publication of a notice of proposed rulemaking; (2) solicitation of public comments on the proposed amendments; (3) Commission review of public comments on the proposed amendments, and (4) publication of final amendments at least 30 days prior to their effective date.

Regulatory Analysis of Proposed Amendments to the Commission's Rules

The Commission has determined that these proposed amendments to the rules do not meet the criteria described in section 3(f) of Executive Order 12866 (58 FR 51735, October 4, 1993) and thus do not constitute a ''significant regulatory action'' for purposes of the Executive Order.

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) is inapplicable to this rulemaking because it is not one for which a notice of proposed rulemaking is required under 5 U.S.C. 553(b) or any other statute. Although the Commission has chosen to publish a notice of proposed rulemaking, these proposed regulations are ''agency rules of procedure and practice,'' and thus are exempt from the notice requirement imposed by 5 U.S.C. 553(b).

These proposed rules do not contain federalism implications warranting the preparation of a federalism summary impact statement pursuant to Executive Order 13132 (64 FR 43255, Aug. 4, 1999).

No actions are necessary under title II of the Unfunded Mandates Reform Act of 1995, Public Law 104–4 (2 U.S.C. 1531–1538) because the proposed amendments to the rules will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any one year (adjusted annually for inflation), and will not significantly or uniquely affect small governments, as defined in 5 U.S.C. 601(5).

The proposed rules are not ''major rules'' as defined by section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801 *et seq.*). Moreover, they are exempt from the reporting requirements of that Act because they contain rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties.

The Commission previously submitted an information collection request for its secure web portal for the Miscellaneous Tariff Bills Petition System to the Office of Management and Budget for Paperwork Reduction Act clearance. See 81 FR 58531 (Aug. 25, 2016). The Commission received the appropriate clearance. However, this clearance expires on September 30, 2019, and the Commission will be seeking a new clearance. The Commission intends to process the information it collects consistent with these rules as amended, and the Commission intends to obtain the appropriate clearance required by the Paperwork Reduction Act before it begins its next information collection on October 15, 2019.

Section-by-Section Explanation of the Proposed Amendments

Part 220—Process for Consideration of Petitions for Duty Suspensions and Reductions

Sections 220.1 through 220.4 of part 220, which refer, respectively, to the applicability of this part, set out applicable definitions, and state who may file a petition and the time for filing, are not changed.

Section 220.5 lists the types of information that must be set forth in a petition. The amendment modifies section 220.5 in five respects. First, it amends section 220.5(e)(1) to clarify that the U.S. Customs and Border Protection (CBP) ruling requested should be one that indicates CBP's classification of the article. Second, it divides section 220.5(h) into two parts. New paragraph (1) requires petitions to include an estimate of both total value and, in addition, dutiable value in U.S. dollars for the next 5 calendar years, and new paragraph (2) requires petitions to include an estimate of the share of total imports represented by the petitioner's imports of the subject article. Third, the amendment modifies section 220.5(j) to require that the petition include ''The names of any domestic producers of the article, if available.'' Fourth, it adds a new subsection (n) that requires the petition to include a certification that the information supplied in the petition is complete and correct to the best of the petitioner's knowledge and belief and that the petitioner understands that the information submitted is subject to audit and verification by the Commission. Fifth, it re-designates existing subsection (n) as subsection (o).

Section 220.6 describes the information that should be included in the description of the article for which a duty suspension or reduction is being sought. The Commission proposes to amend section 220.6(a)(4) to delete current wording that requires that the description be ''sufficiently clear as to be administrable by CBP.'' The Commission would substitute more specific wording that requires the petition to describe the article based on the existing Harmonized Tariff Schedule (HTS) category's description (at the 8- or 10-digit level) in HTS chapters 1 through 97, or to delineate an article representing a subset of the coverage of the applicable HTS category using terminology already included in the HTS or interpreted in pertinent CBP rulings.

Section 220.7 describes what constitutes a properly filed petition and describes how the Commission will treat identical and overlapping petitions filed by the same petitioner. The Commission proposes to make two changes to this section. First, it proposes to expand the title of the rule section to indicate that the rule also applies to identical and overlapping petitions filed by the same petitioner. Second, it proposes to amend section 220.7(b)(2) to delete the word ''generally.'' Section 220.7(b)(2) currently states that when a petitioner has filed one or more identical or overlapping petitions, the Commission will ''generally'' consider the earliest filed pending petition to be the petition of record, leaving open the possibility that the Commission might consider a different petition for another reason. In the few instances in which the Commission received a petition that fell into this category during the 2016 filing period, the Commission considered the earliest filed petition to be the petition of record. This change removes any uncertainty.

Section 220.8 states that, in the case of petitions for identical or overlapping articles received from multiple petitioners, the Commission may consolidate those petitions and publish a single recommendation. The

Commission is not proposing any changes.

Section 220.9 addresses withdrawal of petitions, submission of new petitions, and amendments to petitions. The Commission proposes to amend section 220.9(a), which currently states that a petitioner may withdraw a petition at any time prior to the time the Commission transmits its final report to Congress. The Commission proposes to revise this subsection to state that a petitioner may withdraw a petition ''no later than 30 days after the Commission submits its preliminary report.''

Current section 220.10 addresses Commission publication and public availability of petitions and opportunity for the public to comment on such petitions. The Commission proposes to divide section 220.10 into two separate sections, with section 220.10 retitled ''Commission publication and public availability of petitions,'' and new section 220.11 titled ''Public comment period.'' Revised section 220.10 tracks the text of current section 220.10(a). The Commission proposes to delete the title of subsection (a) of current 220.10 and incorporate it into the new title of section 220.10.

New section 220.11, titled as ''Public comment period,'' contains four subsections. New subsection (a), ''Time for filing,'' largely tracks the wording in current section 220.10(b). New subsection (b) includes a list of information items that must be included in a comment, including certain information about the commenter; a statement about whether the comment supports, opposes, or takes no position on the petition; and a certification statement. It also refers commenters to the Commission's Handbook on MTB Filing Procedures and requires that commenters comply with those requirements. New subsection (c) sets out a list of requirements that apply to comments from domestic producers. Comments must include: (1) A description of the product alleged to be identical, like, or directly competitive with the product that is the subject of the petition; (2) the Chemical Abstracts Services registry number (if any); (3) certain information about production or likely production of an identical, like, or directly competitive article within the United States; (4) information relating to commercial availability; (5) addresses for the locations of U.S. production facilities; and (6) evidence demonstrating the existence of domestic production and citing possible examples. Subsection (d) states that the Commission may provide additional opportunity for public comment and, if it does so, will publish notice of that opportunity in the **Federal Register**.

The Commission proposes to re-designate current section 220.11 as section 220.12. The section describes the contents of the Commission's preliminary report to the Committees. The Commission proposes only one change: It would delete the parenthetical in subsection (b)(2) that relates to corrections of article descriptions.

The Commission proposes to re-designate current section 220.12 as section 220.13. The section describes the timing and content of Commission final reports. The Commission is not proposing any other changes to this section.

The Commission proposes to re-designate current section 220.13 as section 220.14. The section describes the treatment of confidential business information. The Commission is not proposing any other changes to this section.

The Commission proposes to re-designate current section 220.14 as section 220.15. The section identifies certain rules in subpart B of part 201 of subchapter A of chapter II that would not apply to Commission proceedings under part 220 of subchapter D of chapter II. The Commission is not proposing any other changes to this section.

List of Subjects in 19 CFR Part 220

Administrative practice and procedure, miscellaneous tariff bills.

For the reasons stated in the preamble, the United States International Trade Commission proposes to amend 19 CFR part 220 to read as follows:

PART 220—PROCESS FOR CONSIDERATION OF PETITIONS FOR DUTY SUSPENSIONS AND REDUCTIONS

■ 1. The authority citation for part 220 continues to read as follows:

Authority: 19 U.S.C. 1335; Pub. L. 114–159, 130 Stat. 396 (19 U.S.C. 1332 note).

■ 2. Amend § 220.5 by revising paragraphs (e), (h), (j), re-designating paragraph (n) as paragraph (o), and adding a new paragraph (n) to read as follows:

§ 220.5 Contents of petition.

* * * * *

(e) To the extent available—

(1) A classification ruling of U.S. Customs and Border Protection (CBP) that indicates CBP's classification of the article; and

(2) A copy of other CBP documentation indicating where the article is classified in the HTS.

* * * * *

(h) For each HTS number included in the article description,

(1) An estimate of the total and dutiable value (in United States dollars) of imports of the article covered by the petition for the calendar year preceding the year in which the petition is filed, for the calendar year in which the petition is filed, and for each of the 5 calendar years after the calendar year in which the petition is filed, including an estimate of the value of such imports by the person who submits the petition and by any other importers, if available, and

(2) An estimate of the share of total imports represented by the petitioner's imports of the article that is the subject of the petition.

* * * * *

(j) The names of any domestic producers of the article, if available.

* * * * *

(n) A certification from the petitioner that the information supplied is complete and correct to the best of the petitioner's knowledge and belief, and an acknowledgement from the petitioner that the information submitted is subject to audit and verification by the Commission.

■ 3. Amend § 220.6 by revising paragraph (a)(4) to read as follows:

§ 220.6 Article description.

(a) * * *

(4) describes all of the merchandise covered by the article's permanent subheading in chapter 1 through 97 by setting forth that subheading's article description, or describes a clearly delineated subset of that coverage, which may comprise the description of one or more statistical reporting numbers of the applicable subheading, and

* * * * *

■ 4. Amend § 220.7 by revising the section heading and paragraph (b)(2) to read as follows:

§ 220.7 Properly filed petition; identical and overlapping petitions from same petitioner.

* * * * *

(b) * * *

(2) Should the Commission find that a petitioner has filed one or more identical or overlapping petitions and that such earlier filed petitions have not been withdrawn, the Commission will consider the earliest filed pending petition to be the petition of the petitioner.

■ 5. Amend § 220.9 by revising paragraph (a) to read as follows:

§ 220.9 Withdrawal of petitions, amendments to petitions.

(a) *Withdrawal of petitions.* A petitioner may withdraw a petition for duty suspension or reduction filed under this part no later than 30 days after the Commission submits its preliminary report, as described in § 220.12. It shall do so by notifying the Commission through the Commission's designated secure web portal of its withdrawal and the notification shall include the name of the petitioner, the Commission identification number for the petition, and the HTS number for the article concerned.

* * * * *

■ 6. Revise § 220.10 to read as follows:

§ 220.10 Commission publication and public availability of petitions.

Not later than 30 days after expiration of the 60-day period for filing petitions for duty suspensions and reductions, the Commission will publish on its website the petitions for duty suspensions and reductions submitted under § 220.3 that were timely filed and contain the information required under § 220.5. When circumstances allow, the Commission may post such petitions on its website earlier than 30 days after expiration of the 60-day period for filing petitions.

■ 7. Re-designate §§ 220.11 through 220.14 as §§ 220.12 through 220.15 and add a new § 220.11 to read as follows:

§ 220.11 Public comment period

(a) *Time for filing.* Not later than 30 days after expiration of the 60-day period for filing petitions, the Commission will also publish in the **Federal Register** and on its website a notice requesting members of the public to submit comments on the petitions for duty suspensions and reductions. To be considered, such comments must be filed through the Commission's secure web portal during the 45-day period following publication of the Commission's notice requesting comments from members of the public. For purposes of this section, all petitions posted by the Commission on its website, whether or not posted early, shall be deemed to be officially published by the Commission on its website on the date of publication of the notice seeking written comments from members of the public on the petitions.

(b) *In general.* The comment shall include the following information:

(1) The name, telephone number, and postal and email address of the commenter, and if appropriate, its representative in the matter,

(2) A statement as to whether the commenter is a U.S. producer, importer, government entity, trade association or group, or other,

(3) A statement as to whether the comment supports the petition; objects to the petition; or takes no position with respect to the petitions/provides other comment,

(4) If the commenter is an importer, a list of the leading source countries of the product,

(5) A certification from the commenter that the information supplied is complete and correct to the best of the commenter's knowledge and belief, and an acknowledgement from the commenter that the information submitted is subject to audit and verification by the Commission,

(6) Comments, including any attachments thereto, must comply with the Commission's Handbook on MTB Filing Procedures as posted on the Commission's website.

(c) *Comments from domestic producers.* Comments from a firm claiming to be a domestic producer, as defined in § 220.2(g), shall also include:

(1) A description of the product alleged to be identical, like, or directly competitive with the product that is the subject of the petition,

(2) The Chemical Abstracts Service registry number for the product (if applicable),

(3) A statement as to whether an identical, like, or directly competitive product was produced in the current calendar year and, if not, the year in which the product was last produced or in which production is expected to begin within the United States,

(4) A statement as to whether such product is commercially available and, if not commercially available, an explanation of its lack of availability,

(5) The physical address(es) for the location(s) of the production facility(ies) producing the product within the United States, and

(6) Evidence demonstrating the existence of domestic production (*e.g.,* catalogs, press releases, marketing materials, specification sheets, copies of orders for the product).

(d) The Commission may provide additional opportunity for public comment and, if so, will announce that comment period in the **Federal Register**.

■ 8. Amend newly re-designated § 220.12 by revising paragraph (b)(2) to read as follows:

§ 220.12 Commission preliminary report.

* * * * *

(b) * * *

(2) A list of petitions for duty suspensions and reductions for which the Commission recommends technical corrections in order to meet the requirements of the Act, with the correction specified.

* * * * *

■ 9. Amend newly re-designated § 220.13 by revising the section heading to read as follows:

§ 220.13 Commission final report.

■ 10. Amend newly re-designated § 220.14 by revising the section heading to read as follows:

§ 220.14 Confidential business information.

■ 11. Amend newly re-designated § 220.15 by revising the section heading to read as follows:

§ 220.15 Application of other Commission rules.

By order of the Commission.

Issued: March 1, 2019.

Katherine Hiner,

Acting Secretary to the Commission.

[FR Doc. 2019–04095 Filed 3–13–19; 8:45 am]

BILLING CODE 7020–02–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket Nos. 03–123 and 13–24; FCC 19–11]

IP CTS Improvements and Program Management

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission proposes to require IP CTS providers to include user account identifiers in monthly call records submitted for compensation; allow new IP CTS users to receive service for up to two weeks, while their identities are verified in the User Registration Database; and simplify the handling of 911 calls placed by IP CTS users who connect to an IP CTS provider via the internet in order to place a call. These proposals will improve IP CTS by better facilitating compensation of providers by the TRS Fund administrator, preventing unnecessary inconvenience to IP CTS registrants seeking new service, and eliminating outdated 911 rules that no longer appear to serve a valid public safety purpose.

DATES: Comments are due April 15, 2019. Reply comments are due April 29, 2019.

ADDRESSES: You may submit comments, identified by CG Docket Nos. 03–123 and 13–24, by either of the following methods:

• *Federal Communications Commission's website: https://www.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: Michael Scott, Consumer and Governmental Affairs Bureau, at (202) 418–1264, or email *Michael.Scott@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Further Notice of Proposed Rulemaking (*FNPRM*), CG Docket Nos. 03–123, 13–24; FCC 19–11, adopted on February 14, 2019, and released on February 15, 2019. The Report and Order in document FCC 19–11 will be published elsewhere in the **Federal Register**. The full text of this document is available for public inspection and copying via the Commission's Electronic Comment Filing System (ECFS), and during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street SW, Room CY–A257, Washington, DC 20554. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice) or (202) 418–0432 (TTY).

This proceeding shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's *ex parte* rules. 47 CFR 1.1200 *et seq.* Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Initial Paperwork Reduction Act of 1995 Analysis

The Further Notice in document FCC 19–11 seeks comment on proposed rule amendments that may result in modified information collection requirements. If the Commission adopts any modified information collection requirements, the Commission will publish another notice in the **Federal Register** inviting the public to comment on the requirements, as required by the Paperwork Reduction Act. Public Law 104–13; 44 U.S.C. 3501–3520. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, the Commission seeks comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees. Public Law 107–198; 44 U.S.C. 3506(c)(4).

Synopsis

1. IP CTS is a form of TRS that allows individuals with hearing loss to both read captions and use their residual hearing to understand a telephone conversation. Generally, IP CTS employs two network paths: A voice connection between the parties to the call and a separate internet connection that transmits the other party's voice from the IP CTS user's phone to a communications assistant (CA) and transmits captions from the CA back to the IP CTS user. In the most widely used version of IP CTS, the CA then re-voices everything the hearing party says into a speech recognition program, which automatically transcribes the words into captions.

Supporting Data for IP CTS Compensation Requests

2. To facilitate compensation of providers by the TRS Fund administrator, the Commission proposes to amend its rule specifying the data accompanying compensation requests by TRS providers, to expressly state that IP CTS providers must submit a unique account identifier, such as the electronic serial number of the user's device, the user's log-in ID, or the user's email address, to the TRS Fund administrator in monthly call detail records submitted for compensation. IP CTS users' telephone numbers are not assigned specifically for IP CTS use and are not always the most effective means to access a user's account information. Therefore, IP CTS providers currently use other identifiers to uniquely identify each IP CTS account, such as electronic serial numbers of IP CTS devices, log-in IDs, or email addresses. Further, the Commission has amended its rules to require IP CTS providers to include a unique account identifier in their data submissions to the TRS User Registration Database (Database). The Commission believes amending its rules to expressly provide that the same information be included in call detail records will enable the Fund administrator to more efficiently verify compensation requests, by matching call data with the corresponding user data in the Database. The Commission also believes that the costs of collecting and providing this information as part of compensation requests will be minimal, especially because IP CTS providers are already providing an electronic serial number in call detail records for the vast majority of calls. The Commission seeks comment on these assumptions and on the costs and benefits of adopting this proposal. The Commission also seeks comment on whether other changes are warranted in the data elements required with IP CTS providers' compensation requests.

Providing Service to New and Porting Users Pending Database Verification

3. To eliminate unnecessary inconvenience to IP CTS registrants, without a significant increase in the risk of waste, fraud, and abuse, the Commission proposes to allow IP CTS providers to provide service to new and porting users for up to two weeks pending the completion of identity verification by the Database administrator. The Commission believes this change is needed to ensure that

service to new and porting IP CTS users can be commenced efficiently and without undue delay or disruption of service, in order to facilitate competition and ensure the functional equivalence of this service. Compensation for calls placed or received by the user during this period would be paid only if the user's identity is ultimately verified.

4. Experience with VRS user registration has shown that identity verification for most users is completed within hours of data submission to the Database, but for some users, verification can take longer, *e.g.,* due to technical problems or because the user's identity cannot be verified without the submission of additional information. Under the proposed rule change, a consumer would not be subjected to a delay in commencement of service as a result of verification issues that are often beyond the consumer's control. The Commission believes that any resulting risk of waste, fraud, or abuse is minimal because, under the proposal, no compensation may be requested or paid until the user's identity has been successfully verified. The Commission seeks comment on the costs and benefits of this proposal.

IP CTS Emergency Call Handling Requirements

5. The emergency call handling requirements for IP CTS apply only to certain forms of this service. For the predominantly used form of IP CTS, where the voice connection for a call is established using an ordinary wireline telephone service and there is a separate internet connection made solely for the IP CTS user to receive captions, the telephone company or voice-over-internet-Protocol (VoIP) service provider is responsible for delivering 911 calls and location information to emergency authorities. However, where IP CTS is configured for web and wireless access, such that the user can initiate a call by connecting to the IP CTS provider via the internet, the IP CTS provider is responsible for handling 911 calls in accordance with § 64.605(a) of the Commission's rules.

6. The Commission proposes to amend the Commission's rules to simplify the handling of 911 calls placed by IP CTS users who initiate calls via the internet—generally, web- and wireless-based IP CTS—by eliminating any need for IP CTS providers to involve their CAs in 911 call handling and to collect and transmit unnecessary information. The Commission also seeks comment on whether any changes are needed in the scope of the 911 call handling rule applicable to IP CTS. If so, the Commission seeks comment on whether and how such changes would affect the 911 responsibilities of underlying service providers.

7. The current rule requires an IP CTS provider, among other things, to transmit the caller's name, the relay provider's name, the CA's callback number, and the CA's identification number to the Public Service Answering Point (PSAP) or other emergency authority receiving a 911 IP CTS call, and to initiate the reconnection of disconnected calls. These requirements, which were devised to address problems that arose in early versions of VRS and IP Relay, have posed significant implementation issues for providers of web and wireless based IP CTS, largely due to the limited communication capabilities of IP CTS CAs. Further, the Commission believes that the alternative approach proposed below would provide more effective implementation of the policy underlying the rule.

8. First, the Commission proposes to eliminate the current requirements for an IP CTS provider to deliver to the PSAP (or other emergency authority) the name of the caller, the name of the provider, and an identification number and callback number for the CA handling the call. Instead, the Commission proposes to require an IP CTS provider to provide a telephone number to the PSAP that enables the PSAP to call the user back directly, while ensuring that the user receives captions on the callback. This proposed change would decrease the time and cost associated with responding to emergencies reported by web- and wireless-based IP CTS users by relieving both IP CTS providers and PSAPs of the need to collect, transmit, and review information that appears to be unnecessary for handling a 911 call.

9. Second, the Commission proposes to remove the current requirement for an IP CTS provider to initiate the reconnection of a disconnected 911 call. IP CTS CAs generally do not have the capability to connect calls. Accordingly, to comply with the reconnection requirement, IP CTS providers have either configured a unique setup for 911 calls or have used a complicated work-around. Further, the Commission believes that the provider's assignment to users of an IP CTS-specific telephone number that is transmitted to the PSAP with an emergency call will render it unnecessary for the IP CTS provider to be involved in reconnecting disconnected 911 calls.

10. The Commission believes these amendments are likely to save precious time during an emergency. Less time will be wasted in obtaining unnecessary information from callers, and 911 call takers will be able to reconnect with the caller more rapidly rather than waiting for the TRS provider to reestablish the call. The Commission also believes that implementing this proposal will impose minimal costs—and may actually produce net cost savings, given the elimination of unnecessary CA involvement in call set-up and the reduced amount of information that an IP CTS provider will need to collect and transmit during an IP CTS call. Multiple IP CTS providers have sought waivers of the Commission rules to implement the changes the Commission proposes, suggesting that in their evaluation, the benefits of the proposal outweigh the costs. The Commission seeks comment on these proposals and its underlying assumptions. The Commission also seeks comment on the length of time that would be needed for IP CTS providers to come into compliance with the modified rule.

11. *Technical Feasibility of Assigning NANP Numbers.* To implement the Commission's proposal, IP CTS providers must be able to provide their web- or wireless-based users with NANP telephone numbers that enable the users to receive captioned callbacks from a 911 PSAP. Although the record suggests that the assignment of such NANP numbers for the purpose of receiving IP CTS calls is feasible, the Commission seeks comment on whether providing such telephone numbers poses any technical, administrative, legal, or other challenges for IP CTS providers generally and how such issues could be resolved.

12. *Scope of the Rule.* The Commission also seeks comment on how to define the category of IP CTS providers that would be subject to the proposed 911 call handling rule. Should the Commission continue to define this class as ''providers of forms of IP CTS that allow users to initiate calls by contacting the provider over the internet''? Are there alternative formulations that would be more appropriate? For example, should the Commission define this provider class as ''IP CTS providers that provide the voice connection, as well as captions, for an IP CTS call''? To the extent that the current definition is changed to narrow (or expand) the category of IP CTS providers covered by § 64.605 of the Commission's rules, how would that affect the 911 obligations of other service providers—such as the underlying carriers that transmit IP CTS calls—and what are the costs and

benefits of such a shift in responsibility for 911 calls?

13. Should an IP CTS provider that provides a voice connection, *e.g.,* through a VoIP service or commercial mobile radio service (CMRS), be deemed a VoIP or CMRS reseller subject to the emergency call handling rules applicable to such resellers? To the extent that an IP CTS provider is deemed to be a VoIP or CMRS reseller, the provider's 911 location determination obligations are likely to be affected. For example, if an IP CTS provider is deemed a VoIP reseller, the provider would be required to determine a 911 caller's location by means of the caller's Registered Location, rather than by asking the caller for his or her location before routing the call to a PSAP, as provided for in § 64.605(a) of the Commission's rules. Similarly, an IP CTS provider that is deemed a CMRS reseller would be required to determine a 911 caller's location in accordance with § 20.18 of the Commission's rules. In the event that an IP CTS provider is deemed to be a VoIP or CMRS reseller, what rule modifications, if any, would be necessary to maintain the IP CTS provider's obligation to provide captions—and to give such calls priority over other captioned calls—for 911 calls initiated by its registered users, as well as for callbacks by the 911 PSAP?

14. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using 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://www.fcc.gov/ecfs/.*
- *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, Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of *before* entering the building.
- 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.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 888–835–5322 (tty).

Initial Regulatory Flexibility Analysis

15. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities by the policies and rules proposed in the document FCC 19–11. Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadline for comments specified in the **DATES** section. The Commission will send a copy of document FCC 19–11, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).

Need For, and Objectives of, the Proposed Rules

16. In document FCC 19–11, the Commission proposes to require that a unique account identifier, such as the electronic serial number of an end user's device, a user's log-in identification, or an email address, be included in call detail records (CDRs) submitted for TRS Fund compensation. Such information will facilitate compensation of providers by the TRS Fund administrator. The Commission also proposes to permit IP CTS providers to provide service to new users, after the deadline for submission of user registration information to the Database, for up to two weeks after the user's registration information has been populated in the Database while the Database user verification process is pending, and to collect TRS Fund compensation for calls that are otherwise compensable only if the TRS user is ultimately verified as eligible to use IP CTS by the Database administrator.

17. In addition, for forms of IP CTS that allow users to initiate calls by contacting the provider over the internet, the Commission proposes to update the rules governing the handling of IP CTS calls to 911 emergency services. Specifically, in lieu of the current requirements to deliver to the PSAP the name of the caller, the name of the provider, and an identification number and callback number for the CA handling the call, and to initiate the reconnection of disconnected 911 calls, the Commission proposes to require a provider to provide a telephone number to the PSAP that enables the PSAP to call the user back via IP CTS, so that the user receives captions. This approach will be more consistent with the Commission's rules for 911 call handling by VRS, IP Relay, and VoIP service providers and will likely save IP CTS users precious time during an emergency.

Legal Basis

18. The authority for this proposed rulemaking is contained in sections 1 and 225 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 225.

Small Entities Impacted

19. The rules proposed in document FCC 19–11 will affect obligations of IP CTS providers. These services can be included within the broad economic category of All Other Telecommunications.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

20. The proposed revisions to the call data reporting requirements would require IP CTS providers to maintain records of unique account identifiers, such as the electronic serial numbers of user devices, users' log-in identifications, or user email addresses and provide that information to the TRS Fund administrator when seeking compensation for calls. The proposed revision regarding when IP CTS providers may commence service to new users would permit IP CTS providers to provide service to new users at the provider's own risk for up to two weeks while the Database verification process is pending.

21. The proposed changes to the rules governing the handling of IP CTS calls to 911 emergency services would require IP CTS providers to deliver a user's assigned telephone number to an emergency authority when 911 is dialed.

Steps Taken To Minimize Significant Impact on Small Entities, and Significant Alternatives Considered

22. If the Commission adopts the proposed revisions to the call data collection requirements, it would require IP CTS providers to provide unique account identifiers, such as electronic serial numbers of user devices, users' log-in identification, or user email addresses, to the TRS Fund administrator when seeking compensation for calls. This requirement is narrowly tailored to help the Commission identify and evaluate risks, monitoring compliance with program rules, and minimize waste, fraud, and abuse in the IP CTS program. The Commission believes that the requirement will not be burdensome because providers already have a record of such unique account identifiers. Thus, the Commission believes that adding this information to already existing call data requirements will have a minimal effect on small entities.

23. If the Commission adopts the proposed revision permitting IP CTS providers to commence service to new users at the provider's own risk for up to two weeks while the Database verification process is pending, it would afford providers additional flexibility on when to commence service. The rule change is designed to avoid possible burdens on small businesses because the provision of service prior to verification by the Database Administrator at the provider's own risk is optional, and providers also have the option to wait to provide service to the user until after the user is verified by the Database Administrator.

24. If the Commission adopts the proposed changes to the rules governing the handling of IP CTS calls to 911 emergency services for those forms of IP CTS that allow users to initiate calls by contacting the provider over the internet, the Commission believes it would reduce the burden on IP CTS providers, including small entities, to manually collect and retain information from IP CTS users at the start of an emergency call. This transition could impose implementation costs on providers, but the Commission believes the benefits to the transition would outweigh any such costs. Specifically, during an emergency less time would be wasted in obtaining information from callers that is no longer necessary, and 911 call takers would be able to reconnect with the caller more rapidly. In addition to saving time during a 911 call, adoption of the rules could also result in net cost savings due to the reduced amount of information that an IP CTS provider would need to collect and transmit during an IP CTS call. The Commission also believes that IP CTS providers would prefer this approach as evidenced by their requests to implement emergency call handling in accordance with the Commission's proposal.

25. The Commission seeks comment from all interested parties. Small entities are encouraged to bring to the Commission's attention any specific concerns they may have with the proposals outlined. The Commission expects to consider the economic impact on small entities, as identified in comments filed in response to document FCC 19–11, in reaching its final conclusions and taking action in this proceeding.

Federal Rules Which Duplicate, Overlap, or Conflict With, the Commission's Proposals

26. None.

List of Subjects in 47 CFR Part 64

Individuals with disabilities, Telecommunications, Telephones.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 part 64 as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 1. The authority citation for part 64 continues to read as follows:

Authority: 47 U.S.C. 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 228, 251(a), 251(e), 254(k), 262, 403(b)(2)(B), (c), 616, 620, 1401–1473, unless otherwise noted.

■ 2. Amend § 64.604 by redesignating paragraphs (c)(5)(iii)(D)(*5*) through (*7*) as paragraphs (c)(5)(iii)(D)(*6*) through (*8*) and adding paragraph (c)(5)(iii)(D)(*5*) to read as follows:

§ 64.604 Mandatory minimum standards.

* * * * *

(c) * * *

(5) * * *

(iii) * * *

(D) * * *

(*5*) *Additional call data required from internet protocol captioned telephone service providers.* In addition to the data required by paragraph (c)(5)(iii)(D)(*2*) and (*3*) of this section, internet protocol captioned telephone service providers seeking compensation from the Fund shall submit a unique account identifier identifying the user receiving captions for a call, such as the electronic serial number of the internet protocol captioned telephone service device, the user's log-in identification, or the user's email address.

* * * * *

■ 3. Amend § 64.605 by revising paragraph (a)(1) and adding paragraph (a)(3) to read as follows:

§ 64.605 Emergency calling requirements.

(a) *Additional emergency calling requirements applicable to internet-based TRS providers.* (1) As of December 31, 2008, the requirements of paragraphs (a)(2)(i) and (a)(2)(iv) of this section shall not apply to providers of VRS and IP Relay to which paragraph (b) of this section applies. As of the effective date of paragraph (a)(3) of this section, the requirements of paragraph (a)(2)(iv) and (v) of this section shall not apply to any provider of IP CTS.

* * * * *

(3) Providers of forms of IP CTS that allow users to initiate calls by contacting the provider over the internet shall deliver to the PSAP, designated statewide default answering point, or appropriate local emergency authority, at the outset of an emergency call, the location of the emergency, and a telephone number that is assigned to the caller and that enables the PSAP, designated statewide default answering point, or appropriate local emergency authority to call the 911 caller back directly, while ensuring that the caller receives captions on the callback.

■ 4. Amend § 64.611 by revising paragraph (j)(2)(iv) to read as follows:

§ 64.611 internet-based TRS registration.

* * * * *

(j) * * *

(2) * * *

(iv) By the date of initiation of service to an IP CTS user or device, or one year after notice from the Commission that the TRS User Registration Database is ready to accept such information, whichever is later, IP CTS providers shall submit to the TRS User Registration Database the registration information required by paragraph (j)(2)(i) or (iii) of this section. Calls from or to registered IP CTS users or devices whose registration information has not been populated in the TRS User Registration Database by the applicable

date shall not be compensable, and an IP CTS provider shall not seek TRS Fund compensation for such calls, *provided however,* that after the applicable date, IP CTS providers may provide service to new users for up to two weeks after the user's registration information has been populated in the TRS User Registration Database while the TRS User Registration Database user verification process is pending and will seek TRS Fund compensation for such calls that are otherwise compensable only if the new user is ultimately verified as eligible to use IP CTS by the TRS User Registration Database administrator.

* * * * *

[FR Doc. 2019–04040 Filed 3–13–19; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 19–57, RM–11827; DA 19–162]

Radio Broadcasting Services; Caliente, Nevada

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a Petition for Rule Making filed by SSR Communications Inc., proposing to amend the FM Table of Allotments, by allotting Channel 264A at Caliente, Nevada, as the first local service. A staff engineering analysis indicates that Channel 264A can be allotted to Caliente consistent with the minimum distance separation requirements of the Commission's rules without a site restriction. The reference coordinates are 37–36–02 NL and 114–30–32 WL.

DATES: Comments must be filed on or before April 29, 2019 and reply comments on or before May 14, 2019.

ADDRESSES: Secretary, Federal Communications Commission, 445 12th Street SW, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Matthew K. Wesolowski, SSR Communications, Inc., 740 Highway 49 North, Suite R, Flora, MS 39071.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 19–57, adopted March 7, 2019, and released March 8, 2019. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 12th Street SW, Washington, DC 20554. The full text is also available online at *http://apps.fcc.gov/ecfs/.* This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden ''for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336 and 339.

§ 73.202 [Amended]

■ 2. Section 73.202 paragraph (b), the Table of FM Allotments under Nevada, is amended by adding Caliente, Channel 264A to read as follows in alphabetical order:

§ 73.202 Table of Allotments.

* * * * *

(b) *Table of FM Allotments.*

Nevada	
* * * *	
Caliente	264A
* * * *	

* * * * *

[FR Doc. 2019–04744 Filed 3–13–19; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[181022969–9171–01]

RIN 0648–BI55

Pacific Halibut Fisheries; Catch Sharing Plan

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to approve changes to the Pacific Halibut Catch Sharing Plan for the International Pacific Halibut Commission's regulatory Area 2A off Washington, Oregon, and California. In addition, NMFS proposes to implement the portions of the Plan and management measures that are not implemented through the International Pacific Halibut Commission. These measures include the recreational fishery seasons and allocations and management measures for Area 2A. These actions are intended to conserve Pacific halibut and provide angler opportunity where available.

DATES: Comments on the proposed rule must be received on or before March 29, 2019.

ADDRESSES: Submit your comments, identified by NOAA–NMFS–2018–0132, by either of the following methods:

• *Federal e-Rulemaking Portal:* Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0132,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.

• *Mail:* Submit written comments to Kathryn Blair, West Coast Region, NMFS, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232.

Instructions: NMFS may not consider comments if they are sent by any other method, to any other address or individual, or received after the

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

Docket: This rule is accessible via the internet at the Office of the Federal Register website at *http://www.access.gpo.gov/su_docs/aces/aces140.html.* Background information and documents are available at the NMFS West Coast Region website at *http://www.westcoast.fisheries.noaa.gov/fisheries/management/pacific_halibut_management.html* and at the Council's website at *http://www.pcouncil.org.* Other comments received may be accessed through *Regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Kathryn Blair, phone: 503–231–6858, fax: 503–231–6893, or email: *kathryn.blair@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Northern Pacific Halibut Act (Halibut Act) of 1982 gives the Secretary of Commerce responsibility for implementing the provisions of the Halibut Convention between the United States and Canada. 16 U.S.C. 773–773k. The Halibut Act requires that the Secretary adopt regulations to carry out the purposes and objectives of the Halibut Convention and Halibut Act 16 U.S.C. 773(c). The Halibut Act also authorizes the regional fishery management councils to develop regulations in addition to, but not in conflict with, regulations of the International Pacific Halibut Commission (IPHC) to govern the Pacific halibut catch in their corresponding U.S. Convention waters. 16 U.S.C. 773c(c).

At its annual meeting in February 2019, the IPHC recommended an Area 2A catch limit of 1,500,000 lb (680.4 metric tons (mt)) for 2019. This catch limit is derived from the total constant exploitation yield (TCEY) of 1,650,000 lb (748.4 mt), which includes commercial discards and bycatch estimates calculated using a formula developed by the IPHC. The table below shows the fishery and subarea allocations resulting from the framework described in the 2019 Area 2A Catch Sharing Plan.

TABLE 1—AREA 2A CATCH LIMIT AND FISHERY SUBAREA ALLOCATIONS FOR 2019

	Pounds	Metric tons
Area 2A TCEY	1,650,000	748.4
Area 2A Catch Limit	1,500,000	680.4
Tribal commercial fishery	497,000	225.4
Incidental commercial during sablefish fishery	70,000	31.8
Non-tribal directed commercial fishery	254,426	115.4
Incidental commercial catch during salmon troll fishery	44,899	20.4
Washington recreational fishery—Puget Sound	77,550	35.2
Washington recreational fishery—North Coast	128,187	58.1
Washington recreational fishery—South Coast	62,896	28.5
Columbia River recreational fishery	15,127	6.9
Oregon recreational fishery—Central Oregon	271,592	123.2
Oregon recreational fishery—Southern Oregon	11,322	5.1
California recreational fishery	39,000	17.7

The Area 2A catch limit, tribal commercial fishery allocation, and commercial fishery allocations are adopted by the IPHC and will be published in the **Federal Register** after acceptance by the Secretary of State in accordance with 50 CFR 300.62.

Since 1988, NMFS has implemented annual Catch Sharing Plans that allocate the IPHC regulatory Area 2A Pacific halibut catch limit between treaty Indian and non-Indian harvesters, and among non-Indian commercial and recreational (sport) fisheries. The Pacific Fishery Management Council (Council) develops Catch Sharing Plans in accordance with the Halibut Act. In 1995, the Council recommended, and NMFS approved and implemented a long-term Area 2A Catch Sharing Plan (60 FR 14651; March 20, 1995). NMFS has been implementing adjustments to the Area 2A Catch Sharing Plan based on Council recommendations each year to address the changing needs of these fisheries. While the full Catch Sharing Plan is not published in the **Federal Register**, it is made available on the Council and NMFS websites.

This rule proposes to adopt the Council's recommended changes to the Catch Sharing Plan for IPHC regulatory Area 2A, which affect only the recreational fishery. In addition, this rule would revise the recreational Pacific halibut fishery management measures, such as season dates and bag limits, that are set in NMFS regulations. These management measures are detailed in the Council's recommended Catch Sharing Plan and were developed through the Council's public process. This rule proposes 2019 season dates for the recreational fisheries consistent with the Council's recommendations as well as recommendations from Oregon and Washington. The proposed season dates for California are identical to those from 2018.

For 2019, the Council recommended minor modifications to recreational (sport) fisheries to better match the needs of the fishery. The Catch Sharing Plan changes provide flexibility to the state recreational fishery managers for opening the South Coast nearshore fishery and for extending the Columbia River fishery into the summer by both modifying the number of open days and the process for setting open days.

Incidental Halibut Retention in the Sablefish Primary Fishery North of Pt. Chehalis, WA

The proposed 2019 Catch Sharing Plan allows incidental halibut retention in the sablefish primary fishery north of Pt. Chehalis, WA, when the Washington recreational catch limit is 214,110 lb (101.7 mt) or greater, provided that a minimum of 10,000 lb (4.5 mt) is available. The Area 2A catch limit for 2019 is great enough to allow 70,000 lb (31.8 mt) for incidental halibut retention in the sablefish primary fishery, which occurs when the catch limit is 1,500,000 lb (680.4 mt) or more. NMFS intends to publish the incidental halibut landing restrictions in the sablefish fishery in the **Federal Register** as an inseason

action by April 1, 2019, or as soon as possible thereafter.

Proposed Changes to the 2019 Area 2A Catch Sharing Plan

Each year, at the Council's September meeting, the Washington Department of Fish and Wildlife (WDFW), Oregon Department of Fish and Wildlife (ODFW), California Department of Fish and Wildlife (CDFW), NMFS, and treaty Indian tribes in the State of Washington with treaty fishing rights for halibut have an opportunity to propose changes to the Catch Sharing Plan for consideration by the Council. At the September 2018 Council meeting, only WDFW and ODFW proposed changes to the Catch Sharing Plan. The Council voted to solicit public input on all of the changes recommended by WDFW and ODFW. WDFW and ODFW subsequently held public workshops on the recommended changes.

At its November 2018 meeting, the Council considered the results of the state-sponsored workshops on the recommended changes to the Catch Sharing Plan, along with public input provided at the 2018 September and November Council meetings, and made its final recommendations for modifications to the Catch Sharing Plan. NMFS proposes to approve all of the Council's recommended changes to the Catch Sharing Plan as discussed below.

1. In section (f)(1)(iii), the Council recommended removing the set-aside of 10 percent or 2,000 lb (0.91 mt) for the nearshore fishery in Washington South Coast subarea, instead allowing the nearshore fishery to be open after the primary (all-depth) fishery closes, if sufficient quota remains. The goal of this change is to clarify that the nearshore fishery will open only if there is sufficient quota after the primary fishery has closed. In previous years, the South Coast primary fishery has exceeded its sub-allocation, and the nearshore fishery has remained closed.

2. In section (f)(1)(iv), the Council recommended modifying the method used in setting open days for the Columbia River subarea. Specifically, the Council recommended that the all-depth fishery open dates would be determined after consultation between ODFW and WDFW, in time for final action at the November Council meeting. This change allows for collaboration between stakeholders in Washington and Oregon to determine a season opening that meets the needs of the fishery.

3. In section (f)(1)(iv), the Council recommended modifying the open days for the Columbia River subarea from three to two days per week, with openings occurring on a combination of Thursday, Friday, or Sunday. In 2018, the fishery was open three days per week and the season lasted only five days. This change, combined with the change mentioned above, is expected to extend the season into the summer.

Additional discussion of these changes is included in the materials submitted to the Council at its September and November meetings, available at *https://www.pcouncil.org/council-operations/council-meetings/past-meetings/.* A version of the proposed Catch Sharing Plan including these changes can be found at *http://www.westcoast.fisheries.noaa.gov/fisheries/management/pacific_halibut_management.html.*

Proposed 2019 Recreational Fishery Management Measures

On the Council's recommendation, NMFS also proposes recreational fishery management measures, including season dates and bag limits that are necessary to implement the Council's recommended Catch Sharing Plan in 2019. The Catch Sharing Plan includes a framework for setting fishing open days by subarea, and each state submits final recommended season dates annually. This proposed rule contains dates for the recreational (sport) fisheries based on the 2019 Catch Sharing Plan as recommended by the Council. The season dates preferred for the States of Washington and Oregon, following input from the public, are proposed here. The season dates proposed for California are the same as they were in 2017 and 2018. The final rule will select dates based on public comment, including comments from California after it has concluded its public meetings gathering input on season dates.

The annual domestic management measures are published each year through a final rule under NMFS' authority to implement the Halibut Convention. 50 CFR 300.62. As provided in the Halibut Act at 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may accept or reject, on behalf of the United States, regulations recommended by the IPHC in accordance with the Convention. For the 2018 fishing season, the final rule for the commercial fisheries and IPHC regulations was published on March 9, 2018, (83 FR 10390) and the final rule for Area 2A recreational fisheries was published on March 26, 2018 (83 FR 13090). The final rule establishing catch limits for Area 2A published on March 26, 2018 (83 FR 13080). The section numbers below correspond to IPHC regulation sections in the March 9, 2018, final rule.

NMFS proposes the following regulations to implement the Catch Sharing Plan recommended by the Council under the Halibut Act. After the opportunity for public comment, NMFS will publish a final rule implementing the Catch Sharing Plan and annual management measures, as required by implementing regulations at 50 CFR 300.63(b)(1). The numbering of this section corresponds to the annual regulations promulgated by the IPHC; IPHC regulations for 2019 will be finalized via separate rulemaking by March 15, 2019, or as soon as possible thereafter. This proposed rule would then add the following text to Section 27 of the annual domestic management measures and paragraph (8) of the 2019 IPHC regulations, ''Sport Fishing for Pacific Halibut—IPHC Regulatory Area 2A'':

(8) The sport fishing subareas, subquotas, fishing dates, and daily bag limits are as follows, except as modified under the inseason actions consistent with 50 CFR 300.63(c). All sport fishing in Area 2A is managed on a ''port of landing'' basis, whereby any halibut landed into a port counts toward the quota for the area in which that port is located, and the regulations governing the area of landing apply, regardless of the specific area of catch.

(a) The quota for the area in Puget Sound and the U.S. waters in the Strait of Juan de Fuca, east of a line extending from 48°17.30′ N lat., 124°23.70′ W long. north to 48°24.10′ N lat., 124°23.70′ W long., is 77,550 lb (35.2 mt).

(i) The fishing seasons are:

(A) Fishing is open May 2, 4, 9, 11, 18, 24, and 26; June 6, 8, 20, and 22, or until there is not sufficient quota for another full day of fishing and the area is closed by the Commission. Any closure will be announced on the NMFS hotline at 800–662–9825.

(ii) The daily bag limit is one halibut of any size per day per person.

(b) The quota for landings into ports in the area off the north Washington coast, west of the line described in paragraph (2)(a) of section 26 and north of the Queets River (47°31.70′ N lat.) (North Coast subarea), is 128,187 lb (58.1 mt).

(i) The fishing seasons are:

(A) Fishing is open May 2, 4, 9, 11, 18, 24, and 26; June 6, 8, 20, and 22, or until there is not sufficient quota for another full day of fishing and the area is closed by the Commission. Any closure will be announced on the NMFS hotline at 800–662–9825.

(ii) The daily bag limit is one halibut of any size per day per person.

(iii) Recreational fishing for groundfish and halibut is prohibited within the North Coast Recreational Yelloweye Rockfish Conservation Area (YRCA). It is unlawful for recreational fishing vessels to take and retain, possess, or land halibut taken with recreational gear within the North Coast Recreational YRCA. A vessel fishing with recreational gear in the North Coast Recreational YRCA may not be in possession of any halibut. Recreational vessels may transit through the North Coast Recreational YRCA with or without halibut on board. The North Coast Recreational YRCA is a C-shaped area off the northern Washington coast intended to protect yelloweye rockfish. The North Coast Recreational YRCA is defined in groundfish regulations at 50 CFR 660.70(a).

(c) The quota for landings into ports in the area between the Queets River, WA (47°31.70′ N lat.), and Leadbetter Point, WA (46°38.17′ N lat.)(South Coast subarea), is 62,896 lb (28.5 mt).

(i) This subarea is divided between the all-waters fishery (the Washington South coast primary fishery), and the incidental nearshore fishery in the area from 47°31.70′ N lat. south to 46°58.00′ N lat. and east of a boundary line approximating the 30 fm depth contour. This area is defined by straight lines connecting all of the following points in the order stated as described by the following coordinates (the Washington South coast, northern nearshore area):

(1) 47°31.70′ N lat, 124°37.03′ W long;
(2) 47°25.67′ N lat, 124°34.79′ W long;
(3) 47°12.82′ N lat, 124°29.12′ W long;
(4) 46°58.00′ N lat, 124°24.24′ W long.

The primary fishery season dates are May 2, 5, 9, 12, and 24, or until there is not sufficient quota for another full day of fishing and the area is closed by the Commission. Any closure will be announced on the NMFS hotline at 800–662–9825. If sufficient quota remains, the fishing season in the nearshore area commences the Saturday subsequent to the closure of the primary fishery, and continues 7 days per week until 62,896 lb (28.5 mt) is projected to be taken by the two fisheries combined and the fishery is closed by the Commission or September 30, whichever is earlier. If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen the northern nearshore area for another fishing day, then any remaining quota may be transferred in-season to another Washington coastal subarea by NMFS.

(ii) The daily bag limit is one halibut of any size per day per person.

(iii) Seaward of the boundary line approximating the 30-fm depth contour and during days open to the primary fishery, lingcod may be taken, retained and possessed when allowed by groundfish regulations at 50 CFR 660.360, subpart G.

(iv) Recreational fishing for groundfish and halibut is prohibited within the South Coast Recreational YRCA and Westport Offshore YRCA. It is unlawful for recreational fishing vessels to take and retain, possess, or land halibut taken with recreational gear within the South Coast Recreational YRCA and Westport Offshore YRCA. A vessel fishing in the South Coast Recreational YRCA and/or Westport Offshore YRCA may not be in possession of any halibut. Recreational vessels may transit through the South Coast Recreational YRCA and Westport Offshore YRCA with or without halibut on board. The South Coast Recreational YRCA and Westport Offshore YRCA are areas off the southern Washington coast established to protect yelloweye rockfish. The South Coast Recreational YRCA is defined at 50 CFR 660.70(d). The Westport Offshore YRCA is defined at 50 CFR 660.70(e).

(d) The quota for landings into ports in the area between Leadbetter Point, WA (46°38.17′ N lat.), and Cape Falcon, OR (45°46.00′ N lat.)(Columbia River subarea), is 15,127 lb (6.9 mt).

(i) This subarea is divided into an all-depth fishery and a nearshore fishery. The nearshore fishery is allocated 500 lb (0.23 mt) of the subarea allocation. The nearshore fishery extends from Leadbetter Point (46°38.17′ N lat., 124°15.88′ W long.) to the Columbia River (46°16.00′ N lat., 124°15.88′ W long.) by connecting the following coordinates in Washington 46°38.17′ N lat., 124°15.88′ W long. 46°16.00′ N lat., 124°15.88′ W long. and connecting to the boundary line approximating the 40 fm (73 m) depth contour in Oregon. The nearshore fishery opens May 6, and continues on Monday, Tuesday, and Wednesday each week until the nearshore allocation is taken, or September 30, whichever is earlier. The all-depth fishing season is open May 2, 5, 9, 12, 24, and 26. If sufficient quota remains after May 26, the Columbia River subarea would be open two days per week (Thursday and Sunday) until 15,127 lb (6.9 mt) are estimated to have been taken and the season is closed by the Commission, or September 30, whichever is earlier. Subsequent to this closure, if there is insufficient quota remaining in the Columbia River subarea for another fishing day, then any remaining quota may be transferred inseason to another Washington and/or Oregon subarea by NMFS. Any remaining quota would be transferred to each state in proportion to its contribution.

(ii) The daily bag limit is one halibut of any size per day per person.

(iii) Pacific Coast groundfish may not be taken and retained, possessed or landed when halibut are on board the vessel, except sablefish, Pacific cod, flatfish species, and lingcod caught north of the Washington-Oregon border during the recreational halibut fishery, when allowed by Pacific Coast groundfish regulations, during days open to the all-depth fishery only.

(iv) Taking, retaining, possessing, or landing halibut on groundfish trips is only allowed in the nearshore area on days not open to all-depth Pacific halibut fisheries.

(e) The quota for landings into ports in the area off Oregon between Cape Falcon (45°46.00′ N lat.) and Humbug Mountain (42°40.50′ N lat.) (Oregon Central Coast subarea), is 271,592 lb (123.2 mt).

(i) The fishing seasons are:

(A) The first season (the ''inside 40-fm'' fishery) commences June 1, and continues 7 days a week, in the area shoreward of a boundary line approximating the 40-fm (73-m) depth contour, or until the sub-quota for the central Oregon ''inside 40-fm'' fishery of 32,591 lb (14.8 mt), or any inseason revised subquota, is estimated to have been taken and the season is closed by the Commission, or October 31, whichever is earlier. The boundary line approximating the 40-fm (73-m) depth contour between 45°46.00′ N lat. and 42°40.50′ N lat. is defined at § 660.71(k).

(B) The second season (spring season), which is for the ''all-depth'' fishery, is open May 9, 10, 11; 16, 17, 18; 23, 24, 25; 30, 31, June 1; and 6, 7, 8. The allocation to the all-depth fishery is 171,103 lb (77.6 mt). If sufficient unharvested quota remains for additional fishing days, the season will re-open June 20, 21, 22; July 4, 5, 6; and July 18, 19, 20. Notice of the re-opening will be announced on the NMFS hotline (206) 526–6667 or (800) 662–9825.

(C) The third season (summer season), which is for the ''all-depth'' fishery, will be August 2, 3; 16, 17; 30, 31; September 13, 14; 27, 28; October 11, 12; and 25, 26; and will continue until the combined spring season and summer season quotas in the area between Cape Falcon and Humbug Mountain, Oregon, are estimated to have been taken and the area is closed by the Commission. NMFS will announce on the NMFS hotline in July whether the fishery will re-open for the summer season in August. Additional fishing days may be opened if sufficient quota remains after the last day of the first scheduled open

period. If, after this date, an amount greater than or equal to 60,000 lb (27.2 mt) remains in the combined all-depth and inside 40-fm (73-m) quota, the fishery may re-open every Friday and Saturday, beginning August 2 and 3, and ending when there is insufficient quota remaining, whichever is earlier. If after September 3, an amount greater than or equal to 30,000 lb (13.6 mt) remains in the combined all-depth and inside 40-fm (73-m) quota, and the fishery is not already open every Friday and Saturday, the fishery may re-open every Friday and Saturday, beginning September 6 and 7, and ending October 31. After September 3, the bag limit may be increased to two fish of any size per person, per day. NMFS will announce on the NMFS hotline whether the summer all-depth fishery will be open on such additional fishing days, what days the fishery will be open and what the bag limit is.

(ii) The daily bag limit is one halibut of any size per day per person, unless otherwise specified. NMFS will announce on the NMFS hotline any bag limit changes.

(iii) During days open to all-depth halibut fishing when the groundfish fishery is restricted by depth, no groundfish may be taken and retained, possessed or landed, when halibut are on board the vessel, except sablefish, Pacific cod, and flatfish species, when allowed by groundfish regulations, if halibut are onboard the vessel. During days open to all-depth halibut fishing when the groundfish fishery is open to all depths, any groundfish species permitted under the groundfish regulations may be retained, possessed or landed if halibut are on board the vessel. During days open to nearshore halibut fishing, flatfish species may be taken and retained seaward of the seasonal groundfish depths restrictions, if halibut are on board the vessel.

(iv) When the all-depth halibut fishery is closed and halibut fishing is permitted only shoreward of a boundary line approximating the 40-fm (73-m) depth contour, halibut possession and retention by vessels operating seaward of a boundary line approximating the 40-fm (73-m) depth contour is prohibited.

(v) Recreational fishing for groundfish and halibut is prohibited within the Stonewall Bank YRCA. It is unlawful for recreational fishing vessels to take and retain, possess, or land halibut taken with recreational gear within the Stonewall Bank YRCA. A vessel fishing in the Stonewall Bank YRCA may not possess any halibut. Recreational vessels may transit through the Stonewall Bank YRCA with or without halibut on board. The Stonewall Bank YRCA is an area off central Oregon, near Stonewall Bank, intended to protect yelloweye rockfish. The Stonewall Bank YRCA is defined at § 660.70(f).

(f) The quota for landings into ports in the area south of Humbug Mountain, OR (42° 40.50′ N lat.) to the Oregon/California Border (42° 00.00′ N lat.)(Southern Oregon subarea) is 11,322 lb (5.1 mt).

(i) The fishing season commences on May 1, and continues 7 days per week until the subquota is taken, or October 31, whichever is earlier.

(ii) The daily bag limit is one halibut per person with no size limit.

(iii) No Pacific Coast groundfish may be taken and retained, possessed or landed, except sablefish, Pacific cod, and flatfish species, in areas closed to groundfish, if halibut are on board the vessel.

(g) The quota for landings into ports south of the Oregon/California Border (42°00.00′ N lat.) and along the California coast is 39,000 lb (17.7 mt).

(i) The fishing season will be open May 1 through June 15, July 1 through July 15, August 1 through August 15, and September 1 through October 31, or until the subarea quota is estimated to have been taken and the season is closed by the Commission, whichever is earlier. NMFS will announce any closure by the Commission on the NMFS hotline (206) 526–6667 or (800) 662–9825.

(ii) The daily bag limit is one halibut of any size per day per person.

Classification

Regulations governing the U.S. fisheries for Pacific halibut are developed by the IPHC, the Pacific Fishery Management Council, the North Pacific Fishery Management Council, and the Secretary of Commerce. Section 5 of the Halibut Act of 1982 (Halibut Act, 16 U.S.C. 773c) provides the Secretary of Commerce with the general responsibility to carry out the Halibut Convention between Canada and the United States for the management of Pacific halibut, including the authority to adopt regulations as may be necessary to carry out the purposes and objectives of the Halibut Convention and Halibut Act. This proposed rule is consistent with the Secretary's authority under the Halibut Act.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866. This proposed rule is not expected to be an Executive Order 13771 regulatory action because this proposed rule is not significant under Executive Order 12866.

NMFS finds good cause to waive a longer notice and comment period, in favor of a 15-day comment period, pursuant to 5 U.S.C. 553(b)(3)(B). The final rule must be effective by May 1, in time for the start of recreational Pacific halibut fisheries. The 2019 Catch Sharing Plan provides the framework for the annual management measures and subarea allocations based on the 2019 Area 2A catch limit for Pacific halibut. Some recreational fishery subareas open May 1, 2019, and the final rule for this action implements season dates for those fisheries. Additionally, the final rule would implement a change to the Catch Sharing Plan season structure for the Washington South Coast and Columbia River subareas, which starts in early May. For these reasons, delaying the rule would cause economic harm to the associated fishing communities by reducing fishing opportunity at the start of the fishing year. Due to the recent government shutdown, NMFS was not able to provide notice of this proposed rule earlier. However, NMFS is able to take public comment for 15 days while still ensuring a final rule is promulgated in time for the May 1 fishery opening date.

The Regulatory Flexibility Act (RFA) requires Federal agencies to prepare, and make available for public comment, both an initial and final regulatory flexibility analysis (IRFA and FRFA), unless the agency can certify that the proposed and/or final rule would not have a significant economic impact on a substantial number of small entities. These analyses describe the impact on small businesses, non-profit enterprises, local governments, and other small entities as defined by the RFA (5 U.S.C. 603). This analysis is to inform the agency and the public of the expected economic effects of the alternatives, and aid NMFS in considering any significant regulatory alternatives that would accomplish the applicable objectives and minimize the economic impact on affected small entities. The RFA does not require the alternative with the least cost or with the least adverse effect on small entities be chosen as the preferred alternative.

The IRFA must only address the effects of a proposed rule on entities subject to the regulation (*i.e.,* entities to which the rule will directly apply) rather than all entities affected by the regulation, which would include entities to which the rule will indirectly apply.

Part 121 of Title 13, Code of Federal Regulations (CFR), sets forth, by North American Industry Classification System (NAICS) categories, the maximum number of employees or

average annual gross receipts a business may have to be considered a small entity for RFA purposes. See 13 CFR 121.201. Under this provision, the U.S. Small Business Administration (SBA) established criteria for businesses in the fishery sector to qualify as small entities. Standards are expressed either in number of employees, or annual receipts in millions of dollars. The number of employees or annual receipts indicates the maximum allowed for a concern and its affiliates to be considered small (13 CFR 121.201).

Provision is made under SBA's regulations for an agency to develop its own industry-specific size standards after consultation with SBA's Office of Advocacy and an opportunity for public comment (see 13 CFR 121.903(c)).

Description of the Reasons Why Action by the Agency Is Being Considered

Each year, the states of Washington, Oregon, California, and the treaty tribes that fish for halibut meet with their fishery participants to review halibut management under the Catch Sharing Plan. Based on feedback from these meetings and experience from the previous year's fishing season, the states or the tribes may propose changes to the Catch Sharing Plan for the upcoming year at the Council's September and November meetings. Proposed changes to the Catch Sharing Plan are intended to remedy any problems encountered during the previous year's management, problems with other fisheries with overlapping management jurisdiction (*i.e.,* Pacific Coast groundfish), or other anticipated problems.

Statement of the Objectives of, and Legal Basis for, the Proposed Rule

The Northern Pacific Halibut Act (Halibut Act) of 1982 gives the Secretary of Commerce responsibility for implementing the provisions of the Halibut Convention between the United States and Canada. The Halibut Act requires that the Secretary adopt regulations to carry out the purposes and objectives of the Halibut Convention and Halibut Act. The Halibut Act also authorizes the regional fishery management councils to develop regulations in addition to, but not in conflict with, regulations of the IPHC to govern the Pacific halibut catch in their corresponding U.S. Convention waters. The Council's main management objective for the Pacific halibut fishery in Area 2A is to manage fisheries to remain within the catch limit for Area 2A.

A second objective is to allow each commercial, recreational (sport), and tribal fishery to target halibut in the manner that is appropriate to meet the conservation requirements for species that co-occur with Pacific halibut. A third objective is to meet the needs of fishery participants in particular fisheries and fishing areas.

A Description and, Where Feasible, Estimate of the Number of Small Entities To Which the Proposed Rule Would Apply

This rule proposes changes to only the sport fishing sector of the halibut fishery. Therefore, this rule may affect some charterboat operations in Area 2A. Previous analyses determined that charterboats are small businesses. *See* 77 FR 5477 (Feb. 3, 2012) and 76 FR 2876 (Jan. 18, 2011). Charter fishing operations are classified under NAICS code, 487210, with a corresponding SBA size standard of $7.5 million in annual receipts. No commercial fishing entities are directly affected by this rule.

In 2018, the IPHC issued 133 licenses to the charterboat fleet. Recent information on charterboat activity is not available, but prior analysis indicated that 60 percent of the IPHC charterboat license holders (around 80 vessels) may be affected by these regulations. Private vessels used for recreational fishing are not businesses, and are therefore not subject to the RFA.

Description of the Projected Reporting, Record-Keeping, and Other Compliance Requirements of This Proposed Rule

The proposed changes to the Catch Sharing Plan and domestic management measures do not include any new reporting or recordkeeping requirements.

Federal Rules That May Duplicate, Overlap or Conflict With the Proposed Rule

There are no relevant federal rules that may duplicate, overlap, or conflict with this action.

Description and Estimate of Economic Effects on Entities, by Entity Size and Industry

The major effect of halibut management on small entities will be from the catch limit decisions made by the IPHC, a decision independent from this proposed action. This proposed action only makes minor changes to the Plan to provide increased recreational opportunities under the allocations that result from the Area 2A catch limit. There are no large entities involved in the halibut fisheries; therefore, none of these changes will have a disproportionately negative effect on small entities versus large entities. The proposed changes to the plan are considered minor, with minimal economic effects.

An Explanation of the Criteria Used To Evaluate Whether the Rule Would Impose ''Significant'' Economic Effects

The proposed recreational management measures implement the Catch Sharing Plan by managing the fisheries to meet the differing fishery needs of the various areas along the coast according to the Catch Sharing Plan's objectives. These changes were uncontroversial throughout the Council's public process and are considered minor because the timing and level of participation are not expected to change. Removing the set-aside in the nearshore fishery is not expected to impact the fishery participants, because in previous years the South Coast primary fishery has exceeded its sub-allocation, and the nearshore fishery has remained closed. This proposed rule would clarify that the fishery is open only if there is quota remaining. Reducing the number of open days per week in the Columbia River subarea from three open days (status quo—open Thursday, Friday, and Sunday), to two open days (open a combination of Thursday, Friday, or Sunday), is expected to allow for the season to stay open through the summer, though not increase the number of open days. Allowing the season to remain open for three days could result in the season ending at an earlier date. The proposed Catch Sharing Plan changes are not expected to change the timing and participation in these recreational fisheries, therefore the changes are not expected to have a significant economic impact on a substantial number of small entities.

An Explanation of the Criteria Used To Evaluate Whether the Rule Would Impose Effects on ''a Substantial Number'' of Small Entities

Participants in the recreational Washington and Columbia River subareas will be impacted by these changes, and all of the entities are considered small. However, the effects of the rule would be minimal as described above. In 2017, the average number of participants in the Columbia River subarea was 73 (private vessels and charterboats are not differentiated), with the highest number on the first two days and last day. Participation in 2019 is expected to be similar.

A Description of, and an Explanation of the Basis for, Assumptions Used

In the description of the entities affected, estimates of the number of charterboats were based off a 2004

report by the Pacific States Marine Fisheries Commission. This report has not been updated and the number of entities is assumed to be similar.

Description of Any Significant Alternatives to the Proposed Rule That Accomplish the Stated Objectives of Applicable Statutes and That Minimize Any Significant Economic Impact of the Proposed Rule on Small Entities

The status quo alternative would not achieve the objectives and requirements of the Convention and Halibut Act, specifically conserving Pacific halibut and allocating quota equitably. Because the effects of the rule would be minimal, there are no other additional significant alternatives that would further minimize the impact of the proposed rule on small entities while achieving the goals and objectives of the Convention and Halibut Act. In addition, these changes were proposed by stakeholders to address the needs of the fisheries, and, as explained above, the proposed changes are not expected to have a significant economic impact on a substantial number of small entities.

A copy of this analysis is available from the Council or NMFS (see **ADDRESSES**).

Pursuant to Executive Order 13175, the Secretary recognizes the sovereign status and co-manager role of Indian tribes over shared Federal and tribal fishery resources. Section 302(b)(5) of the Magnuson-Stevens Fishery Conservation and Management Act establishes a seat on the Pacific Council for a representative of an Indian tribe with federally recognized fishing rights from California, Oregon, Washington, or Idaho.

The U.S. Government formally recognizes that the 13 Washington Tribes have treaty rights to fish for Pacific halibut. In general terms, the quantification of those rights is 50 percent of the harvestable surplus of Pacific halibut available in the tribes' usual and accustomed fishing areas (described at 50 CFR 300.64). Each of the treaty tribes has the discretion to administer their fisheries and to establish their own policies to achieve program objectives. Accordingly, tribal allocations and regulations, including the proposed changes to the Plan, have been developed in consultation with the affected tribe(s) and, insofar as possible, with tribal consensus.

Dated: March 11, 2019.

Chris Oliver,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2019–04748 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 84, No. 50
Thursday, March 14, 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

Agricultural Marketing Service

[Doc. No. AMS–ST–19–0016]

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget, for an extension of and revision to the currently approved information collection of the Federal Seed Act Labeling and Enforcement.

DATES: Comments on this notice must be received by May 13, 2019 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit comments concerning this notice by using the electronic process available at *www.regulations.gov.* Written comments may also be submitted to Ernest L. Allen, Director, Seed Regulatory and Testing Division, Science and Technology Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054–2193; telephone (704) 810–8871; Fax (704) 852–4189. All comments should reference the docket number AMS–ST–19–0016 and note the date and the page number of this issue of the **Federal Register**. All comments received will be posted without change, including any personal information provided, at *www.regulations.gov* and will be included in the record and made available to the public.

FOR FURTHER INFORMATION CONTACT: Ernest L, Allen, Seed Regulatory and Testing Division, Science and Technology Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054–2193; telephone (704) 810–8871; Fax (704) 852–4189.

SUPPLEMENTARY INFORMATION: Due to reorganization within AMS, we have moved from Livestock, Poultry and Seed to Science and Technology Programs.

Title: Federal Seed Act Program.

OMB Number: 0581–0026.

Expiration Date of Approval: August 31, 2019.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: This information collection and these recordkeeping requirements are necessary to conduct the Federal Seed Act (FSA) (7 U.S.C. 1551 *et seq.*) program with respect to certain testing, labeling, and recordkeeping requirements for agricultural and vegetable seeds in interstate commerce. Regulations under the FSA are contained in 7 CFR part 201.

The FSA, Title II, is a truth-in-labeling law that regulates agricultural and vegetable planting seed in interstate commerce. Seed subject to the FSA must be labeled with certain quality information and Title II requires that information to be truthful. The FSA prohibits the interstate shipment of falsely advertised seed and seed containing noxious-weed seeds that are prohibited from sale in the State into which the seed is being shipped.

No unique forms are required for this information collection. The FSA requires seed in interstate commerce to be tested and labeled. Once seed enters a State, it must comply with the testing and labeling requirements of that State's seed law. The testing and labeling required by FSA nearly always satisfies the State's testing and labeling requirements. The receiving sales, cleaning, testing, and labeling records required by FSA are also records that the shipper would normally keep in good business practice.

The information in this collection is the minimum information necessary to effectively carry out the enforcement of FSA. With the exception of the requirements for entering a new variety into a State seed certification program (set forth separately below), the information collection is entirely recordkeeping rather than reporting.

While the number of applicants has slightly increased, the number of requests has significantly increased creating an increase in burden hours over the previous submission.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 2.68 hours per response.

Respondents: Interstate shippers and labelers of seed.

Estimated Number of Respondents: 3,221.

Estimated Total Annual Responses: 27,249.66.

Estimated Number of Responses per Respondent: 8.46.

Estimated Total Annual Burden on Respondents: 73,029.09.

Eligibility Requirements for Certification of New Varieties and Recordkeeping

Estimate of Burden: Public reporting burden for this collection of information (eligibility for certification of new varieties) is estimated to average 2.42 hours per response.

Respondents: Entities seeking to enter new varieties into State seed certification programs.

Estimated Number of Respondents: 96.

Estimated Total Annual Responses: 960.

Estimated Number of Responses per Respondent: 10.

Estimated Total Annual Burden on Respondents: 2,323.20 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information 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 the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Ernest L. Allen, Seed Regulatory and Testing

Division, Science and Technology Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054–2193. All comments received will be available for public inspection during regular business hours at the same address.

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

Dated: March 11, 2019.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2019–04778 Filed 3–13–19; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–LP–19–0005]

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Marketing Service's (AMS) intention to request approval from the Office of Management and Budget (OMB) for an extension of the currently approved information collection, ''Livestock, Poultry, and Grain Market News'' (OMB 0581–0033). This information collection is used to compile and generate market reports covering livestock, poultry, meat, eggs, grain, and their related products, as well as locally produced and marketed products.

DATES: Comments received by May 13, 2019 will be considered.

Additional Information or Comments: Interested persons are invited to submit comments concerning this information collection document. Comments should be submitted online at *www.regulations.gov* or sent to Sam Jones-Ellard, Assistant to the Director; Livestock, Poultry, and Grain Market News Division; Livestock and Poultry Program; Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Ave. SW, Room 2619–S, STOP 0252; Washington, DC 20250–0252; telephone (812) 240–0694; or email *Samuel.Jones@usda.gov.* All comments should reference the docket number (AMS–LP–19–0005), the date, and page number of this issue of the **Federal Register**. All comments received will be posted without change, including any personal information provided, online at *www.regulations.gov* and will be made available for public inspection at the above physical address during regular business hours.

FOR FURTHER INFORMATION CONTACT: Sam Jones-Ellard at the above physical address, by telephone at (812) 240–0694, or by email at *Samuel.Jones@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Livestock, Poultry, and Grain Market News.

OMB Number: 0581–0033.

Expiration Date of Approval: 10–31–2019.

Type of Request: Request for extension of a currently approved information collection.

Abstract: The Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), as amended, authorizes the Secretary of Agriculture to provide timely nationwide coverage of prices, supply, demands, trends, movement, and other pertinent information affecting the trading of livestock, poultry, meat, eggs, grain, and their related products, as well as locally produced and marketed products. The market reports compiled and disseminated by the Livestock, Poultry, and Grain Market News (LPGMN) Division provide current, unbiased, and factual information to all stakeholders in the U.S. agricultural industry. Market News reports assist producers, processors, wholesalers, retailers, and others to make informed production, purchasing, and sales decisions. LPGMN reports also promote orderly marketing by placing buyers and sellers on a more equal negotiation basis.

LPGMN reporters communicate with buyers and sellers of livestock, poultry, meat, eggs, grain, local products, and their respective commodities on a daily basis to accomplish the Division's mission. This communication and information gathering is accomplished through the use of telephone conversations, facsimile transmissions, face-to-face meetings, and email messages. The information provided by respondents initiates Market News reporting, which must be timely, accurate, unbiased, and continuous if it is to be meaningful to the industry. AMS collects information on price, supply, demand, trends, movement, and other information of livestock, poultry, meat, grain, eggs, local products, and their respective commodities. LPGMN uses one OMB approved form, LPS–90: ''Monthly Dried Egg Solids Stocks Report,'' to collect inventory information from commercially dried egg product plants throughout the United States. Cooperating firms voluntarily submit this form to LPGMN primarily via email and facsimile transmissions. For the remaining commodities covered under this information collection, information gathering is accomplished through the use of telephone conversations, facsimile transmissions, face-to-face meetings, and email messages. Since the form associated with this information collection was last updated, the program that oversees this collection reorganized that resulted in a program name change. The form associated with this information collection reflects this organizational change.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average .058 hours per response.

Respondents: Business or other for-profit and farms.

Estimated Number of Respondents: 2,939.

Estimated Total Annual Responses: 273,219.

Estimated Number of Responses per Respondent: 93 *(rounded).*

Estimated Total Annual Burden on Respondents: 15,970 *(rounded).*

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information 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 the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record and posted without change.

Dated: March 11, 2019.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2019–04775 Filed 3–13–19; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–ST–19–0017]

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget, for an extension of and revision to the currently approved information collection of the Seed Service Testing Program.

DATES: Comments on this notice must be received by May 13, 2019 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit comments concerning this notice by using the electronic process available at *www.regulations.gov.* Written comments may also be submitted to Ernest L. Allen, Director, Seed Regulatory and Testing Division, Science and Technology Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054–2193; telephone (704) 810–8871; Fax (704) 852–4189. All comments should reference the docket number AMS–ST–19–0017 and note the date and the page number of this issue of the **Federal Register**. All comments received will be posted without change, including any personal information provided, at *www.regulations.gov* and will be included in the record and made available to the public.

FOR FURTHER INFORMATION CONTACT: Ernest L. Allen, Seed Regulatory and Testing Division, Science and Technology Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054–2193; telephone (704) 810–8871; Fax (704) 852–4189.

SUPPLEMENTARY INFORMATION: Due to reorganization within AMS, we have moved from Livestock, Poultry and Seed to Science and Technology Programs.

Title: Seed Service Testing Program.

OMB Number: 0581–0140.

Expiration Date of Approval: August 31, 2019.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: This information collection is necessary to conduct voluntary seed testing on a fee-for-service basis. The Agricultural Marketing Act of 1946, as amended, 7 U.S.C. 1621 *et seq.,* authorizes the Secretary of Agriculture to inspect and certify the quality of agricultural products and collect such fees as are reasonable to cover the cost of service rendered. Regulations for inspection and certification of quality of agricultural and vegetable seeds are contained in 7 CFR part 75.

The purpose of the voluntary program is to promote efficient, orderly marketing of seeds, and assist in the development of new and expanding markets. Under the program, samples of agricultural and vegetable seeds submitted to AMS are tested for factors such as purity and germination at the request of the applicant for the service. In addition, grain samples, submitted at the applicant's request, are examined for the presence of certain weed and crop seed by the Grain Inspection, Packers, and Stockyards Administration. A Federal Seed Analysis Certificate or an ISTA Orange International Seed Lot Certificate is issued giving the test results. Most of the seeds tested under this program are scheduled for export. Many importing countries require a Federal Seed Analysis Certificate on U.S. seed.

The only information collected is information needed to provide the service requested by the applicant. This includes information to identify the seed being tested, the seed treatment (if treated with a pesticide), the tests to be performed, and any other appropriate information required by the applicant to be on the Federal Seed Analysis Certificate or the ISTA Orange International Seed Lot Certificate.

The number of applicants applying for the seed testing service has remand the same as previous submission. However, the total number of samples received for testing has increased. Therefore, the average burden for information collection has increased for seed companies applying for the service.

The information in this collection is used only by authorized AMS employees to track, test, and report results to the applicant.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 0.25 hours per response.

Respondents: Applicants for seed testing service.

Estimated Number of Respondents: 55.

Estimated Total Annual Responses: 1,333.

Estimated Number of Responses per Respondent: 24.24.

Estimated Total Annual Burden on Respondents: 333.25 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information 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 the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Ernest L. Allen, Seed Regulatory and Testing Division, Science and Technology Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054–2193. All comments received will be available for public inspection during regular business hours at the same address.

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

Dated: March 11, 2019.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2019–04780 Filed 3–13–19; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

March 11, 2019.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, Washington, DC; New Executive Office Building, 725 17th Street NW, Washington, DC 20503. 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.

Comments regarding these information collections are best assured of having their full effect if received by April 15, 2019. Copies of the submission(s) may be obtained by calling (202) 720–8681.

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.

Agricultural Marketing Service

Title: Survey of Customers of the Official Grain Inspection and Weighing System.

OMB Control Number: 0581–0310.

Summary of Collection: The United States Grain Standards Act, as amended (7 U.S.C. 71–87) (USGSA), and the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621–1627) (AMA), authorizes the Secretary of the United States Department of Agriculture to establish official inspection, grading, and weighing programs for grains and other agricultural commodities. Under the USGSA and AMA, Grain Inspection, the Packers and Stockyard Administration's (GIPSA) Federal Grain Inspection Service (FGIS) offers inspecting, weighing, grading, quality assurance, and certification services for a user-fee to facilitate the efficient marketing of grain, oilseeds, rice, lentils, dry peas, edible beans, and related agricultural commodities in the global marketplace. The goal of FGIS and the official inspection, grading, and weighing system is to provide timely, high-quality, accurate, consistent, and professional services that facilitates the orderly marketing of grain and related commodities. FGIS will collect information using a link to the survey available on its main website.

Need and Use of the Information: The survey is separated into two parts, customers and non-customers. FGIS is seeking feedback from customers to evaluate the services provided by the official inspection, grading, and weighing programs. Information collected will help to determine where and to what extent services are satisfactory, and where and to what extent they can be improved. FGIS will collect information from entities, such as potential customers or industry representatives that are not currently utilizing FGIS services. Information collected from non-customers will assist FGIS in fully meeting the domestic and international needs of the grain industry as they evolve. The information will be shared with other managers and program leaders who will be responsible for making any necessary improvements at the office/agency, program, and project level.

Description of Respondents: Business or other for-profit; State, Local or Tribal Government.

Number of Respondents: 1,100.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 109.

Kimble Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2019–04764 Filed 3–13–19; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, U.S. Department of Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of the firms contributed importantly to the total or partial separation of the firms' workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

SUPPLEMENTARY INFORMATION:

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[02/19/2019 through 02/27/2019]

Firm name	Firm address	Date accepted for investigation	Product(s)
Skin, Mind, Body Essentials, LLC ..	130 Satellite Boulevard NE, Suite C, Suwanee, GA 30024.	2/21/2019	The firm manufactures cosmetics and skin care products, including cleansers, moisturizers, masks, and facial exfoliators.
Z-Axis Connector Company	345 Ivyland Road, Warminster, PA 18974.	2/25/2019	The firm manufactures miniature elastomeric connectors made from fine wire, polyimide substrates, and silicone rubber.
T&C Stainless, Inc	1016 Progress Street, Mount Vernon, MO 65712.	2/25/2019	The firm manufactures stainless steel pressure vessels for the pharmaceutical and biotechnology industries.
Blase Manufacturing Company	60 Watson Boulevard, Stratford, CT 06615.	2/26/2019	The firm manufactures precision ball bearing assemblies and components, including retainers, seals, shields, and caps.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE—Continued

[02/19/2019 through 02/27/2019]

Firm name	Firm address	Date accepted for investigation	Product(s)
Andrews Family Corporation, d/b/a Wool Shop.	21935 Highway E, Grant City, MO 64456.	2/27/2019	The firm manufactures lambswool cleaning products, primarily dusters.
Charles Loomis, Inc., d/b/a Charles Loomis Lighting.	11828 NE 112th Street, Kirkland, WA 98033.	2/27/2019	The firm manufactures lighting fixtures, including lamps, sconces, and chandeliers.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act of 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Irette Patterson,

Program Analyst.

[FR Doc. 2019–04735 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–848]

Certain Stilbenic Optical Brightening Agents From Taiwan: Preliminary Results of Antidumping Duty Administrative Review; 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) preliminarily finds that Teh Fong Min International Co., Ltd. (TFM), the sole producer and/or exporter subject to this administrative review, has made sales of subject merchandise at less than normal value. The period of review (POR) is May 1, 2017, through April 30, 2018. We invite interested parties to comment on these preliminary results.

DATES: Applicable March 14, 2019.

FOR FURTHER INFORMATION CONTACT: Andre Gziryan or Minoo Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2201, and (202) 482–1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty order on certain stilbenic optical brightening agents (OBAs) from Taiwan. The POR is May 1, 2017, through April 30, 2018. 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.[1] If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. Accordingly, the revised deadline for the preliminary results is now March 12, 2019.

Scope of the Order

The merchandise subject to the *Order*[2] is OBAs and is currently classifiable under subheadings 3204.20.8000, 2933.69.6050, 2921.59.4000 and 2921.59.8090 of the Harmonized Tariff Schedule of the United States (HTSUS). While the HTSUS numbers are provided for convenience and customs purposes, the written product description is dispositive. A full description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.[3]

Methodology

Commerce is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). Constructed export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov* and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/index.html.* A list of the topics discussed in the Preliminary Decision Memorandum is attached as an Appendix to this notice.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists for TFM for the period May 1, 2017, through April 30, 2018.

Producer/exporter	Weighted-average dumping margin (percent)
Teh Fong Min International Co., Ltd	19.82

[1] *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. All deadlines in this segment of the proceeding have been extended by 40 days.

[2] *See Certain Stilbenic Optical Brightening Agents from Taiwan: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order,* 77 FR 27419 (May 10, 2012) (*Order*).

[3] *See* ''Certain Stilbenic Optical Brightening Agents from Taiwan: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2017–2018,'' dated concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum).

Disclosure

We intend to disclose the calculations performed to parties in this proceeding within five days after public announcement of the preliminary results.[4]

Public Comment

Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit cases briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[5] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a summary of the argument; and (3) a table of authorities.[6]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance. All documents must be filed electronically using ACCESS which is available to registered users at *http://access.trade.gov.* An electronically filed request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time, within 30 days after the date of publication of this notice.[7] Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon issuance of the final results, Commerce shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries covered by this review.[8] If TFM's weighted-average dumping margin is above *de minimis* in the final results of this review, we will calculate importer-specific assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for each importer's examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1).[9] If TFM's weighted-average dumping margin is zero or *de minimis* in the final results of review, we will instruct CBP not to assess duties on any of its entries in accordance with the *Final Modification for Reviews.*[10]

For entries of subject merchandise during the POR produced by TFM for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of OBAs from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for TFM will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recent segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 6.19 percent.[11] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: March 6, 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

List of Topics Discussed in the Preliminary Decision Memorandum

Summary
Background
Scope of the Order
Discussion of the Methodology
Comparisons to Normal Value
A. Determination of Comparison Method
B. Results of the Differential Pricing Analysis
Product Comparisons
Date of Sale
Export Price and Constructed Export Price
Normal Value
A. Home Market Viability and Comparison Market
B. Cost of Production
C. Level of Trade
D. Calculation of Normal Value Based on Comparison Market Prices
E. Calculation of Normal Value Based on Constructed Value
Currency Conversion
Recommendation

[FR Doc. 2019–04749 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–DS–P

[4] *See* 19 CFR 351.224(b).

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

[6] *See* 19 CFR 351.309(c)(2) and (d)(2) and 19 CFR 351.303 (for general filing requirements).

[7] *See* 19 CFR 351.310(c).

[8] *See* 19 CFR 351.212(b).

[9] In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

[10] *See Final Modification for Reviews,* 77 FR at 8102.

[11] The all-others rate established in the *Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–560–828]

Certain Uncoated Paper From Indonesia: Final Results of Antidumping Duty Administrative Review; 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) determines that APRIL, the lone respondent in this administrative review, made sales of certain uncoated paper at prices below normal value during the period of review (POR) March 1, 2017, through February 28, 2018.

DATES: Applicable March 14, 2019.

FOR FURTHER INFORMATION CONTACT: Jacob Garten, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3342.

SUPPLEMENTARY INFORMATION:

Background

The review covers one producer/exporter of the subject merchandise, APRIL. APRIL is a collapsed entity consisting of the following companies: PT Anugerah Kertas Utama, PT Riau Andalan Kertas, APRIL Fine Paper Macao Offshore Limited, PT Sateri Viscose International, and A P Fine Paper Trading (Hong Kong) Limited.[1]

On November 7, 2018, Commerce published the *Preliminary Results.* Although we invited parties to comment on the preliminary results of the review,[2] no interested party submitted comments. Accordingly, no decision memorandum accompanies this **Federal Register** notice.[3] Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise under review includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level[4] of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered ''printed with final content'' where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

On September 1, 2017, Commerce determined that that imports of uncoated paper with a GE brightness of 83 +/− 1% (83 Bright paper), otherwise meeting the description of in-scope merchandise, constitute merchandise ''altered in form or appearance in minor respects'' from in-scope merchandise that are subject to this order.[5]

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Duty Absorption

As discussed in the *Preliminary Results,* the petitioners requested that Commerce determine whether antidumping duties have been absorbed by APRIL.[6] Section 751(a)(4) of the Act provides that, if requested during an administrative review initiated two or four years after the publication of the order, Commerce will determine whether antidumping duties have been absorbed by a foreign producer or exporter, if the subject merchandise is sold in the United States through an affiliated importer. Because this review was initiated two years after the publication of the order,[7] we are making a duty absorption determination in this segment of the proceeding within the meaning of 19 CFR 351.213(j). As explained in the *Preliminary Results,* we have determined a margin for APRIL on the basis of facts available with an adverse inference because APRIL failed to respond to Commerce's AD questionnaire. Similarly, the requirement of subject merchandise being sold in the United States through an affiliated importer is satisfied on the basis of AFA. Accordingly, we have applied an adverse inference to find that duty absorption exists on all U.S. sales of the subject merchandise exported by APRIL.[8]

Final Results of the Review

As a result of this review, we determine the dumping margin for APRIL for the period March 1, 2017, through February 28, 2018, is as follows:

[1] *See Certain Uncoated Paper from Indonesia: Preliminary Results of Antidumping Duty Administrative Review; 2017–2018,* 83 FR 55692 (November 7, 2018) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM) at 1.

[2] *See Preliminary Results,* 83 FR at 55692.

[3] For further details of the issues addressed in this proceeding, *see Preliminary Results* and PDM.

[4] One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. ''Colored paper'' as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

[5] *See Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Affirmative Final Determination of Circumvention of the Antidumping and Countervailing Duty Orders,* 82 FR 41610 (September 1, 2017).

[6] *See* PDM at 6.

[7] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 83 FR 19215 (May 2, 2018), and *Certain Uncoated Paper from Australia, Brazil, Indonesia, the People's Republic of China, and Portugal: Amended Final Affirmative Antidumping Determinations for Brazil and Indonesia and Antidumping Duty Orders,* 81 FR 11174 (March 3, 2016) (*Order*).

[8] *See* PDM at 6.

Exporter/producer	Dumping margin (percent)
PT Anugerah Kertas Utama, PT Riau Andalan Kertas, APRIL Fine Paper Macao Offshore Limited, PT Sateri Viscose International, and A P Fine Paper Trading (Hong Kong) Limited (collectively, APRIL)	66.81 [9]

Assessment Rates

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries in accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b). Because APRIL withdrew its participation from this review and reported no information to Commerce for this POR, we will instruct CBP to apply an assessment rate to all entries it produced and/or exported equal to the dumping margin indicated above. Commerce intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for APRIL will be the rate shown above; (2) for previously reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment; (3) if the exporter is not a firm covered in this review, a previous review, or the original less-than-fair value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 2.10 percent, the all-others rate made effective by the LTFV investigation.[10] These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to 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 written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: March 6, 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.

[FR Doc. 2019–04759 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–DS–P

[9] The cash deposit rate is equal to the petition rate (66.82 percent) adjusted for the lowest rate of export subsidies found for any company in the most recently-completed segment in the companion countervailing duty proceeding. *See Certain Uncoated Paper from Indonesia: Final Results of Countervailing Duty Administrative Review; 2015–2016,* 83 FR 52383 (October 17, 2018), and accompanying Issues and Decision Memorandum at Section V(3), showing an export subsidy of 0.01 percent related to the Exemption from Import Income Tax Withholding for Companies in Bonded Zone Locations Program.

[10] *See Order,* 81 FR at 11174.

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Rulings

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

DATES: Applicable March 14, 2019.

SUMMARY: The Department of Commerce (Commerce) hereby publishes a list of scope rulings and anticircumvention determinations made between July 1, 2017, and September 30, 2017, inclusive. We intend to publish future lists after the close of the next calendar quarter.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202–482–4735.

SUPPLEMENTARY INFORMATION:

Background

Commerce regulations provide that the Secretary will publish in the **Federal Register** a list of scope rulings on a quarterly basis.[1] Our most recent notification of scope rulings was published on (July 9, 2018).[2] This current notice covers all scope rulings and anticircumvention determinations made by Enforcement and Compliance between July 1, 2017, and September 30, 2017, inclusive.

Scope Rulings Made Between July 1, 2017 and September 30, 2017

A–583–831, A–580–834, A–588–845, and C–580–835: Stainless Steel Sheet and Strip in Coils From Japan, the Republic of Korea, and Taiwan

Requestor: Precision Hose, Inc; The imported strip at issue meets the physical characteristics of the strip in coils covered by the scope and does not qualify for the cut-to-length exclusion; August 28, 2017.

A–570–044: 1,1,1,2-Tetraflouroethane (R–134a) From the People's Republic of China

Requestor: BMP International Inc. (BMP). Commerce determined that R–134a produced in Japan and sent to a foreign trade zone (FTZ) in China for repackaging prior to shipment to the United States, as imported by BMP, is of Japanese origin, and is, thus, not covered by the scope of the Order because the product is merely repackaged in the China and not altered

[1] *See* 19 CFR 351.225(o).

[2] *See Notice of Scope Rulings,* 83 FR 31733 (July 9, 2018).

such that the physical characteristics of the product change because of repackaging at the FTZ; September 25, 2017.

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: Whirlpool Corporation. Whirlpool Corporation's refrigerator shelves meet the criteria for ''finished merchandise'' and are, therefore, not subject to the scope of the Orders; July 19, 2017.

A–570–899: Certain Artist Canvas From the People's Republic of China

Requestor: Ningbo Conda Imp & Exp Company, Ltd. and Ningbo Conda Art Material Group Co., Ltd. (collectively Ningbo Conda); Commerce determined that Ningbo Conda's exports of artist canvases which are woven in India and primed in Cambodia before being further processed (*i.e.,* cut, stretched, framed, or packaged) in China are outside the scope of the Order; September 25, 2017.

A–570–958 and C–570–959: Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses From the People's Republic of China

Requestor: Chenming International Inc. (Chenming). In a prior scope ruling, Commerce found that packaging paperboard products with a thickness greater than 310 µm and a density of less 0.70 g/cm^3 are not suitable for high-quality print graphics and, thus, are not covered by the scope of the Orders. Therefore, based on record evidence and this prior scope ruling, Commerce determined that Chenming's C1S Poplar Super FBB packaging paperboard product is not covered by the scope of the Orders, as C1S Poplar Super FBB has a thickness greater than 310 µm and a density of less 0.70 g/cm^3; September 5, 2017.

A–570–893: Certain Frozen Warmwater Shrimp From the People's Republic of China

Requestor: ACC Foods LLC; ACC's Chinese-style prepackaged shrimp dumplings and shrimp Chinese chive dumplings are not covered by the scope under the exclusion for prepared meals; August 2, 2017.

A–570–977 and C–570–978: High Pressure Steel Cylinders From the People's Republic of China

Requestor: Kivlan & Company, Inc. (dba Dynatemp International Inc.); Kivlan's empty DOT–39 cylinders are not covered by the scope because the plain language of the scope does not include DOT–39 cylinders; July 17, 2017.

A–570–875: Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China

Requestor: Star Pipe Products' (Star Pipe); Star Pipe's ductile iron flanges identified by the product codes FLD02SP, FLD03SP, FLD04SP, FLD0403, FLD0604, FLD0804, FLDTFS02, FLDTFS03, FLDTFS04, FL250D03, and FL250D04 are within the scope of the order; August 17, 2017.

A–570–875: Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China

Requestor: Continental Automotive Systems, Inc. (CAS); CAS's EEGR base identified by the product code GM–EEGR Base 440–389136 is not within the scope of the *Order* on non-malleable cast iron pipe fittings from China; September 18, 2017.

A–570–886: Polyethylene Retail Carrier Bags From the People's Republic of China

Requestor: Pan Pacific Plastics Manufacturing Inc.; Seal2Go Model A bag is outside the scope of the order; September 21, 2017.

A–570–922 and C–570–923: Raw Flexible Magnets From the People's Republic of China

Requestor: Tatco Product Inc. (Tatco Product); plastic pockets imported by Tatco are outside of the scope of the orders on flexible magnets from China because it is neither bonded nor laminated to requisite material; August 14, 2017.

A–570–922 and C–570–923: Raw Flexible Magnets From the People's Republic of China

Requestor: Tatco Products, Inc; non-printed magnetic label holders are within the scope and the magnetic label holder (with the zebra print design), is outside the scope of the orders; August 23, 2017.

A–570–922, C–570–923 and A–583–842: Raw Flexible Magnets From People's Republic of China and Taiwan

Requestor: Omix-Ada, Inc. (Omix-Ada); Commerce found the two magnetic panel protector kits (2007–2017 2-Door Jeep® Wrangler vehicles and 2007–2017 2-Door Jeep® Wrangler vehicles), which are imported by Omix-Ada and designed and fabricated to be affixed to the sides of Jeep® Wranglers to provide temporary protection when the vehicle is off-roading, to be within the scope of the orders. Commerce found the shape, partial lamination, and end-use of the panel protectors did not result in them being outside the scope of the orders; August 4, 2017.

A–570–909: Steel Nails From the People's Republic of China

Requestor: Midwest Fastener Corp; Strike pin anchors are within the order because the scope of the order includes nails of two or more pieces, which is consistent with the International Trade Commission's definition of the domestic like product; August 2, 2017.

A–570–932: Steel Threaded Rod From the People's Republic of China

Requestor: Star Pipe Products; Steel threaded rod components of 216 joint restraint kits are covered by the scope because they fall within the written description of the scope of the order, regardless of whether the steel threaded rod is included in a joint restraint kit; July 31, 2017

A–570–890: Wooden Bedroom Furniture From the People's Republic of China

Requestor: C&T International, Inc.; The Sorelle Petite Paradise Collection Infant Organizer/Storage Unit (Organizer) is covered by the scope of the antidumping duty order on wooden bedroom furniture (WBF) from China because the Organizer has physical characteristics that allow for clothing storage and the Organizer's characteristics are consistent with those of subject WBF; August 21, 2017.

Anticircumvention Determinations Made Between July 1, 2017, and September 30, 2017

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: Trending Imports LLC (Trending); In a concurrent anti-circumvention final determination, Commerce found that heat-treated extruded aluminum products from China that meet the chemical specifications for 5050 grade aluminum alloy, regardless of producer, exporter, or importer, constitute later-developed merchandise that is circumventing the Orders, and is thus included within the scope of the Orders. As a result, Commerce determined that 5050 series products imported by Trending are covered by the scope of the Orders, to the extent they are heat-treated extruded aluminum products that meet the chemical specifications for 5050 grade aluminum alloy; July 20, 2017.

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: Kota International, LTD (Kota); In a concurrent anti-circumvention final determination, Commerce found that heat-treated extruded aluminum products from China that meet the chemical specifications for 5050 grade aluminum alloy, regardless of producer, exporter, or importer, constitute later-developed merchandise that is circumventing the Orders, and is thus included within the scope of the Orders. As a result, Commerce determined that aluminum extrusions made from ACS–50 aluminum alloy material tempered through heat treating imported by Kota are covered by the scope of the Orders; July 20, 2017.

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: Aluminum Extrusions Fair Trade Committee; Heat-treated extruded aluminum products that meet the chemical specifications for 5050-grade aluminum alloy, regardless of producer, exporter, or importer, constitute later-developed merchandise, and are circumventing the antidumping and countervailing duty orders on aluminum extrusions from China; July 26, 2017.

A–602–807, A–351–842, A–570–022, C–570–023, A–560–828, C–560–829, A–471–807: Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal

Requestor: United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America Imports of uncoated paper with a GE brightness of 83 +/− 1%, otherwise meeting the description in-scope merchandise, constitute merchandise ''altered in form or appearance in minor respects'' from in-scope merchandise and are subject to the AD and CVD orders on certain uncoated paper; September 1, 2017 (82 FR 41610).

Interested parties are invited to comment on the completeness of this list of completed scope inquiries. Any comments should be submitted to the Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, 1401 Constitution Avenue NW, APO/Dockets Unit, Room 18022, Washington, DC 20230.

This notice is published in accordance with 19 CFR 351.225(o).

Dated: March 11, 2019.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2019–04752 Filed 3–13–19; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The Department of Commerce (Commerce) has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with December anniversary dates. In accordance with Commerce's regulations, we are initiating those administrative reviews.

DATES: Applicable March 14, 2019.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

SUPPLEMENTARY INFORMATION:

Background

Commerce has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with December anniversary dates.

All deadlines for the submission of various types of information, certifications, or comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting time.

Notice of No Sales

If a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review (POR), it must notify Commerce within 30 days of publication of this notice in the **Federal Register**. All submissions must be filed electronically at *http://access.trade.gov* in accordance with 19 CFR 351.303.[1] Such submissions are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy must be served on every party on Commerce's service list.

Respondent Selection

In the event Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, except for the review of the antidumping duty order on crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells and modules) from the People's Republic of China, Commerce intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review. We intend to place the CBP data on the record within five days of publication of the initiation notice and to make our decision regarding respondent selection within 30 days of publication of the initiation **Federal Register** notice. Comments regarding the CBP data and respondent selection should be submitted seven days after the placement of the CBP data on the record of this review. Parties wishing to submit rebuttal comments should submit those comments five days after the deadline for the initial comments.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, Commerce has found that determinations concerning whether particular companies should be ''collapsed'' (*e.g.,* treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of this review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*e.g.,* investigation, administrative review, new shipper review or changed circumstances review). For any company subject to this

[1] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete the Quantity and Value (Q&V) Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of this proceeding where Commerce considered collapsing that entity, complete Q&V data for that collapsed entity must be submitted.

In the event Commerce limits the number of respondents for individual examination in the administrative review of the antidumping duty order on solar cells and modules from the People's Republic of China, Commerce intends to select respondents based on volume data contained in responses to Q&V Questionnaires. Further, Commerce intends to limit the number of Q&V Questionnaires issued in the review based on CBP data for U.S. imports of solar cells and solar modules from the People's Republic of China. The units used to measure the imported quantities of solar cells and solar modules are ''number''; however, it would not be meaningful to sum the number of imported solar cells and the number of imported solar modules in attempting to determine the largest People's Republic of China exporters of subject merchandise by volume. Therefore, Commerce will limit the number of Q&V Questionnaires issued based on the import values in CBP data which will serve as a proxy for imported quantities. Parties subject to the review to which Commerce does not send a Q&V Questionnaire may file a response to the Q&V Questionnaire by the applicable deadline if they desire to be included in the pool of companies from which Commerce will select mandatory respondents. The Q&V Questionnaire will be available on Commerce 's website at *http://trade.gov/enforcement/news.asp* on the date of publication of this notice in the **Federal Register**. The responses to the Q&V Questionnaire must be received by Commerce no later than 21 days after the signature date of this initiation notice. Please be advised that due to the time constraints imposed by the statutory and regulatory deadlines for antidumping duty administrative reviews, Commerce does not intend to grant any extensions for the submission of responses to the Q&V Questionnaire. Parties will be given the opportunity to comment on the CBP data used by Commerce to limit the number of Q&V Questionnaires issued. We intend to place CBP data on the record within five days of publication of this notice in the **Federal Register**. Comments regarding the CBP data and respondent selection should be submitted seven days after placement of the CBP data on the record.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of particular market situation (PMS) for purposes of constructed value under section 773(e) of the Act.[2] Section 773(e) of the Act states that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial responses to section D of the questionnaire.

Separate Rates

In proceedings involving non-market economy (NME) countries, Commerce begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is Commerce's policy to assign all exporters of merchandise subject to an administrative review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, Commerce analyzes each entity exporting the subject merchandise. In accordance with the separate rates criteria, Commerce assigns separate rates to companies in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities.

All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below. For these administrative reviews, in order to demonstrate separate rate eligibility, Commerce requires entities for whom a review was requested, that were assigned a separate rate in the most recent segment of this proceeding in which they participated, to certify that they continue to meet the criteria for obtaining a separate rate. The Separate Rate Certification form will be available on Commerce's website at *http://enforcement.trade.gov/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the certification, please follow the ''Instructions for Filing the Certification'' in the Separate Rate Certification. Separate Rate Certifications are due to Commerce no later than 30 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Certification applies

[2] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers who purchase and export subject merchandise to the United States.

Entities that currently do not have a separate rate from a completed segment of the proceeding [3] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. In addition, companies that received a separate rate in a completed segment of the proceeding that have subsequently made changes, including, but not limited to, changes to corporate structure, acquisitions of new companies or facilities, or changes to their official company name,[4] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. The Separate Rate Status Application will be available on Commerce's website at *http://enforcement.trade.gov/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the Separate Rate Status Application, refer to the instructions contained in the application. Separate Rate Status Applications are due to Commerce no later than 30 calendar days of publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Status Application applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase and export subject merchandise to the United States.

For exporters and producers who submit a separate-rate status application or certification and subsequently are selected as mandatory respondents, these exporters and producers will no longer be eligible for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents.

Furthermore, firms to which Commerce issues a Q&V questionnaire in the antidumping duty administrative review of solar cells and modules from the People's Republic of China must submit a timely and complete response to the Q&V questionnaire, in addition to a timely and complete Separate Rate Application or Certification in order to receive consideration for separate-rate status. In other words, Commerce will not give consideration to any timely Separate Rate Certification or Application made by parties to whom Commerce issued a Q&V questionnaire but who failed to respond in a timely manner to the Q&V questionnaire. Exporters subject to the antidumping duty administrative review of solar cells and modules from the People's Republic of China to which Commerce does not send a Q&V questionnaire may receive consideration for separate-rate status if they file a timely Separate Rate Application or a timely Separate Rate Certification without filing a response to the Q&V questionnaire. All information submitted by respondents in the antidumping duty administrative review of solar cells and modules from the People's Republic of China is subject to verification. As noted above, the Separate Rate Certification, the Separate Rate Application, and the Q&V questionnaire will be available on Commerce's website on the date of publication of this notice in the **Federal Register**.

Initiation of Reviews

In accordance with 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than December 31, 2019.

	Period to be reviewed
Antidumping Duty Proceedings	
India: Carbazole Violet Pigment 23, A–533–838	12/1/17–11/30/18
Pidilite Industries Limited	
India: Oil Country Tubular Goods,[5] A–533–857	9/1/17–8/31/18
GVN Fuels, Ltd.	
Mexico: Circular Welded Non-Alloy Steel Pipe,[6] A–201–805	11/1/17–10/31/18
Arceros El Aguila y Arco Metal, S.A. de C.V.	
Arco Metal S.A. de C.V.	
Oman: Circular Welded Carbon-Quality Steel Pipe, A–523–812	12/1/17–11/30/18
Al Jazeera Steel Products Co. SAOG	
Al Samna Metal Manufacturing & Trading Company LLC	
Ballore Logistics (Oman) LLC	
Transworld Shipping Trading & Logistics Services LLC	
Republic of Korea: Welded Line Pipe, A–580–876	12/1/17–11/30/18
AJU Besteel Co., Ltd.	
BDP Interntional, Inc.	
Daewoo International Corporation	
Dongbu Incheon Steel Co.	
Dongbu Steel Co., Ltd.	
Dongkuk Steel Mill	
Dong Yang Steel Pipe	
EEW Korea Co., Ltd.	
HISTEEL Co., Ltd.	
Husteel Co., Ltd.	
Hyundai RB Co. Ltd.	
Hyundai Steel Company/Hyundai HYSCO	
Kelly Pipe Co., LLC	
Keonwoo Metals Co., Ltd.	
Kolon Global Corp.	
Korea Cast Iron Pipe Ind. Co., Ltd.	
Kurvers Piping Italy S.R.L.	
MSTEEL Co., Ltd.	

[3] Such entities include entities that have not participated in the proceeding, entities that were preliminarily granted a separate rate in any currently incomplete segment of the proceeding (*e.g.,* an ongoing administrative review, new shipper review, *etc.*) and entities that lost their separate rate in the most recently completed segment of the proceeding in which they participated.

[4] Only changes to the official company name, rather than trade names, need to be addressed via a Separate Rate Application. Information regarding new trade names may be submitted via a Separate Rate Certification.

	Period to be reviewed
Miju Steel MFG Co., Ltd.	
NEXTEEL Co., Ltd.	
Poongsan Valinox (Valtimet Division)	
POSCO	
POSCO Daewoo	
R&R Trading Co. Ltd.	
Sam Kang M&T Co., Ltd.	
SeAH Steel Corp.	
Sin Sung Metal Co., Ltd.	
SK Networks	
Soon-Hong Trading Company	
Steel Flower Co., Ltd.	
TGS Pipe	
Tokyo Engineering Korea Ltd.	
Russia: Certain Hot-Rolled Carbon Steel Flat Products, A–821–809	12/1/17–11/30/18
Novolipetsk Steel (NLMK)	
Severstal PAO	
Severstal Export GmbH	
Taiwan: Steel Wire Garment Hangers, A–583–949	12/1/17–11/30/18
Charles Enterprise Co., Ltd.	
Gee Ten Enterprise Co., Ltd.	
Inmall Enterprises Co., Ltd.	
Mindful Life and Coaching Co., Ltd.	
Ocean Concept Corporation	
Su-Chia International Ltd.	
Taiwan Hanger Manufacturing Co., Ltd.	
Young Max Enterprises Co. Ltd.	
The People's Republic of China: Certain Cased Pencils, A–570–827	12/1/17–11/30/18
Beijing Fila Dixon Stationery Co., Ltd. (aka Beijing Dixon Ticonderoga Stationery Co., Ltd. and Beijing Dixon Stationery Co., Ltd.)	
Fila Dixon Stationery (Kunshan) Co., Ltd.	
Ningbo Homey Union Co., Ltd.	
Orient International Holding Shanghai Foreign Trade Co., Ltd.	
Shandong Rongxin Import & Export Co., Ltd.	
Shandong Wah Yuen Stationery Co. Ltd.	
Tianjin Tonghe Stationery Co. Ltd.	
Wah Yuen Stationery Co. Ltd.	
The People's Republic of China: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, A–570–979	12/1/17–11/30/18
Anji DaSol Solar Energy Science & Technology Co., Ltd.	
BYD (Shangluo) Industrial Co., Ltd.	
Canadian Solar (USA) Inc.	
Canadian Solar Inc.	
Canadian Solar International Limited/Canadian Solar Manufacturing (Changshu), Inc./Canadian Solar Manufacturing (Luoyang) Inc./CSI Cells Co., Ltd./CSI–GCL Solar Manufacturing (YanCheng) Co., Ltd./CSI Solar Power (China) Inc.	
Changzhou Trina Solar Energy Co., Ltd./Trina Solar (Changzhou) Science and Technology Co., Ltd./Yancheng Trina Solar Energy Technology Co., Ltd./Changzhou Trina Solar Yabang Energy Co., Ltd./Turpan Trina Solar Energy Co., Ltd./Hubei Trina Solar Energy Co., Ltd./Trina Solar (Hefei) Science and Technology Co., Ltd.	
Chint Solar (Zhejiang) Co., Ltd.	
De-Tech Trading Limited HK	
Dongguan Sunworth Solar Energy Co., Ltd.	
Eoplly New Energy Technology Co., Ltd.	
ERA Solar Co., Ltd.	
ET Solar Energy Limited	
ET Solar Industry Limited	
Hangzhou Sunny Energy Science & Technology Co., Ltd.	
Hangzhou Zhejiang University Sunny Energy Science and Technology Co., Ltd.	
Hengdian Group DMEGC Magnetics Co., Ltd.	
JA Solar Technology Yangzhou Co., Ltd.	
Jiangsu High Hope Int'l Group	
Jiangsu Sunlink PV Technology Co., Ltd.	
Jiawei Solarchina (Shenzhen) Co., Ltd.	
Jiawei Solarchina Co., Ltd.	
JingAo Solar Co., Ltd.	
Jinko Solar Co., Ltd.	
Jinko Solar Import and Export Co., Ltd.	
Jinko Solar International Limited	
JinkoSolar (U.S.) Inc.	
LERRI Solar Technology Co., Ltd.	
LightWay Green New Energy Co., Ltd.	
Nice Sun PV Co., Ltd.	
Ningbo ETDZ Holdings, Ltd.	
Ningbo Qixin Solar Electrical Appliance Co., Ltd.	

	Period to be reviewed
Risen Energy Co., Ltd.	
Shanghai BYD Co., Ltd.	
Shanghai JA Solar Technology Co., Ltd.	
Shenzhen Portable Electronic Technology Co., Ltd.	
Shenzhen Sungold Solar Co., Ltd.	
Shenzhen Topray Solar Co., Ltd.	
Shenzhen Yingli New Energy Resources Co., Ltd.	
Sumec Hardware & Tools Co., Ltd.	
Sunpreme Inc.	
Sunpreme Solar Technology (Jiaxing) Co., Ltd.	
Systemes Versilis, Inc.	
Taizhou BD Trade Co., Ltd.	
tenKsolar (Shanghai) Co., Ltd.	
Toenergy Technology Hangzhou Co., Ltd.	
Wuxi Suntech Power Co., Ltd/Luoyang Suntech Power Co., Ltd.	
Wuxi Tianran Photovoltaic Co., Ltd.	
Xiamen Eco-sources Technology Co., Ltd.	
Yingli Energy (China) Company Limited/Baoding Tianwei Yingli New Energy Resources Co., Ltd./Tianjin Yingli New Energy Resources Co., Ltd./Hengshui Yingli New Energy Resources Co., Ltd./Lixian Yingli New Energy Resources Co., Ltd./Baoding Jiasheng Photovoltaic Technology Co., Ltd./Beijing Tianneng Yingli New Energy Resources Co., Ltd./Hainan Yingli New Energy Resources Co., Ltd./Shenzhen Yingli New Energy Resources Co., Ltd.	
Yingli Green Energy Holding Company Limited	
Yingli Green Energy International Trading Company Limited	
Zhejiang ERA Solar Technology Co., Ltd.	
Zhejiang Jinko Solar Co., Ltd.	
Zhejiang Sunflower Light Energy Science & Technology Limited Liability Company	
The People's Republic of China: Fresh Garlic,[7] A–570–831	11/1/17–10/31/18
Chengwu County Yuanxiang Industries	
Chengwu Yuanxiang Industry and Commerce Co., Ltd.	
Jiangsu Lvhui Food Co., Ltd.	
Jiang Hua Yao Autonomous County Nikko Biotechnology Co., Ltd.	
Jiangyong Foreign Trade Corp.	
Lianyungang Xiangjiang Food Co., Ltd.	
Qingdao Ritai Food Co., Ltd.	
Shandong Chenhe International Trading Co., Ltd.	
Tianjin Calgry Import Export	
Weifang Naike Food Co., Ltd.	
The People's Republic of China: Honey, A–570–863	12/1/17–11/30/18
Inner Mongolia Komway Import & Export Co., Ltd.	
Jiangsu Runchen Agricultural/Sideline Foodstuff Co., Ltd.	
Shenzhen Long Sheng Shang Mao Ltd.	
The People's Republic of China: Malleable Cast Iron Pipe Fittings, A–570–881	12/1/17–11/30/18
Beijing Sai Lin Ke Hardware Co. Ltd.	
Beijing SLK Hardware	
Chengde Kaida Casting Co., Ltd.	
Jinan Meide Casting Co., Ltd.	
Langfang Pannext Pipe Fitting Co., Ltd.	
LDR Industries, Inc.	
Weifang Xinhuitong Metal Work Co. Ltd.	
The People's Republic of China: Multilayered Wood Flooring, A–570–970	12/1/17–11/30/18
A&W (Shanghai) Woods Co., Ltd.	
Anhui Boya Bamboo & Wood Products Co., Ltd.	
Anhui Longhua Bamboo Product Co., Ltd.	
Anhui Yalong Bamboo & Wood Products Co. Ltd.	
Armstrong Wood Products (Kunshan) Co., Ltd.[8]	
Baroque Timber Zhongstan Co., Ltd.	
Benxi Flooring Factory (General Partnership)	
Benxi Wood Company	
Chinafloors Timber (China) Co., Ltd.	
Dalian Dajen Wood Co., Ltd.	
Dalian Deerfu Wooden Product Co., Ltd.	
Dalian Guhua Wooden Products Co., Ltd.	
Dalian Huade Wood Product Co., Ltd.	
Dalian Jaenmaken Wood Industry Co., Ltd.	
Dalian Jiahong Wood Industry Co., Ltd.	
Dalian Kemian Wood Industry Co., Ltd.	
Dalian Qianqiu Wooden Product Co., Ltd	
Dalian Shengyu Science And Technology Development Co., Ltd.	
Dalian Shumaike Floor Manufacturing Co., Ltd.	
Dalian T-Boom Wood Products Co., Ltd.	
Dongtai Fuan Universal Dynamics, LLC	
Dunhua City Hongyuan Wood Industry Co., Ltd.	
Dunhua City Jisen Wood Industry Co., Ltd.[9]	

	Period to be reviewed
Dunhua City Wanrong Wood Industry Co., Ltd.	
Dun Hua Sen Tai Wood Co., Ltd.	
Dunhua Shengda Wood Industry Co., Ltd.	
Fine Furniture (Shanghai) Limited and Double F Limited [10]	
Fusong Jinlong Wooden Group Co., Ltd.	
Fusong Jinqiu Wooden Product Co., Ltd.	
Fusong Qianqui Wooden Product Ltd.	
Guangzhou Homebon Timber Manufacturing Co., Ltd.	
Guangzhou Panyu Kangda Board Co., Ltd.	
Guangzhou Panyu Southern Star Co., Ltd.	
HaiLin LinJing Wooden Products, Ltd.	
Hangzhou Hanje Tee Company Limited	
Hangzhou Zhengtian Industrial Co., Ltd.	
Houzhou Chenchang Wood Co., Ltd.	
Hunchun Forest Wolf Wooden Industry Co., Ltd.	
Hunchun Xingjia Wooden Flooring Inc.	
Huzhou Chenghang Wood Co. Ltd.	
Huzhou Fulinmen Imp. & Exp. Co., Ltd.	
Huzhou Jesonwood Co., Ltd.	
Huzhou Sunergy World Trade Co., Ltd.	
Innomaster Home (Zhongshan) Co., Ltd.	
Jianfeng Wood (Suzhou) Co., Ltd.	
Jiangsu Guyu International Trading Co., Ltd.	
Jiangsu Keri Wood Co., Ltd.	
Jiangsu Mingle Flooring Co., Ltd.	
Jiangsu Senmao Bamboo and Wood Industry Co., Ltd.	
Jiangsu Simba Flooring Co., Ltd.	
Jiangsu Yuhui International Trade Co., Ltd.	
Jiashan HuiJiaLe Decoration Material Co., Ltd.	
Jiashan On-Line Lumber Co., Ltd.	
Jiaxing Hengtong Wood Co., Ltd.	
Jilin Forest Industry Jinqiao Flooring Group Co., Ltd.	
Jilin Xinyuan Wooden Industry Co., Ltd.	
Kember Flooring, Inc.	
Kemian Wood Industry (Kunshan) Co., Ltd.	
Kingman Floors Co., Ltd.	
Lauzon Distinctive Hardwood Flooring, Inc.	
Linyi Anying Wood Co., Ltd.	
Linyi Bonn Flooring Manufacturing Co., Ltd.	
Linyi Youyou Wood Co., Ltd.	
Metropolitan Hardwood Floors, Inc.	
Mudanjiang Bosen Wood Industry Co., Ltd.	
Nakahiro Jyou Sei Furniture (Dalian) Co., Ltd.	
Omni Arbor Solutions Co., Ltd.	
Pinge Timber Manufacturing (Zhejiang) Co., Ltd.	
Power Dekor Group Co. Ltd.	
Power Dekor North America Inc.	
Scholar Home (Shanghai) New Material Co. Ltd.	
Shandong Longteng Wood Co., Ltd.	
Shanghai Lairunde Wood Co., Ltd.	
Shanghaifloor Timber (Shanghai) Co., Ltd.	
Shenyang Haobainian Wooden Co., Ltd.	
Shenzhenshi Huanwei Woods Co., Ltd.	
Sino-Maple (Jiangsu) Co., Ltd.	
Suzhou Dongda Wood Co., Ltd.	
Tongxiang Jisheng Import and Export Co., Ltd.	
Xiamen Yung De Ornament Co., Ltd.	
Xuzhou Antop International Trade Co., Ltd.	
Xuzhou Shenghe Wood Co., Ltd.	
Yekalon Industry, Inc.	
Yihua Lifestyle Technology Co., Ltd. (successor-in-interest to Guangdong Yihua Timber Industry Co., Ltd.)	
Zhejiang Biyork Wood Co., Ltd.	
Zhejiang Dadongwu Green Home Wood Co., Ltd.	
Zhejiang Fudeli Timber Industry Co., Ltd.	
Zhejiang Fuerjia Wooden Co., Ltd.	
Zhejiang Jiechen Wood Industry Co., Ltd.	
Zhejiang Longsen Lumbering Co., Ltd.	
Zhejiang Shiyou Timber Co., Ltd.	
Zhejiang Shuimojiangnan New Material Technology Co., Ltd.	
Zhejiang Simite Wooden Co., Ltd.	
Turkey: Steel Concrete Reinforcing Bar,[11] C–489–819	1/1/17–12/31/17
Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S.	
Turkey: Welded Line Pipe, A–489–822	12/1/17–11/30/18
Borusan Istikbal Ticaret	

	Period to be reviewed
Borusan Mannesmann Boru Sanayi ve Ticaret A.	
Cayirova Boru Sanayii ve Ticaret A.S.	
Cimtas Boru Imalatlari ve Ticaret, Ltd. Sti.	
Emek Boru Makina Sanayi ve Ticaret A.S.	
Erbosan Erciyas Tube Industry and Trade Co. Inc.	
Erciyas Celik Boru Sanayii A.S.	
Guven Celik Boru Sanayii ve Ticaret Ltd. Sti.	
Has Altinyagmur celik Boru Sanayii ve Ticaret Ltd. Sti.	
HDM Steel Pipe Industry & Trade Co. Ltd.	
Metalteks Celik Urunleri Sanayii	
MMZ Onur Boru Profil Uretim Sanayii ve Ticaret A.S.	
Noksel Steel Pipe Co. Inc.	
Ozbal Celik Boru	
Toscelik Profile and Sheet Industry, Co.	
Tosyali Dis Ticaret A.S.	
Umran Celik Boru Sanayii	
YMS Pipe & Metal Sanayii A.S.	
Yucelboru Ihracat Ithalat Pazzarlam	
United Arab Emirates: Circular Welded Carbon-Quality Steel Pipe, A–520–807	12/1/17–11/30/18
Abu Dhabi Metal Pipes and Profiles Industries Complex	
Ajmal Steel Tubes & Pipes Ind. L.L.C	
Al Jazeera Steel Products Co. SAOG	
Al Mansoori Industrial Supply	
Baker Hughes EHO Ltd.	
BioAir Solutions LLC	
Bridgeway Shipping & Clearing Services, LLC	
Conares Meal Supply Ltd.	
Ferrofab FTZ	
Ferrolab LLC	
Global Steel Industries	
Halima Pipe Co., Ltd.	
KHK Scaffolding and Framework LLC	
Lamprell	
Link Middle East Ltd.	
Noble Marine Metals Co., W.L.L.	
Prime Metal Corp. USA	
PSL FZE	
Reyah Metal Trading FZE	
THL Pipe and Tube Industries LLC	
Three Star Metal Ind LLC	
Tiger Steel Industries LLC	
Universal Tube and Pipe Industries Limited	
Universal Tube and Plastic Industries, Ltd	
UTP Pipe USA Corp	
Countervailing Duty Proceedings	
India: Carbazole Violet Pigment 23, C–533–839	1/1/17–12/31/17
Pidilite Industries Limited	
The People's Republic of China: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, C–570–980	1/1/17–12/31/17
Anji DaSol Solar Energy Science & Technology Co., Ltd.	
Baoding Jiasheng Photovoltaic Technology Co., Ltd.	
Baoding Tianwei Yingli New Energy Resources Co., Ltd.	
Beijing Tianneng Yingli New Energy Resources Co., Ltd.	
BYD (Shangluo) Industrial Co., Ltd.	
Canadian Solar (USA) Inc.	
Canadian Solar Inc.	
Canadian Solar International Limited	
Canadian Solar Manufacturing (Changshu) Inc.	
Canadian Solar Manufacturing (Luoyang) Inc.	
Changzhou Trina Solar Energy Co., Ltd.	
Changzhou Trina Solar Yabang Energy Co., Ltd.	
Chint Solar (Zhejiang) Co., Ltd.	
CSI Cells Co., Ltd.	
CSI–GCL Solar Manufacturing (Yancheng) Co., Ltd.	
De-Tech Trading Limited HK	
Dongguan Sunworth Solar Energy Co., Ltd.	
Eoplly New Energy Technology Co., Ltd.	
ERA Solar Co., Ltd.	
ET Solar Energy Limited	
Hainan Yingli New Energy Resources Co., Ltd.	
Hangzhou Sunny Energy Science and Technology Co., Ltd.	
Hengdian Group DMEGC Magnetics Co. Ltd.	
Hengshui Yingli New Energy Resources Co., Ltd.	
Hubei Trina Solar Energy Co., Ltd.	

	Period to be reviewed
JA Solar Technology Yangzhou Co., Ltd.	
JA Technology Yangzhou Co., Ltd.	
Jiangsu High Hope Int'l Group	
Jiawei Solarchina (Shenzhen) Co., Ltd.	
Jiawei Solarchina Co., Ltd.	
JingAo Solar Co., Ltd.	
Jinko Solar (U.S.) Inc.	
Jinko Solar Co., Ltd.	
Jinko Solar Import and Export Co., Ltd.	
Jinko Solar International Limited	
LERRI Solar Technology Co., Ltd.	
Lightway Green New Energy Co., Ltd.	
Lixian Yingli New Energy, Resources Co., Ltd.	
Luoyang Suntech Power Co., Ltd.	
Nice Sun PV Co., Ltd.	
Ningbo ETDZ Holdings, Ltd.	
Ningbo Qixin Solar Electrical Appliance Co., Ltd.	
Risen Energy Co., Ltd.	
Shanghai BYD Co., Ltd.	
Shanghai JA Solar Technology Co., Ltd.	
Shenzhen Glory Industries Co., Ltd.	
Shenzhen Sungold Solar Co., Ltd.	
Shenzhen Topray Solar Co., Ltd.	
Shenzhen Yingli New Energy Resources Co., Ltd.	
Sumec Hardware & Tools Co., Ltd.	
Sunpreme Solar Technology (Jiaxing) Co., Ltd.	
Systemes Versilis, Inc.	
Taizhou BD Trade Co., Ltd.	
tenKsolar (Shanghai) Co., Ltd.	
Tianjin Yingli New Energy Resources Co., Ltd.	
Tianneng Yingli New Energy Resources Co., Ltd.	
Toenergy Technology Hangzhou Co., Ltd.	
Trina Solar (Changzhou) Science and Technology Co., Ltd.	
Turpan Trina Solar Energy Co., Ltd.	
Wuxi Suntech Power Co., Ltd.	
Wuxi Tianran Photovoltaic Co., Ltd.	
Yancheng Trina Solar Energy Technology Co., Ltd.	
Yingli Energy (China) Company Limited	
Yingli Green Energy Holding Company Limited	
Yingli Green Energy International Trading Company Limited	
Zhejiang ERA Solar Technology Co., Ltd.	
Zhejiang Jinko Solar Co., Ltd.	
Zhejiang Sunflower Light Energy Science & Technology Limited Liability Company	
The People's Republic of China: Multilayered Wood Flooring,[12] C–570–971	1/1/17–12/31/17
A&W (Shanghai) Woods Co., Ltd.	
Anhui Boya Bamboo & Wood Products Co., Ltd.	
Anhui Longhua Bamboo Product Co., Ltd.	
Anhui Suzhou Dongda Wood Co., Ltd.	
Armstrong Wood Products (Kunshan) Co., Ltd.	
Baishan Huafeng Wooden Product Co., Ltd.	
Baiying Furniture Manufacturer Co., Ltd.	
Baroque Timber Industries (Zhongshan) Co., Ltd.	
Benxi Flooring Factory (General Partnership)	
Benxi Wood Company	
Changbai Mountain Development And Protection Zone Hongtu Wood Industrial	
Changzhou Hawd Flooring Co., Ltd.	
Cheng Hang Wood Co., Ltd.	
Chinafloors Timber (China) Co., Ltd.	
Dalian Dajen Wood Co., Ltd.	
Dalian Deerfu Wooden Product Co., Ltd.	
Dalian Huade Wood Product Co., Ltd.	
Dalian Huilong Wooden Products Co., Ltd.	
Dalian Jaenmaken Wood Industry Co., Ltd.	
Dalian Jiahong Wood Industry Co., Ltd.	
Dalian Jinda Wood Products Corporation	
Dalian Jiuyuan Wood Industry Co., Ltd.	
Dalian Kemian Wood Industry Co., Ltd.	
Dalian Meisen Woodworking	
Dalian Penghong Floor Products Co., Ltd.	
Dalian Qianqiu Wooden Product Co., Ltd	
Dalian Shengyu Science and Technology Development Co., Ltd.	
Dalian Shumaike Floor Manufacturing Co., Ltd.	
Dalian T-Boom Wood Products Co., Ltd.	
Dalian Xinjinghua Wood Co., Ltd.	

	Period to be reviewed
Dongtai Fuan Universal Dynamics, LLC	
Dongtai Zhangshi Wood Industry Co. Ltd.	
Dun Hua Sen Tai Wood Co., Ltd.	
Dunhua City Dexin Wood Industry Co., Ltd.	
Dunhua City Hongyuan Wood Industry Co., Ltd.	
Dunhua City Jisen Wood Industry Co., Ltd.	
Dunhua City Wanrong Wood Industry Co., Ltd.	
Dunhua Shengda Wood Industry Co., Ltd.	
Fine Furniture (Shanghai) Limited	
Fu Lik Timber (HK) Co., Ltd.	
Fujian Wuyishan Werner Green Industry Co., Ltd.	
Furnco International Shanghai Company	
Fusong Jinlong Wooden Group Co., Ltd.	
Fusong Jinqiu Wooden Product Co., Ltd.	
Fusong Qianqiu Wooden Product Co., Ltd.	
Gaotang Weilong Industry and Trade	
Gold Seagull Shanghai Flooring	
GTP International Ltd.	
Guangdong Fu Lin Timber Technology Limited	
Guangdong Yihua Timber Industry Co., Ltd.	
Guangzhou Homebon Timber Manufacturing Co., Ltd.	
Guangzhou Panyu Kangda Board Co., Ltd.	
Guangzhou Panyu Southern Star Co., Ltd.	
HaiLin LinJing Wooden Products, Ltd.	
HaiLin XinCheng Wooden Products, Ltd.	
Hangzhou Dazhuang Floor Co., Ltd. (DBA Dasso Industrial Group Co., Ltd.)	
Hangzhou Hanje Tee Company Limited	
Hangzhou Huahi Wood Industry Co., Ltd.	
Hangzhou Zhengtian Industrial Co., Ltd.	
Henan Xingwangjia Technology Co., Ltd.	
Hong Kong Chuanshi Inernational	
Hong Kong Easoon Wood Technology Co., Ltd.	
Huaxin Jiasheng Wood Co., Ltd.	
Huber Engineering Wood Corp.	
Houzhou Chenchang Wood Co., Ltd.	
Hunchun Forest Wolf Wooden Industry Co., Ltd.	
Hunchun Xingja Wooden Flooring Inc.	
Huzhou City Nanxun Guangda Wood Co., Ltd.	
Huzhou Daruo Import and Export	
Huzhou Fulinmen Imp. & Exp. Co., Ltd.	
Huzhou Fuma Wood Co., Ltd.	
Huzhou Jesonwood Co., Ltd.	
Huzhou Laike Import and Export Co	
Huzhou Muyun Wood Co., Ltd.	
Huzhou Sunergy World Trade Co., Ltd.	
Innomaster Home (Zhongshan) Co., Ltd.	
Jesonwood Forest Products ZJ	
Jiafeng Wood (Suzhou) Co., Ltd.	
Jiangsu Guyu International Trading Co., Ltd.	
Jiangsu Kentier Wood Co., Ltd.	
Jiangsu Keri Wood Co., Ltd.	
Jiangsu Mingle Flooring Co., Ltd.	
Jiangsu Senmao Bamboo and Wood Industry Co., Ltd.	
Jiangsu Simba Flooring Co., Ltd.	
Jiangsu Yuhui International Trade Co., Ltd.	
Jiashan Fengyun Timber Co., Ltd.	
Jiashan HuiJiaLe Decoration Material Co., Ltd.	
Jiashan On-Line Lumber Co., Ltd.	
Jiaxing Hengtong Wood Co., Ltd.	
Jilin Forest Industry Jinqiao Flooring Group Co., Ltd.	
Jilin Xinyuan Wooden Industry Co., Ltd.	
Karly Wood Product Limited	
Kember Flooring, Inc.	
Kemian Wood Industry (Kunshan) Co., Ltd.	
Kingman Floors Co., Ltd.	
Kornbest Enterprises Limited	
Kunming Alston (AST) Wood Products Co., Ltd.	
Les Planchers Mercier, Inc.	
Liaoning Daheng Timber Group	
Linyi Anying Wood Co., Ltd.	
Linyi Bonn Flooring Manufacturing Co., Ltd.	
Linyi Youyou Wood Co., Ltd.	
Logwin Air and Ocean Hong Kong	
Max Choice Wood Industry	

	Period to be reviewed
Metropolitan Hardwood Floors, Inc.	
Mudanjiang Bosen Wood Industry Co., Ltd.	
Nakahiro Jyou Sei Furniture (Dalian) Co., Ltd.	
Nanjing Minglin Wooden Industry Co., Ltd.	
Ningbo Tianyi Bamboo and Wood Products Co., Ltd.	
Pinge Timber Manufacturing (Zhejiang) Co., Ltd.	
Power Dekor Group Co. Ltd.	
Power Dekor North America Inc.	
PT. Tanjung Kreasi Parquet Industry	
Qingdao Barry Flooring Co., Ltd.	
Qingdao Wisdom International	
Riverside Plywood Corporation	
Samling Elegant Living Trading (Labuan) Ltd.	
Samling Riverside Co., Ltd.	
Scholar Home (Shanghai) New Material Co. Ltd.	
Shandong Kaiyuan Wood Industry Co., Ltd.	
Shandong Longteng Wood Co., Ltd.	
Shandong Puli Trading Co., Ltd.	
Shanghai Anxin (Weiguang) Timber Co., Ltd.	
Shanghai Demeija Timber Co., Ltd.	
Shanghai Eswell Timber Co., Ltd.	
Shanghai Lairunde Wood Co., Ltd.	
Shanghai Lizhong Wood Products Co., Ltd. (aka The Lizhong Wood Industry Limited Company of Shanghai)	
Shanghai New Sihe Wood Co., Ltd.	
Shanghai Shenlin Corporation	
Shanghaifloor Timber (Shanghai) Co., Ltd.	
Shenyang Haobainian Wooden Co., Ltd.	
Shenyang Sende Wood Co., Ltd.	
Shenzhenshi Huanwei Woods Co., Ltd.	
Sino-Maple (Jiangsu) Co., Ltd.	
Suifenhe Chengfeng Trading Co., Ltd.	
Sunyoung Wooden Products	
Suzhou Anxin Weiguang Timber Co., Ltd.	
Suzhou Dongda Wood Co., Ltd.	
Suzhou Times Flooring Co., Ltd.	
Tak Wah Building Material (Suzhou) Co.	
Tech Wood International Ltd.	
The Greenville Flooring Co., Ltd.	
Tongxiang Jisheng Import and Export Co., Ltd.	
Topocean Consolidation Service	
Vicwood Industry (Suzhou) Co. Ltd.	
Xiamen Yung De Ornament Co., Ltd.	
Xuzhou Antop International Trade Co., Ltd.	
Xuzhou Shenghe Wood Co., Ltd.	
Yekalon Industry, Inc.	
Yihua Lifestyle Technology Co., Ltd.	
Yingyi-Nature (Kunshan) Wood Industry Co., Ltd.	
Yixing Lion-King Timber Industry	
Zhejiang Anji Xinfeng Bamboo and Wood Industry Co., Ltd.	
Zhejiang Biyork Wood Co., Ltd.	
Zhejiang Dadongwu Auto Elect Motor	
Zhejiang Dadongwu Green Home Wood Co., Ltd.	
Zhejiang Desheng Wood Industry Co., Ltd.	
Zhejiang Fudeli Timber Industry Co., Ltd.	
Zhejiang Fuerjia Wooden Co., Ltd.	
Zhejiang Fuma Warm Technology Co., Ltd.	
Zhejiang Haoyun Wooden Co., Ltd.	
Zhejiang Jesonwood Co., Ltd.	
Zhejiang Jiaye Flooring	
Zhejiang Jiechen Wood Industry Co., Ltd.	
Zhejiang Longsen Lumbering Co., Ltd.	
Zhejiang Shiyou Timber Co., Ltd.	
Zhejiang Shuimojiangnan New Material Technology Co., Ltd.	
Zhejiang Simite Wooden Co., Ltd.	
Zhejiang Tianzhen Bamboo & Wood Development Co., Ltd.	
Zhejiang Yongyu Bamboo Joint-Stock Co., Ltd.	
Suspension Agreements	
Mexico: Sugar, A–201–845	12/1/17–11/30/18
Mexico: Sugar, C–201–846	1/1/18–12/31/18

[5] In the initiation notice that published on November 15, 2018 (83 FR 57411), Commerce inadvertently excluded clarifying language with respect to the initiation of this review. This notice serves as a correction to the November 15, 2018 initiation notice. Excluded from the antidumping duty order are certain oil country tubular goods (OCTG) from India both produced and exported by the GVN single entity (comprised of GVN Fuels Ltd., Maharashtra Seamless Ltd., and Jindal Pipes Ltd.). *See Certain Oil Country Tubular Goods from India: Notice of Correction to Amended Final Determination and Amendment of Antidumping Duty Order of Sales at Less Than Fair Value,* 82 FR 35182 (July 28, 2017). Accordingly, Commerce is initiating this administrative review with respect to certain OCTG (1) produced by the GVN single entity, and exported by any other company, or (2) produced by any other company and exported by the GVN single entity.

[6] Commerce inadvertently listed two companies on one line in the initiation notice that published on February 6, 2019 (84 FR 2159). The companies listed above are individual companies.

[7] Commerce inadvertently did not include these companies in the initiation notice that published on February 6, 2019 (84 FR 2159). Accordingly, Commerce is initiating this administrative review with respect to these companies.

[8] On July 3, 2018, the United States Court of International Trade (CIT) entered its final judgement in *Changzhou Hawd Flooring Co., et al.* v. *United States,* sustaining, in part, the final results of remand redetermination pursuant to court order by Commerce pertaining to the less-than-fair-value (LTFV) investigation on multilayered wood flooring from the People's Republic of China. Pursuant to that CIT decision, effective July 13, 2018, Commerce excluded from the antidumping duty order, multilayered wood flooring that is produced and exported by Armstrong Wood Products (Kunshan) Co., Ltd. *See Multilayered Wood Flooring from the People's Republic of China: Notice of Court Decision Not in Harmony with the Second Amended Final Determination and Notice of Third Amended Final Determination of the Antidumping Duty Investigation,* 83 FR 35217 (July 25, 2018). Thus, Commerce is initiating an administrative review only on entries where Armstrong Wood Products (Kunshan) Co., Ltd. was (1) the producer but not the exporter, or (2) the exporter but not the producer of subject merchandise.

[9] On July 3, 2018, the CIT entered its final judgement in *Changzhou Hawd Flooring Co., et al.* v. *United States,* sustaining, in part, the final results of remand redetermination pursuant to court order by Commerce pertaining to the LTFV investigation on multilayered wood flooring from the People's Republic of China. Pursuant to that CIT decision, effective July 13, 2018, Commerce excluded from the antidumping duty order, multilayered wood flooring that is produced and exported by Dunhua City Jisen Wood Industry Co., Ltd. *See Multilayered Wood Flooring from the People's Republic of China: Notice of Court Decision Not in Harmony with the Second Amended Final Determination and Notice of Third Amended Final Determination of the Antidumping Duty Investigation,* 83 FR 35217 (July 25, 2018). Thus, Commerce is initiating an administrative review only on entries where Dunhua City Jisen Wood Industry Co., Ltd. was (1) the producer but not the exporter, or (2) the exporter but not the producer of subject merchandise.

[10] On July 3, 2018, the CIT entered its final judgement in *Changzhou Hawd Flooring Co., et al.* v. *United States,* sustaining, in part, the final results of remand redetermination pursuant to court order by Commerce pertaining to the LTFV investigation on multilayered wood flooring from the People's Republic of China. Pursuant to that CIT decision, effective July 13, 2018, Commerce excluded from the antidumping duty order, multilayered wood flooring that is produced and exported by Fine Furniture (Shanghai) Limited and Double F Limited. *See Multilayered Wood Flooring from the People's Republic of China: Notice of Court Decision Not in Harmony with the Second Amended Final Determination and Notice of Third Amended Final Determination of the Antidumping Duty Investigation,* 83 FR 35217 (July 25, 2018); *see also Multilayered Wood Flooring from the People's Republic of China: Amendment to Notice of Court Decision Not in Harmony with the Second Amended Final Determination and Notice of Third Amended Final Determination of the Antidumping Duty Investigation,* 83 FR 44027 (August 29, 2018). Thus, Commerce is initiating an administrative review only on entries where (1) Fine Furniture (Shanghai) Limited was the producer but not the exporter, or (2) Fine Furniture (Shanghai) Limited and Double F Limited was the exporter but not the producer of subject merchandise.

[11] Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. was listed in the initiation notice that published on February 6, 2019 (84 FR 2159). However, entries of merchandise produced and exported by Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. are excluded from the countervailing duty order. *See Steel Concrete Reinforcing Bar from the Republic of Turkey: Final Affirmative Countervailing Duty Determination Final Affirmative Critical Circumstances Determination,* 79 FR 54963 at 54964 (September 15, 2014). Commerce hereby clarifies that with respect to Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S., the initiation notice that published on February 6, 2019 covers entries of merchandise (1) produced by any other entity and exported by Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. or (2) produced by Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. and exported by another entity.

[12] We have not included the following companies with U.S. addresses for which an administrative review was improperly requested: (1) American Pacific Plywood, Inc., (2) Katy Green Trading Co, LLC, and (3) Samling Global USA, Inc.

[13] *See* section 782(b) of the Act.

Duty Absorption Reviews

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Gap Period Liquidation

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures ''gap'' period, of the order, if such a gap period is applicable to the POR.

Administrative Protective Orders and Letters of Appearance

Interested parties must submit applications for disclosure under administrative protective orders in accordance with the procedures outlined in Commerce's regulations at 19 CFR 351.305. Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (*e.g.,* the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Factual Information Requirements

Commerce's regulations identify five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). These regulations require any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The regulations, at 19 CFR 351.301, also provide specific time limits for such factual submissions based on the type of factual information being submitted. Please review the final rule, available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt,* prior to submitting factual information in this segment.

Any party submitting factual information in an antidumping duty or countervailing duty proceeding must certify to the accuracy and completeness of that information.[13] Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives. All segments of any antidumping duty or countervailing

duty proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule*.[14] Commerce intends to reject factual submissions in any proceeding segments if the submitting party does not comply with applicable revised certification requirements.

Extension of Time Limits Regulation

Parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by the Secretary. *See* 19 CFR 351.302. In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) Case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual information to value factors under 19 CFR 351.408(c), or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning U.S. Customs and Border Protection data; and (5) quantity and value questionnaires. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, Commerce will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. This modification also requires that an extension request must be made in a separate, stand-alone submission, and clarifies the circumstances under which Commerce will grant untimely-filed requests for the extension of time limits. These modifications are effective for all segments initiated on or after October 21, 2013. Please review the final rule, available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in these segments.

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: March 11, 2019.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2019–04750 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–DS–P

[14] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* the frequently asked questions regarding the *Final Rule,* available at *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Ocean Exploration Advisory Board

AGENCY: Office of Ocean Exploration and Research (OER), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of public meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Ocean Exploration Advisory Board (OEAB). OEAB members will discuss and provide advice on Federal ocean exploration programs, with a particular emphasis on National Oceanic and Atmospheric Administration (NOAA) Office of Ocean Exploration and Research (OER) activities. The OEAB will discuss its response to the Education Subcommittee review recommendations, the Blue Economy, National Ocean Exploration Forums, developments in technology related to ocean exploration, and other matters as described in the agenda found on the OEAB website at *http://oeab.noaa.gov.*

Time and Dates: The announced meeting is scheduled for Tuesday, March 26, 2019 from 9:00 a.m. to 5:00 p.m. PDT and Wednesday, March 27, 2019 from 9:00 to 5:00 p.m. PDT.

ADDRESSES: The meeting will be held at: Board Room, Port of Oakland, 530 Water St., Oakland, CA 94607.

Status: The meeting will be open to the public with a 15-minute public comment period on Tuesday, March 26, 2019 from 11:45 a.m. to 12:00 p.m. PDT (please check the final agenda on the website to confirm the time). The public may listen to the meeting and provide comments during the public comment period via teleconference. Dial-in information may be found on the meeting agenda posted to the OEAB website.

The OEAB expects that public statements at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to three minutes. The Designated Federal Officer must receive written comments by March 23, 2019 to provide sufficient time for OEAB review. Written comments received after March 23, 2019 will be distributed to the OEAB but may not be reviewed prior to the meeting date. Seats will be available on a first-come, first-served basis.

Special Accommodations: These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to David McKinnie, Designated Federal Officer (see below) by March 23, 2019.

FOR FURTHER INFORMATION CONTACT: Mr. David McKinnie, Designated Federal Officer, Ocean Exploration Advisory Board, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Seattle, WA 98115, (206) 526–6950.

SUPPLEMENTARY INFORMATION: NOAA established the OEAB under the Federal Advisory Committee Act (FACA) and legislation that gives the agency statutory authority to operate an ocean exploration program and to coordinate a national program of ocean exploration. The OEAB advises NOAA leadership on strategic planning, exploration priorities, competitive ocean exploration grant programs and other matters as the NOAA Administrator requests.

OEAB members represent government agencies, the private sector, academic institutions, and not-for-profit institutions involved in all facets of ocean exploration—from advanced technology to citizen exploration.

In addition to advising NOAA leadership, NOAA expects the OEAB to help to define and develop a national program of ocean exploration—a network of stakeholders and partnerships advancing national priorities for ocean exploration.

Dated: March 7, 2019.

David Holst,

Chief Financial Officer/Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2019–04783 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–KA–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG862

Endangered and Threatened Species; Take of Abalone

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

ACTION: Notice; application for one enhancement permit.

SUMMARY: Notice is hereby given that NMFS has received a revised permit application request for one new enhancement permit. The original permit application was released for public comment on September 26, 2018. However, before the permit application was processed, the applicant requested substantive changes that required additional public review and comment. The proposed work is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management, conservation, and recovery efforts. The application may be viewed online at: *https://apps.nmfs.noaa.gov/preview/preview_open_for_comment.cfm.*

DATES: Comments or requests for a public hearing on the application must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific standard time on April 15, 2019.

ADDRESSES: Written comments on the application should be submitted to the Protected Resources Division, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802. Comments may also be submitted via fax to 562–980–4027 or by email to *nmfs.wcr-apps@noaa.gov* (include the permit number in the subject line of the fax or email).

FOR FURTHER INFORMATION CONTACT: Susan Wang, Long Beach, CA (ph.: 562–980–4199, Fax: 562–980–4027, email: *Susan.Wang@noaa.gov*). Permit application instructions are available from the address above, or online at *https://apps.nmfs.noaa.gov.*

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

The following listed species are covered in this notice:

Endangered white abalone (*Haliotis sorenseni*).

Authority

Enhancement permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) and regulations governing listed fish and wildlife permits (50 CFR parts 222–226). NMFS issues permits based on findings that such permits: (1) Are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Anyone requesting a hearing on the application listed in this notice should set out the specific reasons why a hearing on the application would be appropriate (see **ADDRESSES**). Such hearings are held at the discretion of the Assistant Administrator for Fisheries, NMFS.

Application Received

Permit 18116

The NMFS West Coast Region (WCR) has requested a five-year enhancement permit to annually take larval, juvenile, and adult white abalone in California. The original permit application was submitted on August 25, 2018 and posted for public comment on September 26, 2018. Since then, the WCR has requested changes to the proposed action that are substantive enough to require additional public comment.

The purpose of the proposed work is to experimentally outplant white abalone along the Southern California Coast and determine which methods, locations, habitats, sizes, and densities are optimal for white abalone growth and survival. The activities would benefit the listed species by increasing numbers of white abalone in the wild and informing future large-scale outplanting efforts designed to create self-sustaining populations in locations where white abalone are at risk of being extirpated. The NMFS WCR proposes to evaluate three approaches. First, captive-bred juveniles would be outplanted using two different types of outplanting modules: (1) Baby abalone recruitment trackers (BARTs); and (2) smaller, short-term abalone fixed enclosures (SAFEs). Second, captive-reared larvae would be outplanted using a larval pump module and a net ''tent'' designed to retain larvae until settlement. Third, captive-bred adults or wild-collected broodstock would be hand-placed at sites where wild white abalone have been observed previously. All outplanting would be conducted within the Southern California Bight and would use white abalone maintained and collected under Enhancement Permit 14344–2R, issued under section 10(a)(1)(A) of the ESA to the University of California, Davis—Bodega Marine Laboratory. Growth, survival, genetics, health, and habitat quality would be monitored at regular intervals following outplanting. Post-outplant monitoring would primarily consist of observing, counting, and measuring the abalone, and collecting tissue and/or fecal samples using non-lethal methods. Post-outplant monitoring will occur on a quarterly to annual basis for each outplanting method and will involve collecting shell length, genetic samples, fecal samples, time lapse camera images, and empty shells. The researchers do not intend to kill any listed white abalone, but some may die as an inadvertent result of the research and enhancement activities.

Substantive changes to the permit application include requests to: (1) Outplant greater numbers of small, captive-bred adults that may be too large for outplanting to the BARTs or SAFEs; and (2) collect white abalone that are dead (*i.e.,* not attached to substrate and unresponsive) or obviously unhealthy (*i.e.,* noticeably shrunken, unable to adhere firmly to substrate, and unable to right itself when placed upside down on substrate—indicating death within days). These specimens would undergo further analysis to determine the cause of death.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the application, associated documents, and comments submitted to determine whether the application meets the requirements of section 10(a) of the ESA and Federal regulations. The final permit decision will not be made until after the end of the 30-day comment period. NMFS will publish notice of its final action in the **Federal Register**.

Dated: March 11, 2019.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2019–04763 Filed 3–13–19; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

Global Markets Advisory Committee

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of meeting.

SUMMARY: The Commodity Futures Trading Commission (CFTC) announces that on April 15, 2019, from 10:00 a.m. to 4:00 p.m., the Global Markets

Advisory Committee (GMAC) will hold a public meeting in the Conference Center at the CFTC's headquarters in Washington, DC. At this meeting, the GMAC will hear presentations on how regulators are fulfilling a 2009 G20 directive regarding the OTC derivatives market.

DATES: The meeting will be held on April 15, 2019, from 10:00 a.m. to 4:00 p.m. Members of the public who wish to submit written statements in connection with the meeting should submit them by April 22, 2019.

ADDRESSES: The meeting will take place in the Conference Center at the CFTC's headquarters, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. You may submit public comments, identified by ''Global Markets Advisory Committee,'' by any of the following methods:

- *CFTC Comments Portal: https://comments.cftc.gov.* Select the ''Submit Comments'' link for this meeting notice and follow the instructions on the Public Comment Form.
- *Mail:* Send to Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street NW, Washington, DC 20581.
- *Hand Delivery/Courier:* Follow the same instructions as for Mail, above.

Please submit your comments using only one of these methods. Submissions through the CFTC Comments Portal are encouraged. Any statements submitted in connection with the committee meeting will be made available to the public, including by publication on the CFTC website, *https://www.cftc.gov.*

FOR FURTHER INFORMATION CONTACT: Andrée Goldsmith, GMAC Designated Federal Officer, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581; (202) 418–6624.

SUPPLEMENTARY INFORMATION: At this meeting, the GMAC will hear presentations on how regulators are fulfilling the 2009 G20 directive ''to assess regularly implementation and whether it is sufficient to improve transparency in the derivatives markets, mitigate systemic risk, and protect against market abuse.'' Specifically, the GMAC will examine the status of the four key pillars of the original G20 directive regarding the OTC derivatives market: (1) Trading on exchanges or electronic trading platforms; (2) clearing through central counterparties; (3) margin requirements for non-centrally cleared derivatives; and (4) data reporting to trade repositories.

The meeting will be open to the public with seating on a first-come, first-served basis. Members of the public may also listen to the meeting by telephone by calling a domestic toll-free telephone or international toll or toll-free number to connect to a live, listen-only audio feed. Call-in participants should be prepared to provide their first name, last name, and affiliation.

Domestic Toll Free: 1–877–951–7311.

International Toll and Toll Free: Will be posted on the CFTC's website, *https://www.cftc.gov,* on the page for the meeting, under Related Links.

Pass Code/Pin Code: 2665194.

The meeting agenda may change to accommodate other GMAC priorities. For agenda updates, please visit the GMAC committee website at: *https://www.cftc.gov/About/CFTCCommittees/GlobalMarketsAdvisory/gmac_meetings.html.*

After the meeting, a transcript of the meeting will be published through a link on the CFTC's website at: *https://www.cftc.gov.* All written submissions provided to the CFTC in any form will also be published on the CFTC's website. Persons requiring special accommodations to attend the meeting because of a disability should notify the contact person above.

Authority: 5 U.S.C. app. 2, sec. 10(a)(2).

Dated: March 11, 2019.

Christopher J. Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2019–04741 Filed 3–13–19; 8:45 am]

BILLING CODE 6351–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2012–0055]

Agency Information Collection Activities; Proposed Collection; Comment Request; Flammability Standards for Children's Sleepwear

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (CPSC) requests comments on a proposed extension of approval of a collection of information associated with the Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; and the Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14, approved previously under OMB Control No. 3041–0027. The CPSC will consider all comments received in response to this notice before requesting an extension of this collection of information from the Office of Management and Budget (OMB).

DATES: Submit written or electronic comments on the collection of information by May 13, 2019.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2012–0055, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The CPSC does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Division of the Secretariat, Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* and insert the docket number CPSC–2012–0055, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Bretford Griffin, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7037, or by email to: *bgriffin@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; and the Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14.

OMB Number: 3041–0027.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Manufacturers and importers of children's sleepwear.

Estimated Number of Respondents: Based on a review of past firm inspections, and published industry information, staff estimates that there could be as many as 981 domestic children's apparel manufacturers in the U.S. subject to the rule. However, not all of these manufacturers will produce children's sleepwear. Therefore, this figure is likely an overestimate of the actual number of firms performing tests and creating records in a given year. Furthermore, using the Harmonized Tariff System (HTS) codes for children's sleepwear, staff found approximately 3,037 importers that supply children's sleepwear to the U.S. market. However, many of the 981 domestic manufacturers, along with many large U.S. retailers, may be among the importers, and result in an overstatement of firms subject to the rule. If all 981 U.S. producers and all 3,037 importers introduced new children's sleepwear garments each year, the total number of firms subject to the CPSC recordkeeping requirements each year would be 4,018 (981 + 3,037).

Estimated Time per Response: Testing and recordkeeping of each item is approximately 3 hours.

Total Estimated Annual Burden: The 50 largest domestic manufacturers and the 100 largest importers may each introduce an average of 100 new children's sleepwear items annually. The annual burden for the 50 large domestic manufacturers and the 100 largest importers is estimated at 45,000 hours for testing and recordkeeping (150 firms × 100 items × 3 hours). Staff estimates that the remaining 931 manufacturers and 2,937 importers may each introduce an average of 10 new children's sleepwear items, for a total testing and recordkeeping burden of 116,040 hours (3,868 × 10 items × 3 hours.) Therefore, the total estimated potential annual burden imposed by the standard and regulations on all manufacturers and importers of children's sleepwear will be about 161,040 hours (45,000 + 116,040).

Description of Collection: The Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X (16 CFR part 1615) and the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 (16 CFR part 1616) address the fire hazard associated with small-flame ignition sources for children's sleepwear manufactured for sale in, or imported into, the United States. The standards also require manufacturers and importers of children's sleepwear to collect information resulting from product testing, and maintenance of the testing records. 16 CFR part 1615, subpart B; 16 CFR part 1616; subpart B.

Request for Comments

The CPSC solicits written comments from all interested persons about the proposed collection of information. The CPSC specifically solicits information relevant to the following topics:

—Whether the collection of information described above is necessary for the proper performance of the CPSC's functions, including whether the information would have practical utility;

—Whether the estimated burden of the proposed collection of information is accurate;

—Whether the quality, utility, and clarity of the information to be collected could be enhanced; and

—Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2019–04687 Filed 3–13–19; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2012–0054]

Agency Information Collection Activities; Proposed Collection; Comment Request; Safety Standard for Automatic Residential Garage Door Operators

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (CPSC) requests comments on a proposed extension of approval of a collection of information under the safety standard for automatic residential garage door operators, approved previously under OMB Control No. 3041–0125. The CPSC will consider all comments received in response to this notice before requesting an extension of this collection of information from the Office of Management and Budget (OMB).

DATES: Submit written or electronic comments on the collection of information by May 13, 2019.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2012–0054, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The CPSC does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Division of the Secretariat, Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* and insert the docket number CPSC–2012–0054, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Bretford J. Griffin, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7037, or by email to: *bgriffin@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Safety Standard for Automatic Residential Garage Door Operators.

OMB Number: 3041–0125.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Manufacturers and importers of automatic residential garage door operators.

Estimated Number of Respondents: An estimated 18 firms that conduct performance tests and maintain records based on the test results to maintain UL certification and verify compliance with the rule.

Estimated Time per Response: Based on staff's review of industry sources, each respondent will spend an estimated 40 hours annually on the collection of information related to the rule.

Total Estimated Annual Burden: 720 hours (18 firms × 40 hours).

General Description of Collection: On December 22, 1992, the Commission issued rules prescribing requirements for a reasonable testing program to support certificates of compliance with the Safety Standard for Automatic Residential Garage Door Operators (57 FR 60449). These regulations also require manufacturers, importers, and private labelers of residential garage door operators to establish and maintain records to demonstrate compliance with the requirements for testing to support certification of compliance. 16 CFR part 1211, subparts B and C.

Request for Comments

The CPSC solicits written comments from all interested persons about the proposed collection of information. The CPSC specifically solicits information relevant to the following topics:

—Whether the collection of information described above is necessary for the proper performance of the CPSC's functions, including whether the information would have practical utility;

—Whether the estimated burden of the proposed collection of information is accurate;

—Whether the quality, utility, and clarity of the information to be collected could be enhanced; and

—Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2019–04706 Filed 3–13–19; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2012–0056]

Agency Information Collection Activities; Proposed Collection; Comment Request; Safety Standard for Omnidirectional Citizens Band Base Station Antennas

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (CPSC) requests comments on a proposed extension of approval of a collection of information associated with the Commission's Safety Standard for Omnidirectional Citizens Band Base Station Antennas, approved previously under OMB Control No. 3041–0006. The CPSC will consider all comments received in response to this notice before requesting an extension of this collection of information from the Office of Management and Budget (OMB).

DATES: Submit written or electronic comments on the collection of information by May 13, 2019.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2012–0056, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The CPSC does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Division of the Secretariat, Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* and insert the docket number CPSC–2012–0056, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Bretford Griffin, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, (301) 504–7037, or by email to: *bgriffin@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Safety Standard for Omnidirectional Citizens Band Base Station Antennas.

OMB Number: 3041–0006.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Manufacturers, importers, and private labelers of omnidirectional citizens band base station antennas.

Estimated Number of Respondents: Approximately seven firms supply omnidirectional citizen band base station antennas.

Estimated Time per Response: Based on the information compiled by manufacturers, importers, and private labelers of antennas to test and maintain records for certificates of compliance, we estimate an average of 220 hours per firm for annual testing and recordkeeping.

Total Estimated Annual Burden: 1,540 hours (7 firms × 220 hours).

General Description of Collection: The Safety Standard for Omnidirectional Citizens Band Base Station Antennas (16 CFR part 1204) establishes performance requirements for omnidirectional citizens band base station antennas to reduce unreasonable risks of death and injury that may result if an antenna contacts overhead power lines while being erected or removed from its site. The regulations implementing the standard (16 CFR part 1204, subpart B) require manufacturers, importers, and private labelers of antennas subject to the standard to test the antennas for compliance with the standard and to maintain records of that testing.

Request for Comments

The CPSC solicits written comments from all interested persons about the proposed collection of information. The CPSC specifically solicits information relevant to the following topics:

—Whether the collection of information described above is necessary for the proper performance of the CPSC's functions, including whether the information would have practical utility;

—Whether the estimated burden of the proposed collection of information is accurate;

—Whether the quality, utility, and clarity of the information to be collected could be enhanced; and

—Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological

collection techniques, or other forms of information technology.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2019–04685 Filed 3–13–19; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2012–0058]

Agency Information Collection Activities; Proposed Collection; Comment Request; Safety Standard for Walk-Behind Power Lawn Mowers

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (CPSC) requests comments on a proposed extension of approval of a collection of information relating to testing and recordkeeping requirements in the Safety Standard for Walk-Behind Power Lawn Mowers, approved previously under OMB Control No. 3041–0091. The CPSC will consider all comments received in response to this notice before requesting an extension of this collection of information from the Office of Management and Budget (OMB).

DATES: Submit written or electronic comments on the collection of information by May 13, 2019.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2012–0058, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The CPSC does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Division of the Secretariat, Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* and insert the docket number CPSC–2012–0058, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Bretford Griffin, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7037, or by email to: *bgriffin@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Safety Standard for Walk-Behind Power Lawn Mowers.

OMB Number: 3041–0091.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Manufacturers and importers of walk-behind power lawn mowers.

Estimated Number of Respondents: Approximately 25 manufacturers and importers of walk-behind power lawn mowers.

Estimated Time per Response: Walk-behind power lawn mowers are manufactured seasonally to meet demand. They are manufactured during an estimated 130 days out of the year. When they are manufactured, firms are required to test and maintain records of those tests. Staff estimates three hours daily for testing and recordkeeping per firm totaling 390 hours per firm (3 hours × 130 days). In addition, to produce labels and apply labels on the newly manufactured lawn mowers, staff estimates one hour daily for each firm during the production cycle for a total of 130 hours per firm (1 hour × 130 days).

Total Estimated Annual Burden: 9,750 hours on testing and recordkeeping (25 firms × 390 hours) and 3,250 hours for labeling (25 firms × 130 hours). Aggregate annual burden hours related to testing, recordkeeping, and labeling are estimated to be 520 hours per firm and 13,000 hours for the industry.

General Description of Collection: In 1979, the Commission issued the Safety Standard for Walk-Behind Power Lawn Mowers (16 CFR part 1205) to address blade contact injuries. Subpart B of the standard sets forth regulations prescribing requirements for a reasonable testing program to support certificates of compliance with the standard for walk-behind power lawn mowers. 16 CFR part 1205, subpart B.

In addition, section 14(a) of the CPSA (15 U.S.C. 2063(a)) requires manufacturers, importers, and private labelers of a consumer product subject to a consumer product safety standard to issue a certificate stating that the product complies with all applicable consumer product safety standards. Section 14(a) of the CPSA also requires that the certificate of compliance must be based on a test of each product or upon a reasonable testing program. The information collection is necessary because these regulations require manufacturers and importers to establish and maintain records to demonstrate compliance with the requirements for testing and labeling to support the certification of compliance.

Request for Comments

The CPSC solicits written comments from all interested persons about the proposed collection of information. The CPSC specifically solicits information relevant to the following topics:

—Whether the collection of information described above is necessary for the proper performance of the CPSC's functions, including whether the information would have practical utility;

—Whether the estimated burden of the proposed collection of information is accurate;

—Whether the quality, utility, and clarity of the information to be collected could be enhanced; and

—Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2019–04686 Filed 3–13–19; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meetings

TIME AND DATE: Wednesday, March 13, 2019; 11:00 a.m.*

* The Commission unanimously determined by recorded vote that Agency business requires calling

Continued

PLACE: Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, MD 20814.

STATUS: Commission Meeting—Open to the Public.

MATTER TO BE CONSIDERED: CPSC's FY2020 Performance Budget Request to Congress.

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.

Dated: March 12, 2019.

Alberta E. Mills,

Secretary.

[FR Doc. 2019–04886 Filed 3–12–19; 4:15 pm]

BILLING CODE 6355–01–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Sunshine Act Meetings

The Board of Directors of the Corporation for National and Community Service gives notice of the following meeting:

TIME AND DATE: Monday, March 25, 2019, 12:30 p.m.–1:30 p.m. (ET).

PLACE: Corporation for National and Community Service, 250 E Street SW, Suite 4026, Washington, DC 20525 (Please go to the first floor lobby reception area for escort).

Call-In Information: This meeting is available to the public via conference call through the following toll-free call-in number: 800–779–1432; using call access code number 4377922. 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 CNCS 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. Call replays are generally available one hour after a call ends. A replay is available through April 8, 2019, by dialing 866–490–5936 and using passcode 440819.

STATUS: Open.

MATTERS TO BE CONSIDERED:

I. Chair's Opening Comments
II. CEO Report
III. Public Comments
IV. Final Comments and Adjournment

Members of the public who would like to comment on the business of the Board may do so in writing or in person. Individuals may submit written comments to *sscott@cns.gov* with subject line: ''Comments for March 2019 CNCS Board Meeting'' by 5:00 p.m. (ET) on March 21, 2019. Individuals attending the meeting in person who would like to comment will be asked to sign-in upon arrival. Comments are requested to be limited to two minutes.

Reasonable Accommodations: The Corporation for National and Community Service provides reasonable accommodations to individuals with disabilities where appropriate. Anyone who needs an interpreter or other accommodation should notify Sandy Scott at *sscott@cns.gov* or 202–606–6724 by 5 p.m. (ET) on March 18, 2018.

CONTACT PERSON FOR MORE INFORMATION: Sandy Scott, Senior Advisor, Corporation for National and Community Service, 250 E Street SW, Washington, DC 20525. Phone: 202–606–6724. Fax: 202–606–3460. TTY: 800–833–3722. Email: *sscott@cns.gov.*

Helen Serassio,

Deputy General Counsel.

[FR Doc. 2019–04901 Filed 3–12–19; 4:15 pm]

BILLING CODE 6050–28–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2019–OS–0025]

Notice of Availability of a Draft Final Environmental Assessment for the Proposed Demolition of the 1.25-Mile Pipelines Associated With Defense Fuel Support Point (DFSP) Newington, New Hampshire

AGENCY: Defense Logistics Agency (DLA), United States Air Force, Department of Defense.

ACTION: Notice of Availability (NOA).

SUMMARY: The DLA announces the availability of a Draft Final Environmental Assessment (EA) that analyzes the potential environmental impacts associated with the Proposed Action of the demolition of the 1.25-Mile Pipelines Associated with DFSP Newington, New Hampshire. The Draft Final EA has been prepared as required under the National Environmental Policy Act (NEPA) of 1969. In addition, the Draft Final EA complies with DLA Regulation 1000.22.

DATES: The public comment period will end on April 15, 2019. Comments received by the end of the 30-day period will be considered when preparing the final version of the document.

ADDRESSES: You may submit comments, identified by DOD–2019–OS–0025, to one of the following:

- *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, Regulatory and Advisory Committee Division, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700.

FOR FURTHER INFORMATION CONTACT: Stacey Christenbury at 571–767–6557 during normal business hours Monday through Friday, from 8:00 a.m. to 4:30 p.m. (EST) or by email: *NEPA@dla.mil.*

SUPPLEMENTARY INFORMATION: The Draft Final EA is available in hardcopy at the Langdon Public Library, 328 Nimble Hill Road, Newington, NH 03801, Phone: (603) 436–5154, or electronically at *http://www.regulations.gov.* Documents referenced in the Draft Final EA are available upon request.

Dated: March 11, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2019–04738 Filed 3–13–19; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2019–OS–0026]

Manual for Courts-Martial; Proposed Amendments

AGENCY: Joint Service Committee on Military Justice (JSC), DoD.

ACTION: Annual review of the Manual for Courts-Martial, United States.

SUMMARY: Pursuant to the authorities found in the **SUPPLEMENTARY INFORMATION** section of this notice, the JSC is conducting its annual review of the Manual for Courts-Martial (MCM), United States.

The committee invites members of the public to suggest changes to the MCM. Please provide supporting rationale for any proposed changes.

DATES: Proposed changes must be received no later than May 13, 2019.

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

the meeting without seven calendar days advance public notice.

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: Lieutenant Colonel Adam S. Kazin, USA, Executive Secretary, JSC, at (571) 256–8132 or via email at *adam.s.kazin.mil@mail.mil.* The JSC public website is located at *http://jsc.defense.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to Executive Order 12473, ''Manual for Courts-Martial, United States, 1984,'' and Department of Defense Instruction 5500.17, ''Role and Responsibility of the Joint Service Committee on Military Justice (JSC) (available at *https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/550017_5C.PDF?ver=2018-02-21-074422-370*),'' the JSC is conducting its annual review of the Manual for Courts-Martial (MCM), United States.

The committee invites members of the public to suggest changes to the MCM. Please provide supporting rationale for any proposed changes.

Dated: March 11, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2019–04736 Filed 3–13–19; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DOD–2018–OS–0041]

Notice of Availability for Finding of No Significant Impact for the Environmental Assessment Addressing Hazardous Materials Warehouses and Gas Cylinder Sheds at Naval Station Norfolk and Norfolk Naval Shipyard, Virginia

AGENCY: Defense Logistics Agency (DLA), Department of Defense.

ACTION: Notice of availability (NOA).

SUMMARY: This NOA documents DLA's decision to proceed with the proposed action to construct and operate hazardous materials warehouses and gas cylinder sheds at Naval Station Norfolk and Norfolk Naval Shipyard, Virginia following the completion of an Environmental Assessment (EA). The EA was prepared as required under the National Environmental Policy Act (NEPA) of 1969.

FOR FURTHER INFORMATION CONTACT: Ira Silverberg at 571–767–0705 during normal business hours Monday through Friday, from 8:00 a.m. to 4:30 p.m. (EDT) or by email: *ira.silverberg@dla.mil.*

SUPPLEMENTARY INFORMATION: DLA completed an EA to address the potential environmental consequences associated with the Proposed Action. This Finding of No Significant Impact (FONSI) incorporates the EA by reference, summarizes the results of the analyses in the EA, and documents DLA's decision to construct and operate HAZMAT warehouses and gas cylinder sheds at NAVSTA Norfolk and NNSY, Virginia. The EA considered two alternatives for the Proposed Action: Alternative 1 (relocation and construction of new HAZMAT facilities) and Alternative 2 (renovation and new construction at the existing HAZMAT facilities). DLA selected Alternative 1 as the Preferred Alternative. DLA has determined that the Proposed Action is not a major federal action that significantly affects the quality of the human environment within the context of NEPA and that no significant impacts on the human environment are associated with this decision.

Navy consulted with the Virginia State Historic Preservation Officer (SHPO) at the Virginia Department of Historic Resources. The SHPO concurred that the proposed undertaking (Alternative 1) would have no adverse effect on historic resources, on the condition that the Virginia Department of Historic Resources has the opportunity to review the proposed design of the facilities once the 35 percent drawings are available. Navy also submitted a Federal Coastal Consistency Determination to the Virginia Department of Environmental Quality, which concurred that the proposed project (Alternative 1) would be consistent to the maximum extent practicable with the Virginia Coastal Zone Management Program provided all applicable permits and approvals are obtained. Correspondence with the SHPO and Virginia Department of Environmental Quality is in Appendices B and C of the revised EA, respectively.

On July 12, 2018, DLA published a NOA in the **Federal Register** announcing the publication of the Environmental Assessment (EA) Addressing Hazardous Materials (HAZMAT) Warehouses and Gas Cylinder Sheds at Naval Station (NAVSTA) Norfolk and Norfolk Naval Shipyard (NNSY), Virginia. The EA was available for a 30-day public comment period that ended August 13, 2018. No public comments were received during the 30-day public comment period. The revised EA is available electronically at the Federal eRulemaking Portal at *http://www.regulations.gov* within Docket ID: DOD–2018–OS–0041.

Purpose and Need for Action: The purpose of the Proposed Action is to ensure HAZMAT at DLA Distribution Norfolk, Virginia, which actively supports HAZMAT missions for NAVSTA Norfolk and NNSY from a warehouse and a gas cylinder shed at each location, is stored in a fire-and life-safe, regulation-compliant, and organized manner for improved efficiency and safety during operations. The Proposed Action is needed because the existing HAZMAT facilities are antiquated (*i.e.,* HAZMAT warehouses are 1940s-era) and not properly sized for their current or future mission demands; have extensive fire- and life-safety hazards, poor utility conditions, inadequate spill containment, and inefficient storage area configurations; and will soon be in conflict with the NAVSTA Norfolk Master Plan and NNSY Installation Development Plan. The existing HAZMAT warehouses have insufficient egress, noncompliant firewalls, inadequate fire suppression and alarm systems, and poor ventilation. The existing gas cylinder sheds are not fire suppression compliant, and the gas cylinder shed at NAVSTA Norfolk is near condemnation due to structural degradation and loose siding.

Proposed Action and Alternatives: Under Alternative 1 (*i.e.,* the Preferred Alternative), the DLA-occupied portions of the HAZMAT warehouses would be vacated and returned to the Navy for reuse. Also, the gas cylinder sheds would be demolished and the properties would be returned to the Navy for reuse. The functions served by these vacated and demolished facilities would be replaced through construction of new HAZMAT warehouses, gas cylinder sheds, and associated infrastructure. At NAVSTA Norfolk, the western portion of CEP–156, Gate House CEP–180, and pavement would be demolished and replaced by a new HAZMAT warehouse, gas cylinder shed, Gate House, and pavement. At NNSY, a portion of the Dean Harwood Parking Lot would be demolished to make way for a new HAZMAT warehouse, gas cylinder shed, and pavement.

Approximately 479 parking spaces would be displaced at the Dean Harwood Parking Lot; however, vehicle parking would be compensated by reorganization of existing parking lots and improvement and construction of some combination of several nearby lots (*i.e.,* Shed 1567 lot, Lot 33, the Wedge, and the Bachelor Enlisted Quarters lot) that would be covered with compacted gravel and reorganized to provide replacement parking spaces. Although the final configuration and dimensions of the proposed replacement parking lots would not be known until the time of final design, the replacement lots would be expected to provide up to approximately 479 parking spaces.

Under Alternative 2, DLA would resize the DLA-occupied portion of the NAVSTA Norfolk HAZMAT warehouse to meet square footage requirements, renovate the DLA-occupied portions of the NAVSTA Norfolk and NNSY HAZMAT warehouses, and demolish and replace both gas cylinder sheds and pavement areas. The HAZMAT warehouses would be properly configured for optimized storage capacity and upgraded in accordance with fire- and life-safety requirements and per the facility condition assessment upgrade recommendations for each site.

Description of the No Action Alternative: Under the No Action Alternative, DLA would continue to store HAZMAT in the existing HAZMAT warehouses and gas cylinder sheds on NAVSTA Norfolk and NNSY. Shed X–380 (gas cylinder shed at NAVSTA Norfolk) would continue to degrade and HAZMAT storage would reach overcapacity at the NNSY HAZMAT facilities due to projected future workload increases. The HAZMAT facilities would continue to be improperly sized for their current and future mission demands; have extensive fire- and life-safety hazards, poor utility conditions, insufficient ventilation, and inefficient storage area configurations; and soon be in conflict with the NAVSTA Norfolk Master Plan and NNSY Installation Development Plan. The No Action Alternative would not meet the purpose of and need for the Proposed Action.

Potential Environmental Impacts: No significant effects on environmental resources would be expected from the Proposed Action. Insignificant, adverse effects on air quality, water resources, geological resources, cultural resources, biological resources, land use and visual resources, noise, infrastructure, transportation, public health and safety, and hazardous materials and wastes would be expected. Insignificant, beneficial effects on water resources, geological resources, land use and visual resources, noise, infrastructure, public health and safety, hazardous materials and wastes, and socioeconomics would be expected. No impacts on airspace management/safety and environmental justice would be expected. Details of the environmental consequences are discussed in the EA, which is hereby incorporated by reference.

Determination: DLA has determined that implementation of the Proposed Action will not have a significant effect on the human environment. Human environment was interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. Specifically, no highly uncertain or controversial impacts, unique or unknown risks, or cumulatively significant effects were identified. Implementation of the Proposed Action will not violate any federal, state, or local laws. Based on the results of the analyses performed during preparation of the EA and lack of comments received during the public comment period, Mr. Gordon B. Hackett III, Director, DLA Installation Management, concludes that implementation of the Proposed Action at NAVSTA Norfolk and NNSY does not constitute a major federal action significantly affecting the quality of the human environment within the context of NEPA. Therefore, an environmental impact statement for the Proposed Action is not required.

Dated: March 8, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2019–04667 Filed 3–13–19; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1894–211]

South Carolina Electric & Gas Company; Notice Soliciting Scoping Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* P–1894–211.

c. *Date filed:* June 28, 2018.

d. *Applicant:* South Carolina Electric and Gas Company.

e. *Name of Project:* Parr Hydroelectric Project.

f. *Location:* The existing project is located on the Broad River, in Newberry and Fairfield Counties, South Carolina. The project occupies 162.61 acres of federal lands administered by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Mr. William Argentieri, P.E., Manager of Civil Engineering, South Carolina Electric & Gas Company, 220 Operation Way, Mail Code A221, Cayce, SC 29033–3701; (803) 217–9162; or email at *bargentieri@scana.com*.

i. *FERC Contact:* Monte TerHaar at (202) 502–6035; or *monte.terhaar@ferc.gov*.

j. *Deadline for filing scoping comments:* April 5, 2019.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–1894–211.

The Commission's Rules of Practice 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. This application is not ready for environmental analysis at this time.

l. *Project Description:* The project consists of two developments; the 14.88 Megawatt (MW) Parr Shoals Development and the 511.2–MW Fairfield Pumped Storage Development.

The Parr Shoals Development consists of: (1) The 15-mile-long, 4,250-acre Parr Reservoir, at full pond elevation 265.3 feet North American Vertical Datum of 1988 (NAVD 88); (2) the 2,690-foot-long Parr Shoals Dam, which includes a non-overflow section, spillway section with 10 gates, and powerhouse intake section; (3) a powerhouse integral with the dam, with six generating units; and (4) transmission facilities that consist of three 950-foot-long, 13.8-kilovolt lines extending from the hydro station to the non-project Parr sub-station.

The Fairfield Pumped Storage Development consists of: (1) Parr Reservoir which serves as the lower pool; (2) the 6,800-acre Monticello Reservoir (upper reservoir), at normal maximum elevation 424.3 feet NAVD 88, formed by four earthen dams (A, B, C, and D); (3) a 265-foot-long gated intake channel, located between dams B and C; (4) four 800-foot-long surface penstocks bifurcating into eight penstocks; (5) an underground generating station, which houses eight pumped-turbine units; and (6) transmission facilities that consist of three 7,000-foot-long lines extending from the Fairfield switch station to the non-project V.C. Summer switchyard.

The Fairfield Pumped Storage Development is operated to generate during peak demand periods. Generation usually occurs during the day, with the upper reservoir replenished by pumping water at night (non-peak period). The Parr Shoals Development serves as the lower reservoir for the pumped storage project.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to address the document. For assistance, contact FERC Online Support. A copy is available for inspection and reproduction at the address in Item H above.

n. 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, contact FERC Online Support.

o. Scoping Process.

The Commission staff intends to prepare a single Environmental Assessment (EA) for the project in accordance with the National Environmental Policy Act. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

At this time, we do not anticipate holding on-site public or agency scoping meetings. Instead, we are soliciting your comments and suggestions on the preliminary list of issues and alternatives to be addressed in the EA, as described in scoping document 1 (SD1), issued March 6, 2019.

Copies of the SD1 outlining the subject areas to be addressed in the EA were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call 1–866–208–3676 or for TTY, (202) 502–8659.

Dated: March 6, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04679 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER19–1200–000]

Clearway Power Marketing LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Clearway Power Marketing LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is March 27, 2019.

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-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04676 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC19–16–000]

Commission Information Collection Activities; Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission

(Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–556 (Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility).

DATES: Comments on the collection of information are due May 13, 2019.

ADDRESSES: You may submit comments (identified by Docket No. IC19–16–000) by either of the following methods:

- *eFiling at Commission's Website: http://www.ferc.gov/docs-filing/efiling.asp.*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance, contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–556, Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility.

OMB Control No.: 1902–0075.

Type of Request: Three-year extension of the FERC–556 information collection requirements with no changes to the current reporting requirements.

Abstract: Form No. 556 is required to implement sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978 [1] (PURPA). FERC is authorized, under those sections, to encourage cogeneration and small power production and to prescribe such rules as necessary in order to carry out the statutory directives.

A primary statutory objective is efficient use of energy resources and facilities by electric utilities. One means of achieving this goal is to encourage production of electric power by cogeneration facilities which make use of reject heat associated with commercial or industrial processes, and by small power production facilities which use other wastes and renewable resources. PURPA encourages the development of small power production facilities and cogeneration facilities that meet certain technical and corporate criteria through establishment of various regulatory benefits. Facilities that meet these criteria are called Qualifying Facilities (QFs).

[1] 16 U.S.C. 796, 824a–3.

FERC's regulations in 18 CFR part 292, as relevant here, specify: (a) The certification procedures which must be followed by owners or operators of small power production and cogeneration facilities; (b) the criteria which must be met; (c) the information which must be submitted to FERC in order to obtain qualifying status; and (d) the PURPA benefits which are available to QFs to encourage small power production and cogeneration.

18 CFR part 292 also exempts QFs from certain corporate, accounting, reporting, and rate regulation requirements of the Federal Power Act,[2] certain state laws, and the Public Utility Holding Company Act of 2005.[3]

Type of Respondents: Facilities that are self-certifying their status as a cogenerator or small power producer or that are submitting an application for FERC certification of their status as a cogenerator or small power producer.

Estimate of Annual Burden: [4] The Commission estimates the burden and cost for this information collection as follows:

[2] 16 U.S.C. 791, *et seq.*

[3] 42 U.S.C. 16, 451–63.

[4] ''Burden'' is the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3.

FERC–556—CERTIFICATION OF QUALIFYING FACILITY STATUS FOR A SMALL POWER PRODUCTION OR COGENERATION FACILITY

Facility type	Filing type	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden hours & cost per response [5] (4)	Total annual burden hours & total annual cost (rounded) (3) * (4) = (5)	Cost per respondent ($) (rounded) (5) ÷ (1)
Cogeneration Facility > 1 MW [6].	Self-certification ..	63	1.25	78.75	1.5 hrs; $118.5	118.125 hrs; $9,332.	$148
Cogeneration Facility > 1 MW.	Application for FERC certification.	1	1.25	1.25	50 hrs; $3,950	62.5 hrs; $4,938	4,938
Small Power Production Facility > 1 MW.	Self-certification ..	2,698	1.25	3,372.5	1.5 hrs; $118.5	5,058.75 hrs; $399,641.	148
Small Power Production Facility > 1 MW.	Application for FERC certification.	0	1.25	0	50 hrs; $3,950	0 hrs; $0	0
Cogeneration and Small Power Production Facility ≤ 1 MW (Self-Certification) [7].	Self-certification ..	692	1.25	865	1.5 hrs; $118.5	1,297.5 hrs; $102,503.	148
Total	.....	3,454	.....	4,317.5	.....	6,536.875 hrs; $516,413.13.	.....

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04678 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

[5] The Commission staff believes that industry is similarly situated in terms of wages and benefits. Therefore, cost estimates are based on FERC's 2018 average annual wage (and benefits) for a full-time employee of $164,820 (or $79.00/hour).

[6] MW = megawatt.

[7] Not required to file.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP19–102–000]

ANR Pipeline Company; Notice of Request Under Blanket Authorization

Take notice that on February 27, 2019, ANR Pipeline Company (ANR), 700 Louisiana Street, Houston, Texas 77002–2700, filed in Docket No. CP19–102–000 a prior notice request pursuant to sections 157.205, 157.208, and 157.216 of the Commission's regulations under the Natural Gas Act (NGA) and ANR's blanket certificate issued in Docket No. CP82–480–000. ANR proposes to replace segments of its existing 22-inch mainline (Line 301), 24-inch loop line (Line 1–301), and 30-inch loop line (Line 2–301), all located in Kane County, Illinois. Due to residential housing and recreational development along discrete sections of the pipelines, ANR is required, pursuant to Part 192 of the U.S. Department of Transportation regulations, to either upgrade the pipe or lower the Maximum Allowable Operating Pressure in those sections by June 30, 2019, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions regarding this application should be directed to Linda Farquhar, Manager, Project Determinations & Regulatory Administration, ANR Pipeline Company, 700 Louisiana Street, Suite 700, Houston, Texas, 77002–2700, at (832) 320–5685 or fax (832) 320–6685 or *linda_farquhar@transcanada.com.*

Any person or the Commission's staff may, within 60 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to section 157.205 of the regulations under the NGA (18 CFR 157.205), a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9,

within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list and will be notified of any meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, 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 3 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE, Washington, DC 20426.

Dated: March 8, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04746 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14963–000]

Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications: Renewable Energy Aggregators

On January 10, 2019, Renewable Energy Aggregators, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Wrightstown Pumped Storage Hydroelectric Project to be located in Bucks County, Pennsylvania. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) A new upper reservoir with a surface area of 46.4 acres and a storage capacity of 695.9 acre-feet at a surface elevation of approximately 228 feet above mean sea level (msl) created through construction of a new roller-compacted concrete or rock-filled dam; (2) a new lower reservoir with a surface area of 12.6 acres and a total storage capacity of 755.9 acre-feet at a surface elevation of −149 feet msl; (3) a new 1,100-foot-long, 48-inch-diameter penstock connecting the upper and lower reservoirs; (4) a new 150-foot-long, 50-foot-wide powerhouse containing one turbine-generator unit with a total rated capacity of 20 megawatts; (5) a new transmission line connecting the powerhouse to a nearby electric grid interconnection point with options to evaluate multiple grid interconnection locations; and (6) appurtenant facilities. The proposed project would have an annual generation of 87,241 megawatt-hours.

Applicant Contact: Adam Rousselle II, Renewable Energy Aggregators, 5710 Oak Crest Drive, Doylestown, PA 18902; phone: 215–485–1708.

FERC Contact: Monir Chowdhury; phone: (202) 502–6736.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–14963–000.

More information about this project, including a copy of the application, can be viewed or printed on the ''eLibrary'' link of the Commission's website at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number (P–14963) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: March 8, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04742 Filed 3–13–19; 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 rate filings:

Docket Numbers: ER19–106–001; ER17–2364–003; ER10–2719–033; ER16–2462–008; ER14–2500–009; ER14–2498–009; ER10–3099–021.

Applicants: Birdsboro Power LLC, St. Joseph Energy Center, LLC, East Coast Power Linden Holding, L.L.C., Oregon Clean Energy, LLC, Newark Energy Center, LLC, EIF Newark, LLC, RC Cape May Holdings, LLC.

Description: Notice of Non-Material Change in Status of Birdsboro Power LLC, et al.

Filed Date: 3/7/19.

Accession Number: 20190307–5113.

Comments Due: 5 p.m. ET 3/28/19.

Docket Numbers: ER19–289–002; ER10–1827–007; ER10–1533–019; ER18–2264–002; ER10–2791–0016;

ER10–2792–016; ER10–1575–014; ER10–2876–016; ER10–2931–016.

Applicants: Cleco Cajun LLC, Cleco Power LLC, Macquarie Energy LLC, Macquarie Energy Trading LLC, Bayou Cove Peaking Power, LLC, Big Cajun I Peaking Power LLC, Cottonwood Energy Company LP, Louisiana Generating LLC, NRG Sterlington Power LLC.

Description: Notice of Non-Material Change in Status of Cleco Cajun LLC, et al.

Filed Date: 3/6/19.

Accession Number: 20190306–5243.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–511–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Response to the Commission's 2/4/2019 Deficiency Letter re: Peak Shaving to be effective 2/5/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5200.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1206–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2019–03–07 ITC Midwest—Louise Solar Project GIA (J523) to be effective 2/22/2019.

Filed Date: 3/7/19.

Accession Number: 20190307–5032.

Comments Due: 5 p.m. ET 3/28/19.

Docket Numbers: ER19–1207–000.

Applicants: Prairie Breeze Wind Energy II LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 3/8/2019.

Filed Date: 3/7/19.

Accession Number: 20190307–5034.

Comments Due: 5 p.m. ET 3/28/19.

Docket Numbers: ER19–1209–000.

Applicants: Buckeye Wind Energy LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 3/8/2019.

Filed Date: 3/7/19.

Accession Number: 20190307–5039.

Comments Due: 5 p.m. ET 3/28/19.

Docket Numbers: ER19–1211–000.

Applicants: Midcontinent Independent System Operator, Inc., Northern States Power Company, a Minnesota, Great River Energy.

Description: § 205(d) Rate Filing: 2019–03–07 Filing to amend RS 28 GRE JPZ Revenue Allocation Agreement to be effective 5/7/2019.

Filed Date: 3/7/19.

Accession Number: 20190307–5149.

Comments Due: 5 p.m. ET 3/28/19.

Docket Numbers: ER19–1212–000.

Applicants: Midcontinent Independent System Operator, Inc., Great River Energy.

Description: § 205(d) Rate Filing: 2019–03–07 Revisions to Schedules 7, 8, and 9 regarding Willmar Municipal to be effective 5/7/2019.

Filed Date: 3/7/19.

Accession Number: 20190307–5150.

Comments Due: 5 p.m. ET 3/28/19.

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: Errata to February 27, 2019 Joint Petition of NERC, et al. for Approvals in Connection with the Dissolution of the Florida Reliability Coordinating Council, Inc. Regional Entity.

Filed Date: 3/6/19.

Accession Number: 20190306–5230.

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 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04672 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP19–99–000]

Natural Gas Company of America LLC; Notice of Application

Take notice that on February 28, 2019, Natural Gas Pipeline Company of America LLC (Natural), 3250 Lacey Road, Downers Grove, Illinois 60615, filed in Docket No. CP19–99–000 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act (NGA) requesting authorization to construct, install, and operate: (i) A new 10,000 horsepower (hp) EMD compressor unit and auxiliary facilities at Compressor Station (CS) 300 in Victoria County, Texas; (ii) a new 15,900 hp Solar Mars 100 turbine and auxiliary facilities at CS 301 in Wharton County, Texas; and (iii) two new 23,470 hp (each) Solar Titan 130 turbines and auxiliary facilities at CS 304 in Harrison County, Texas. Natural also proposes to abandon in place two 3,000 hp gas-fired compressor units at CS 300 and abandon all ten existing units at CS 304. Natural states that the project would provide a total of 72,840 hp, enabling Natural to deliver about 300,000 dekatherms per day (Dth/d) of incremental firm southbound transportation capacity on their Gulf Coast Mainline System to the project shipper, Corpus Christi Liquefaction LLC, with an additional 28,000 Dth/d of currently unsubscribed incremental firm capacity to be made available by Natural to the market. Natural is proposing negotiated rates and estimates the total cost of the Project to be approximately $145,248,818, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions concerning this application may be directed to Bruce H. Newsome, Vice President, Natural Gas Pipeline Company of America LLC, 3250 Lacey Road, Suite 700, Downers Grove, Illinois 60515, by telephone at (630) 725–3070, or by email at *bruce_newsome@kindermorgan.com.*

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record

for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 3 copies of filings made in the proceeding with the Commission and must provide a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list and will be notified of any meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek court review of the Commission's final order.

As of the February 27, 2018 date of the Commission's order in Docket No. CP16–4–001, the Commission will apply its revised practice concerning out-of-time motions to intervene in any new Natural Gas Act section 3 or section 7 proceeding.[1] Persons desiring to become a party to a certificate proceeding are to intervene in a timely manner. If seeking to intervene out-of-time, the movant is required to ''show good cause why the time limitation should be waived,'' and should provide justification by reference to factors set forth in Rule 214(d)(1) of the Commission's Rules and Regulations.[2]

The Commission strongly encourages electronic filings of comments, 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 3 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE, Washington, DC 20426.

Comment Date: March 27, 2019.

Dated: March 6, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04671 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6474–003]

KC Pittsfield LLC, Daley Energy, LLC; Notice of Transfer of Exemption

1. By letter filed February 15, 2019, KC Pittsfield LLC informed the Commission that the exemption from licensing for the 100–MW Eastman Brook Project No. 6474, originally issued September 7, 1982 [1] has been transferred from KC Pittsfield LLC to Daley Energy, LLC. The project is located on Eastman Brook in Grafton County, New Hampshire. The transfer of an exemption does not require Commission approval.

2. Daley Energy, LLC is now the exemptee of the Eastman Brook Project No. 6474. All correspondence should be forwarded to: Mr. Travis Daley, Daley Energy, LLC, 210 Route 10, Piermont, NH 03779, Phone: 802–291–0839, Email: *Tdaley210@outlook.com.*

Dated: March 7, 2019.

Kimberly D. Bose

Secretary.

[FR Doc. 2019–04682 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

[1] *Tennessee Gas Pipeline Company, L.L.C.,* 162 FERC ¶ 61,167 at ¶ 50 (2018).

[2] 18 CFR 385.214(d)(1).

[1] Notice of Exemption From Licensing. *Eastman Brook Hydro,* 20 FERC ¶ 62,426 (1982).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EL19–53–000; QF19–855–001]

Golden Valley Electric Association, Inc., Eco Green Generation LLC; Notice of Petition for Declaratory Order

Take notice that on March 5, 2019, pursuant to Rule 207 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.207 (2018), Golden Valley Electric Association, Inc. (GVEA) and Eco Green Generation LLC (EGG) (Jointly Petitioners), filed a petition for a declaratory order seeking to challenge the status of a self-certified Qualifying Facility (QF). GVEA is asking the Commission to find that the 147.8 MW hybrid power project proposed by EGG in its Form 556 filed in Docket QF19–855–000 is not a QF as defined by section 210 of the Public Utility Regulatory Policies Act of 1978, as amended, and 18 CFR 292.201 *et seq.,* as more fully explained in the petition.

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. 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 ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for

review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern time on April 4, 2019.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04674 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER19–1194–000]

Canal 3 Generating LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Canal 3 Generating LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is March 27, 2019.

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-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04675 Filed 3–13–19; 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: EC19–63–000.

Applicants: NRG Wholesale Generation LP, Entergy Mississippi, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of NRG Wholesale Generation LP, et al.

Filed Date: 3/1/19.

Accession Number: 20190301–5383.

Comments Due: 5 p.m. ET 4/30/19.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER18–1854–001.

Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Request for Deferral of Effective Date—Revisions to Enhance OOME Filing to be effective N/A.

Filed Date: 3/5/19.

Accession Number: 20190305–5218.

Comments Due: 5 p.m. ET 3/26/19.

Docket Numbers: ER18–2058–001.

Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Request for Deferral of Effective Date-Revisions to Market Settlement Timelines to be effective N/A.

Filed Date: 3/5/19.

Accession Number: 20190305–5200.

Comments Due: 5 p.m. ET 3/26/19.

Docket Numbers: ER19–261–001.

Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Request for Deferral of Effective Date—Provisions for Jointly Owned Units to be effective N/A.

Filed Date: 3/5/19.

Accession Number: 20190305–5199.

Comments Due: 5 p.m. ET 3/26/19.

Docket Numbers: ER19–1047–001.

Applicants: VESIVEC LLC.

Description: Tariff Amendment: Supplemental—MBRA Tariff to be effective 3/7/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5184.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1195–000.

Applicants: GSG 6, LLC.

Description: Baseline eTariff Filing: Reactive Service Revenue Requirement to be effective 5/1/2019.

Filed Date: 3/5/19.

Accession Number: 20190305–5221.

Comments Due: 5 p.m. ET 3/26/19.

Docket Numbers: ER19–1196–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2019–03–06_Termination of SA 3156 ATC–CEC Project Commitment Agree. (Carmeuse) to be effective 3/7/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5051.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1199–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original WMPA, SA No. 5294; Queue No. AC2–120 to be effective 2/7/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5101.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1200–000.

Applicants: Clearway Power Marketing LLC.

Description: Baseline eTariff Filing: Market-Based Rate Authorization and Request for Waivers and Blanket Approvals to be effective 4/1/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5109.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1201–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: 2019–03–06_SA 2004 Ameren-City of

Kahoka 1st Rev WDS to be effective 4/1/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5127.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1202–000.

Applicants: PacifiCorp.

Description: § 205(d) Rate Filing: BPA NITSA (SVEC Load) to be effective 3/29/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5134.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1203–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: LGIA High 5 Solar—High Desert Power Project, LLC and HDSI, LLC, SA 229 to be effective 3/7/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5137.

Comments Due: 5 p.m. ET 3/27/19.

Docket Numbers: ER19–1204–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: First Revised ISA No. 4697; Queue AD1–026 to be effective 2/4/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5178.

Comments Due: 5 p.m. ET 3/27/19.

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 6, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04680 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC19–4–000]

Commission Information Collection Activities (FERC–714); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection FERC–714 (Annual Electric Balancing Authority Area and Planning Area Report) and submitting the information collection to the Office of Management and Budget (OMB) for review. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. On November 7, 2018, the Commission published a Notice in the **Federal Register** in Docket No. IC19–4–000 requesting public comments. The Commission received no comments.

DATES: Comments on the collection of information are due April 15, 2019.

ADDRESSES: Comments filed with OMB, identified by OMB Control No. 1902–0140, should be sent via email to the Office of Information and Regulatory Affairs: *oira_submission@omb.gov*. Attention: Federal Energy Regulatory Commission Desk Officer.

A copy of the comments should also be sent to the Commission, in Docket No. IC19–4–000, by either of the following methods:

- *eFiling at Commission's website: http://www.ferc.gov/docs-filing/efiling.asp.*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance, contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–714, Annual Electric Balancing Authority Area and Planning Area Report.

OMB Control No.: 1902–0140.

Type of Request: Three-year extension of the FERC–714 information collection requirements with no changes to the current reporting requirements.

Abstract: The Commission uses the FERC–714 data to analyze power system operations. These analyses estimate the effect of changes in power system operations resulting from the installation of a new generating unit or plant, transmission facilities, energy transfers between systems, and/or new points of interconnections. The FERC–714 data assists in providing a broad picture of interconnected balancing authority area operations including comprehensive information of balancing authority area generation, actual and scheduled inter-balancing authority area power transfers, and net energy for load, summer and winter generation peaks and system lambda. The Commission also uses the data to prepare status reports on the electric utility industry including a review of inter-balancing authority area bulk power trade information. The Commission uses the collected data from planning areas to monitor forecasted demands by electric utilities with fundamental demand responsibilities and to develop hourly demand characteristics.

Type of Respondent: Electric utility balancing authorities and planning areas in the United States.

Estimate of Annual Burden: [1] The Commission estimates the annual public reporting burden and cost [2] (rounded)

[1] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 CFR 1320.3.

[2] The hourly cost (for salary plus benefits) uses the figures from the Bureau of Labor Statistics, May 2017, for the listed reporting requirements. These figures include salary (*https://www.bls.gov/oes/current/naics2_22.htm*) and benefits *http://www.bls.gov/news.release/ecec.nr0.htm*) and are:

Management (Code 11–0000), $94.28/hr.

Computer and mathematical (Code 15–0000), $63.25/hr.

Electrical Engineers (Code 17–2071), $66.90/hr.

Economist (Code 19–3011), $71.98/hr.

Computer and Information Systems Managers (Code 11–3021), $96.51/hr.

for the information collection as follows:

FERC–714 (Annual Electric Balancing Authority Area and Planning Area Report)

Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden & cost per response	Total annual burden hours & total annual cost	Cost per respondent ($)
(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
177	1	177	87 hrs.; $6,264.00	15,399 hrs.; $1,108,728.00	$6,264.00

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04677 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14227–003]

The Nevada Hydro Company, Inc. ; Notice of Tribal Consultation Meeting

a. *Date of Meeting:* Wednesday, March 20, 2019.

b. *FERC Contact:* Jim Fargo, (202) 502–6095 or *james.fargo@ferc.gov*.

c. *Purpose of Meeting:* Commission staff will meet with the Pechanga Band of Luiseno Mission Indians (Pechanga Tribe) at 888 First Street NE, Washington DC to discuss Nevada Hydro's Corporation's application to license the proposed Lake Elsinore Advanced Pumped Storage Project No 14227.

d. The meeting will be limited to tribal representatives of the Pechanga Tribe and the Commission's representatives. A summary of the meeting will be prepared and placed in the public record of these proceedings.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04683 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2514–186]

Appalachian Power Company; Notice of Intent To File License Application, Filing of Pre-Application Document (PAD), Commencement of Pre-Filing Process, and Scoping; Request for Comments on the PAD and Scoping Document, and Identification of Issues and Associated Study Requests

a. *Type of Filing:* Notice of Intent to File License Application for a New License and Commencing Pre-filing Process.

b. *Project No.:* 2514–186.

c. *Dated Filed:* January 7, 2019.

d. *Submitted By:* Appalachian Power Company (Appalachian).

e. *Name of Project:* Byllesby-Buck Hydroelectric Project.

f. *Location:* On the New River near the City of Galax, Carroll County, Virginia. The project does not occupy federal lands.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Elizabeth B. Parcell, Process Supervisor, Appalachian Power Company, 40 Franklin Road SW, Roanoke, VA, (540) 985–2441, *ebparcell@aep.com.*

i. *FERC Contact:* Brandi Sangunett at (202) 502–8393 or email at *brandi.sangunett@ferc.gov.*

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402, and (b) the State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Appalachian as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. On January 7, 2019, Appalachian filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for

Accountants and Auditors (Code 13–2011), $56.59/hr.

Transportation, Storage, and Distribution Managers (Code 11–3071), $75.34/hr.

Power Distributors and Dispatchers (Code 51–8012), $53.48/hr.

The average hourly cost (wages plus benefits) for the above wages is $72.29/hour (rounded to $72.00/hour).

inspection and reproduction at the address in paragraph h.

Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are soliciting comments on the PAD and Commission's staff Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov.* 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–2514–186.

All filings with the Commission must bear the appropriate heading: ''Comments on Pre-Application Document,'' ''Study Requests,'' ''Comments on Scoping Document 1,'' ''Request for Cooperating Agency Status,'' or ''Communications to and from Commission Staff.'' Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by May 7, 2019.

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and location of these meetings are as follows:

Evening Scoping Meeting

Date and Time: Wednesday, April 10, 2019 at 7:00 p.m.

Location: Hampton Inn-Galax, 205 Cranberry Road, Galax, VA 24333, Phone: (276) 238–4605.

Daytime Scoping Meeting

Date and Time: Thursday, April 11, 2019 at 9:00 a.m.

Location: Hampton Inn-Galax, 205 Cranberry Road, Galax, VA 24333, Phone: (276) 238–4605.

SD1, which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at *http://www.ferc.gov,* using the ''eLibrary'' link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Review

The applicant and Commission staff will conduct an environmental site review of the project on Wednesday, April 10, 2019 at 10:00 a.m. All participants should meet at Byllesby Dam located at the intersection of Byllesby Road and the New River Trail near Ivanhoe, VA 24350; thereafter participants should be prepared to drive or carpool to other locations within the project boundary. To attend the environmental site review, please RSVP via email to Elizabeth B. Parcell at *ebparcell@aep.com.* Persons not providing an RSVP by April 3, 2019, will not be allowed on the environmental site review.

Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

Meeting Procedures

The meetings will be recorded by a stenographer and will be placed in the public record of the project.

Dated: March 8, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04743 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: CP19–103–000.

Applicants: Columbia Gas Transmission, LLC.

Description: Abbreviated Application of Columbia Gas Transmission, LLC for Authorization to Abandon Exchange Service under Rate Schedule X–130.

Filed Date: 3/1/19.

Accession Number: 20190301–5263.

Comments Due: 5 p.m. ET 3/13/19.

Docket Numbers: CP19–104–000.

Applicants: Texas Eastern Transmission, LP.

Description: Abbreviated Application for Authorization to Abandon Exchange Service (Rate Schedule X–128) of Texas Eastern Transmission, LP.

Filed Date: 3/1/19.

Accession Number: 20190301–5354.

Comments Due: 5 p.m. ET 3/13/19.

Docket Number: PR19–46–000.

Applicants: The Brooklyn Union Gas Company.

Description: Tariff filing per 284.123(b),(e)/: REVISED STATEMENT OF OPERATING CONDITIONS to be effective 5/1/2019.

Filed Date: 3/4/19.

Accession Number: 201903045129.

Comments/Protests Due: 5 p.m. ET 3/25/19.

Docket Number: PR19–47–000.

Applicants: KeySpan Gas East Corporation.

Description: Tariff filing per 284.123(b),(e)/: REVISED STATEMENT OF OPERATING CONDITIONS to be effective 5/1/2019.

Filed Date: 3/4/19.

Accession Number: 201903045151.

Comments/Protests Due: 5 p.m. ET 3/25/19.

Docket Numbers: RP19–809–000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: PAL NRA–NJR Energy Deal 951952 eff 3–7–19 to be effective 3/7/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5135.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–810–000.

Applicants: Tallgrass Interstate Gas Transmission, L, Trailblazer Pipeline Company LLC, Rockies Express Pipeline LLC.

Description: Request for Temporary Waiver and Extension of Time to Implement Certain NAESB Order No. 587–Y Standards of the Tallgrass Pipelines under RP19–810, et al.

Filed Date: 3/6/19.

Accession Number: 20190306–5145.

Comments Due: 5 p.m. ET 3/13/19.

Docket Numbers: RP19–811–000.

Applicants: Tallgrass Interstate Gas Transmission, L, Trailblazer Pipeline Company LLC, Rockies Express Pipeline LLC.

Description: Request for Temporary Waiver and Extension of Time to Implement Certain NAESB Order No. 587–Y Standards of the Tallgrass Pipelines under RP19–810, et al.

Filed Date: 3/6/19.

Accession Number: 20190306–5145.

Comments Due: 5 p.m. ET 3/13/19.

Docket Numbers: RP19–812–000.

Applicants: Tallgrass Interstate Gas Transmission, L, Trailblazer Pipeline Company LLC, Rockies Express Pipeline LLC.

Description: Request for Temporary Waiver and Extension of Time to Implement Certain NAESB Order No. 587–Y Standards of the Tallgrass Pipelines under RP19–810, et al.

Filed Date: 3/6/19.

Accession Number: 20190306–5145.

Comments Due: 5 p.m. ET 3/13/19.

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 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04673 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2544–049]

Hydro Technology Systems, Inc.; Notice of Intent to File License Application, Filing of Pre-Application Document, Approving Use of the Traditional Licensing Process

a. *Type of Filing:* Notice Approving the Use of the Traditional Licensing Process.

b. *Project No.:* 2544–049.

c. *Date Filed:* December 31, 2018.

d. *Submitted By:* Hydro Technology Systems, Inc.

e. *Name of Project:* Meyers Falls Hydroelectric Project.

f. *Location:* On the Colville River near the city of Kettle Falls, in Stevens County, Washington. The project does not occupy federal lands.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's Regulations.

h. *Applicant Contact:* Mr. Benjamin Hendrickson, Hydro Technology System, Inc., P.O. Box 245, Kettle Falls, WA 99141, (509) 993–7629.

i. *FERC Contact:* Maryam Zavareh at (202) 502–8474 or email at *Maryam.zavareh@ferc.gov.*

j. Hydro Technology Systems, Inc. filed its request to use the Traditional Licensing Process on December 31, 2018. Hydro Technology Systems, Inc. provided public notice of its request on February 1, 2019. In a letter dated March 7, 2019, the Director of the Division of Hydropower Licensing approved Hydro Technology Systems, Inc.'s request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402. We are also initiating consultation with the Washington State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. Hydro Technology Systems, Inc. filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

m. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCONlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

n. The licensee states its unequivocal intent to submit an application for a new license for Project No. 2544. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by December 01, 2020.

o. Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: March 7, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04681 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14961–000]

Renewable Energy Aggregators; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On January 10, 2019, Renewable Energy Aggregators, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Eastern Industries Pumped Storage Hydroelectric Project to be located in Lehigh County, Pennsylvania. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) A new upper reservoir with a surface area of 62 acres and a storage capacity of 929.9 acre-feet at a surface elevation of approximately 1,343 feet above mean sea level (msl) created through construction of a new roller-compacted concrete or rock-filled dam; (2) a new lower reservoir with a surface area of 22.3 acres and a total storage capacity of 1,337.9 acre-feet at a surface elevation of 1,057 feet msl; (3) a new 834-foot-long, 48-inch-diameter penstock connecting the upper and lower reservoirs; (4) a new 150-foot-long, 50-foot-wide powerhouse containing one turbine-generator unit with a total rated capacity of 20 megawatts; (5) a new transmission line connecting the powerhouse to a nearby electric grid interconnection point with options to evaluate multiple grid interconnection locations; and (6) appurtenant facilities. The proposed project would have an annual generation of 88,434 megawatt-hours.

Applicant Contact: Adam Rousselle II, Renewable Energy Aggregators, 5710 Oak Crest Drive, Doylestown, PA 18902; phone: 215–485–1708.

FERC Contact: Monir Chowdhury; phone: (202) 502–6736.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–14961–000.

More information about this project, including a copy of the application, can be viewed or printed on the ''eLibrary'' link of the Commission's website at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number (P–14961) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: March 8, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04745 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP19–803–000.

Applicants: Guardian Pipeline, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate PAL Agreements—MIECO, Twin Eagle, Citadel, & Updates to be effective 3/4/2019.

Filed Date: 3/4/19.

Accession Number: 20190304–5157.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–804–000.

Applicants: UGI Sunbury, LLC.

Description: § 4(d) Rate Filing: Annual Retainage Adjustment Filing to be effective 4/1/2019.

Filed Date: 3/4/19.

Accession Number: 20190304–5160.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–801–001.

Applicants: Tennessee Gas Pipeline Company, L.L.C.

Description: Tariff Amendment: Fuel Filing 2019—Amendment to be effective 4/1/2019.

Filed Date: 3/5/19.

Accession Number: 20190305–5102.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–805–000.

Applicants: Guardian Pipeline, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate PAL Agreement—Twin Eagle Resource Management, LLC to be effective 3/6/2019.

Filed Date: 3/5/19.

Accession Number: 20190305–5105.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–806–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement-Eco-Energy to be effective 4/1/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5000.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–807–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement-Sempra Gas & Power to be effective 4/1/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5001.

Comments Due: 5 p.m. ET 3/18/19.

Docket Numbers: RP19–808–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement-Union Electric to be effective 4/1/2019.

Filed Date: 3/6/19.

Accession Number: 20190306–5002.

Comments Due: 5 p.m. ET 3/18/19.

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 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.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019–04670 Filed 3–13–19; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2018–0657; FRL–9987–82]

Pesticide Maintenance Fee: Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 of Unit III., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

DATES: The cancellations are effective March 14, 2019.

FOR FURTHER INFORMATION CONTACT: Michael Yanchulis, Information Technology and Resources Management Division (7502P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (703) 347–0237; email address: *yanchulis.michael@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2018–0657, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

II. Background

This cancellation order follows an October 19, 2018 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit III. to voluntarily cancel these product registrations. In the October 19, 2018 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received two comments on the October 19, 2018 notice. One comment was general in nature and did not merit further review. The other comment was a request from Loveland Products, Inc. to withdraw one cancellation request for registration number WA900005 which now will be retained. The registration numbers below were listed in the October 19, 2018 notice but were listed in another request to cancel **Federal Register** notice so are not listed in this notice. The products and **Federal Register** notice are: **Federal Register** of August 10, 2018 (83 FR 39746; FRL–9980–44): 100–1065, 100–1174, 100–1181, 100–1257, OR040004, OR040005, OR990039, OR990040 and VA110002. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

Section 4(i)(5) of FIFRA (7 U.S.C. 136a–1(i)(5)) requires that all pesticide registrants pay an annual registration maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under FIFRA section 3 (7 U.S.C. 136a) as well as those granted under FIFRA section 24(c) (7 U.S.C. 136v(c)) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing.

Under FIFRA, the EPA Administrator may reduce or waive maintenance fees for minor agricultural use pesticides when it is determined that the fee would be likely to cause significant impact on the availability of the pesticide for the use.

In fiscal year 2018, maintenance fees were collected in one billing cycle. In late November of 2017, all holders of either FIFRA section 3 registrations or FIFRA section 24(c) registrations were sent lists of their active registrations, along with forms and instructions for responding. They were asked to identify which of their registrations they wished to maintain in effect, and to calculate and remit the appropriate maintenance fees. Most responses were received by the statutory deadline of January 15, 2018. A notice of intent to cancel was sent in May of 2017 to companies who did not respond and to companies who responded but paid for less than all their registrations. Since mailing the notices of intent to cancel, EPA has maintained a toll-free inquiry number through which the questions of affected registrants have been answered.

In fiscal year 2018, the Agency has waived the fee for 336 minor agricultural use registrations at the request of the registrants. Maintenance fees have been paid for about 16,519 FIFRA section 3 registrations, or about 97% of the registrations on file in October 2017. Fees have been paid for about 1,838 FIFRA section 24(c) registrations, or about 86% of the total on file in October 2017. Cancellations for non-payment of the maintenance fee affect 135 FIFRA section 3 registrations and 7 FIFRA section 24(c) registrations. These cancellations can be found in Table 3 of Unit III. Cancellations for companies paying the fee at one of the capped payment amounts are considered voluntary cancellations since the registration could be maintained without an additional fee payment. These cancellations are subject to a 30-day comment period and are listed in Table 1 of Unit III.

The cancellation orders generally permit registrants to continue to sell and distribute existing stocks of the canceled products until January 15, 2019, 1-year after the date on which the fee was due. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold, or used legally until they are exhausted. Existing stocks are defined as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order.

The exceptions to these general rules are cases where more stringent restrictions on sale, distribution, or use of the products have already been imposed, through special reviews or

other Agency actions. These general provisions for disposition of stocks should serve in most cases to cushion the impact of these cancellations while the market adjusts.

III. What action is the Agency taking?

This notice announces the cancellation, as requested by registrant, of products registered under FIFRA section 3 (7 U.S.C. 136a). These registrations are listed in sequence by registration number in Table 1 of this unit.

TABLE 1—PRODUCT CANCELLATIONS

Registration No.	Company No.	Product name	Chemical name
100–1053	100	Havoc Rodenticide Bait Pack Pellets with Bittrex	Brodifacoum.
100–1054	100	Havoc Rodenticide Bait Pack Mini-Pellets with Bitrex.	Brodifacoum.
100–1082	100	Demand Pestab Insecticide	lambda-Cyhalothrin.
100–1142	100	Mesotrione/acetochlor 3.5 CS	Mesotrione; Acetochlor.
100–1152	100	Lumax Selective Herbicide	Mesotrione; Atrazine; S-Metolachlor.
100–1201	100	Lexar Herbicide	Mesotrione; Atrazine; S-Metolachlor.
100–1396	100	Flexstar Gt Manufacturing Use Concentrate	Glyphosate; Sodium salt of fomesafen.
100–1436	100	Derby	Thiamethoxam; lambda-Cyhalothrin.
100–1542	100	Zyrox SC	Cyantraniliprole.
228–689	228	MSM E-Pro 60 EG Herbicide	Metsulfuron.
228–702	228	Nufarm Prosedge Selective Herbicide	Halosulfuron-methyl.
264–1075	264	Wolverine Herbicide	Bromoxynil octanoate; Bromoxynil heptanoate; Fenoxaprop-p-ethyl; Pyrasulfotole Technical.
264–1103	264	Atlantis Herbicide	Mesosulfuron-methyl; Iodosulfuron-methyl-sodium.
270–307	270	Farnam Pet Spray 549	MGK 264; Pyrethrins; Pyriproxyfen.
400–583	400	Captan Technical	Captan.
400–599	400	Flupro-Technical	Flumetralin.
432–1232	432	Chipco 26019 75WDG Brand Fungicide	Iprodione.
432–1568	432	Plainview Herbicide	Aminocyclopyrachlor; Sulfometuron; Chlorsulfuron.
432–1577	432	Lineage HWC Herbicide	Imazapyr; Sulfometuron; Metsulfuron.
432–1579	432	Lineage Prep Herbicide	Imazapyr; Sulfometuron; Metsulfuron.
875–41	875	Diversol CX with Arodyne	Sodium hypochlorite.
875–95	875	Low Temperature Sanitizer W500l	Sodium hypochlorite.
875–182	875	Divosan X-Tend	Phosphoric acid.
875–185	875	Pro-Kleen	Phosphoric acid; Dodecylbenzenesulfonic acid.
1015–67	1015	Douglas Pyrethrin 5	MGK 264; Piperonyl butoxide; Pyrethrins.
2596–86	2596	Hartz 2 in 1 Flea & Tick Dip for Dogs with Pyrethrin	MGK 264; Piperonyl butoxide; Pyrethrins.
2724–640	2724	Speer Neoperm Wasp & Hornet Killer #1	Piperonyl butoxide; Permethrin; Tetramethrin.
2724–646	2724	Speer Neoperm Crawling Insect Killer IV	Piperonyl butoxide; Permethrin; Tetramethrin.
3862–135	3862	Drop Dead	Propoxur; MGK 264; Piperonyl butoxide; Pyrethrins.
3862–156	3862	Microbiocide LD-5	Potassium dimethyldithiocarbamate.
5383–88	5383	Troysan Polyphase 588	Carbamic acid, butyl-, 3-iodo-2-propynyl ester; Irgarol 1051.
5383–102	5383	Mergal S90	Carbendazim; Octhilinone; Irgarol 1051.
5383–115	5383	Polyphase 3000	Carbamic acid, butyl-, 3-iodo-2-propynyl ester.
5383–167	5383	Nuosept Bit Technical	1,2-Benzisothiazolin-3-one.
5736–102	5736	Super-Bol	Quaternary Ammonium Compounds.
5813–52	5813	Ultra Clorox Brand 6.15% Bleach	Sodium hypochlorite.
9198–70	9198	The Andersons Weed & Feed	2,4-D, dimethylamine salt.
9198–79	9198	The Andersons Tee Time Fertilizer with 1.15% Team.	Benfluralin; Trifluralin.
9198–111	9198	The Andersons 1.0% Bayleton(R) Fungicide	Triadimefon.
9198–184	9198	Andersons Golf Products Kog Weed Control	Dicamba.
9198–201	9198	High K Fertilizer with TGR POA Annual Control	Paclobutrazol.
9198–216	9198	The Anderson's 0.058% Granular Bifenthrin Insecticide.	Bifenthrin.
11556–164	11556	Americare Rabon Flea & Tick Collar for Dogs	Gardona (cis-isomer).
11556–165	11556	Americare Rabon Flea & Tick Collar for Cats	Gardona (cis-isomer).
28293–146	28293	Unicorn Concentrated Flea and Tick Dip	MGK 264; Piperonyl butoxide; Pyrethrins.
28293–158	28293	Unicorn Knockdown Spray	MGK 264; Permethrin; Pyrethrins.
28293–161	28293	Unicorn Home Fogger	MGK 264; Permethrin; Pyrethrins.
28293–214	28293	Unicorn IGR Total Release Fogger	MGK 264; Permethrin; Pyriproxyfen; Pyrethrins.
53883–245	53883	Diuron 4L Algaecide	Diuron.
55146–150	55146	NUP–12103 Bulk Product	Azoxystrobin; Propiconazole.
60063–27	60063	Sipcam Propiconazole 1.3ME	Propiconazole.
66222–96	66222	Diuron 90DF	Diuron.
66222–170	66222	Rotary 2 SL	Imazapyr, isopropylamine salt.
66330–377	66330	Thifensulfuron + Tribenuron 4:1 Herbicide Tank Mix	Thifensulfuron.
66330–378	66330	Thifensulfuron + Tribenuron 2:1 Herbicide Tank Mix	Thifensulfuron; Tribenuron-methyl.
66330–405	66330	Raze Herbicide	Fluroxypyr 1-methylheptyl ester; Flucarbazone-sodium.
66330–426	66330	Dicamba Technical	Dicamba.
66330–427	66330	Dicamba Technical B	Dicamba.
67619–7	67619	CPPC Ultra Bleach	Sodium hypochlorite.
68156–4	68156	Dintec HFP Trifluralin	Trifluralin.

TABLE 1—PRODUCT CANCELLATIONS—Continued

Registration No.	Company No.	Product name	Chemical name
69681–33	69681	Clor Mor Multishock Plus	Sodium dichloro-s-triazinetrione.
69681–34	69681	Clor Mor Triple-Action Chlorinating Tabs	Trichloro-s-triazinetrione; Boron sodium oxide (B4Na2O7), pentahydrate.
70627–4	70627	Johnson CRS	Sodium hypochlorite.
70627–51	70627	Raid Commercial Flying Insect Killer	Piperonyl butoxide; Tetramethrin.
70627–61	70627	Multi-Surface Antibacterial	L-Lactic acid.
70627–76	70627	Windex Multi-Surface Disinfectant	L-Lactic acid.
72155–10	72155	Merit 0.005% PM Plus Fertilizer	Imidacloprid.
72155–34	72155	Beta-Cyfluthrin 0.05% Fire Ant Granular Insecticide	beta-Cyfluthrin.
72155–44	72155	Merit 0.2 Granular Insecticide	Imidacloprid.
72155–61	72155	Tebuconazole 1.0% + Merit 0.2% Concentrate Fungicide/Insecticide.	Tebuconazole; Imidacloprid.
72155–89	72155	Lawn 3FL Herbicide Concentrate/Ready-To-Spray	2,4-D, dimethylamine salt; Mecoprop-P; Dicamba, potassium salt; Indaziflam.
72155–90	72155	Lawn 3FL Herbicide Ready-To-Use	2,4-D, dimethylamine salt; Mecoprop-P; Dicamba, potassium salt; Indaziflam.
72155–104	72155	Lawn 3FL2 Herbicide Concentrate/Ready-To-Spray	2,4-D, dimethylamine salt; Mecoprop-P; Dicamba, potassium salt; Indaziflam.
72155–105	72155	Lawn 3FL2 Herbicide Ready-To-Use	2,4-D, dimethylamine salt; Mecoprop-P-potassium; Dicamba, potassium salt; Indaziflam.
72304–8	72304	Clortram F-54	Chlorothalonil.
83070–10	83070	Eject 4L	Quinclorac.
85588–11	85588	Pysonex Herbicide	Pyrithiobac-sodium.
AL170004	352	Dupont Fexapan Herbicide	Dicamba, diglycolamine salt.
AR080014	352	Dupont Firstshot SG Burndown Herbicide	Thifensulfuron; Tribenuron-methyl.
AR100005	8033	Confirm 2F Agricultural Insecticide	Tebufenozide.
AR120008	59639	V–10142 AG Herbicide	Imazosulfuron.
AR130010	352	Dupont Realm Q Herbicide	Mesotrione; Rimsulfuron.
AR140004	8033	Intruder Brand Insecticide	Acetamiprid.
AR940002	59639	Valent Bolero 8 EC	Thiobencarb.
AR940003	59639	Valent Bolero 8 EC	Thiobencarb.
AR950004	59639	Valent Bolero 8 EC	Thiobencarb.
AZ110002	7173	Difethialone Paste Place Packs	Difethialone.
AZ120003	10163	Intruder Brand Insecticide	Acetamiprid.
AZ170005	8033	Assail 70WP Insecticide	Acetamiprid.
CA040027	5481	Alco Citrus Fix	2,4-D, isopropyl ester.
CA100007	34704	Liqui-Stik Concentrate	Ammonium 1-naphthaleneacetate.
CA930003	59639	Valent Bolero 8 EC	Thiobencarb.
CA930013	5481	Tre-Hold Sprout Inhibitor A112	Ethyl 1-naphthaleneacetate.
CA990022	352	Dupont Asana XL Insecticide	Esfenvalerate.
FL030004	100	Fulfill	Pymetrozine.
FL040006	100	Fulfill Insecticide	Pymetrozine.
FL930010	59639	Valent Bolero 8 EC	Thiobencarb.
GA110002	100	Ridomil Gold SL	Metalaxyl-M.
GA170003	352	Dupont Fexapan Herbicide	Dicamba, diglycolamine salt.
GA990005	5481	Vapam HL Soil Fumigant	Metam-sodium.
HI120004	100	Evik 80 WDG	Ametryn.
ID000010	100	Fulfill	Pymetrozine.
ID060007	241	Prowl H2O Herbicide	Pendimethalin.
ID080006	66330	Evito 480 SC Fungicide	Fluoxastrobin.
ID090016	5481	Orthene 97	Acephate.
ID110005	59639	Metconazole 50 WDG Fungicide	Metconazole.
ID960008	7969	Basagran Herbicide	Sodium bentazon.
IN110002	100	Ridomil Gold SL	Metalaxyl-M.
KY140038	100	Ridomil Gold SL	Metalaxyl-M.
LA010003	59639	Valent Bolero 8 EC	Thiobencarb.
LA070001	241	Scepter 70 DG Herbicide	Imazaquin.
LA120001	352	Dupont Dermacor X–100 Seed Treatment	Chlorantraniliprole.
LA120016	241	Prowl H2O Herbicide	Pendimethalin.
LA140002	8033	Intruder Brand Insecticide	Acetamiprid.
LA950005	59639	Valent Bolero 8 EC	Thiobencarb.
ME100001	50534	Bravo ZN	Chlorothalonil.
MI040001	50534	Bravo 720	Chlorothalonil.
MI040002	50534	Bravo ZN	Chlorothalonil.
MI100002	50534	Bravo Weather Stik	Chlorothalonil.
MI120001	50534	Bravo 720	Chlorothalonil.
MI130004	100	Cannonball WP	Fludioxonil.
MN030006	50534	Bravo Weatherstik	Chlorothalonil.
MN030007	50534	Bravo Ultrex	Chlorothalonil.
MN030008	50534	Bravo ZN	Chlorothalonil.
MN080002	66330	Malathion 5 EC	Malathion.
MO030005	59639	Valent Bolero 8 EC	Thiobencarb.

TABLE 1—PRODUCT CANCELLATIONS—Continued

Registration No.	Company No.	Product name	Chemical name
MO130001	352	Dupont Realm Q Herbicide	Mesotrione; Rimsulfuron.
MO930007	59639	Valent Bolero 8 EC	Thiobencarb.
MO940005	59639	Valent Bolero 8 EC	Thiobencarb.
MO950002	59639	Valent Bolero 8 EC	Thiobencarb.
MS120006	352	Dupont Realm Q Herbicide	Mesotrione; Rimsulfuron.
MS140006	8033	Intruder Brand Insecticide	Acetamiprid.
MS930009	59639	Valent Bolero 8 EC	Thiobencarb.
MS930010	59639	Valent Bolero 8 EC	Thiobencarb.
MS950007	59639	Valent Bolero 8 EC	Thiobencarb.
MT030008	100	Fulfill	Pymetrozine.
MT080003	39039	Python Insecticide Cattle Ear Tag	Piperonyl butoxide; Zeta-Cypermethrin.
MT110001	59639	Metconazole 50 WDG Fungicide	Metconazole.
MT960001	7969	Basagran Herbicide	Sodium bentazon.
NC070003	59639	Select Max Herbicide in Inside Technology	Clethodim.
NC110004	100	Ridomil Gold SL	Metalaxyl-M.
NC120011	241	Prowl H2O Herbicide	Pendimethalin.
NC130003	5481	Vapam HL Soil Fumigant	Metam-sodium.
NC830009	5481	Zeneca Vapam 4–S Soil Fumigant Solution	Metam-sodium.
ND030007	50534	Bravo Weatherstik	Chlorothalonil.
ND030008	50534	Bravo ZN	Chlorothalonil.
ND170007	70506	Super Tin 4L	Fentin hydroxide.
NE090001	50534	Bravo 720	Chlorothalonil.
NE090002	50534	Bravo ZN	Chlorothalonil.
NJ110011	50534	Bravo 720	Chlorothalonil.
NM140002	34704	Malathion 8 Aquamul	Malathion.
NV000004	100	Fulfill	Pymetrozine.
NV110002	59639	Valor Herbicide	Flumioxazin.
NY120011	7969	Headline Fungicide	Pyraclostrobin.
NY120012	7969	Bas 556 SC	Pyraclostrobin; Metconazole.
NY120013	7969	Headline SC	Pyraclostrobin.
NY140004	7969	Merivon Xemium Brand Fungicide	Pyraclostrobin; Fluxapyroxad.
NY140005	7969	Priaxor Xemium Brand Fungicide	Pyraclostrobin; Fluxapyroxad.
NY170003	352	Dupont Fexapan Herbicide	Dicamba, diglycolamine salt.
OH110005	100	Ridomil Gold SL	Metalaxyl-M.
OK090002	39039	Python Insecticide Cattle Ear Tag	Piperonyl butoxide; Zeta-Cypermethrin.
OR070018	66222	Diazinon AG500	Diazinon.
OR110004	7969	Basf Poast Herbicide	Sethoxydim.
OR950033	7969	Basagran Herbicide	Sodium bentazon.
SC120001	100	Ridomil Gold SL	Metalaxyl-M.
SC960006	5481	Vapam HL Soil Fumigant	Metam-sodium.
SD110003	39039	Python Insecticide Cattle Ear Tag	Piperonyl butoxide; Zeta-Cypermethrin.
SD120001	7969	Optill Pro Powered by Kixor Herbicide	Imazethapyr; Saflufenacil.
TN050001	5481	Orthene 97	Acephate.
TN110002	100	Ridomil Gold SL	Metalaxyl-M.
TN130008	34704	Tombstone	Cyfluthrin.
TX930007	59639	Cobra Herbicide	Lactofen.
TX930023	59639	Valent Bolero 8 EC	Thiobencarb.
TX980004	5481	Orthene Turf, Tree & Ornamental Spray B WSP	Acephate.
UT000010	100	Fulfill	Pymetrozine.
UT090001	8033	Assail 70WP Insecticide	Acetamiprid.
UT120030	100	Gramoxone SL 2.0	Paraquat dichloride.
UT990004	352	Vydate L Insecticide/Nematicide	Oxamyl.
UT990005	5481	Dibrom 8 Emulsive	Naled.
VA050004	70506	Waylay 3.2 AG Permethrin Insecticide	Permethrin.
WA000016	100	Fulfill	Pymetrozine.
WA000017	100	Fulfill	Pymetrozine.
WA110004	66330	ARY 0454-105 Suspension Concentrate Herbicide	Flucarbazone-sodium.
WA120011	59639	Valor Herbicide	Flumioxazin.
WA130007	100	Fusilade II Turf and Ornamental Herbicide	Fluazifop-P-butyl.
WA900012	7969	Basagran	Sodium bentazon.
WI130009	50534	Bravo 825 Agricultural Fungicide	Chlorothalonil.
WI130010	50534	Bravo 720	Chlorothalonil.
WI130011	50534	Bravo ZN	Chlorothalonil.
WI130013	50534	Bravo 720	Chlorothalonil.

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

TABLE 2—REGISTRANTS OF CANCELED PRODUCTS

EPA company No.	Company name and address
100	Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419.
228	Nufarm Americas, Inc., 4020 Aerial Center Parkway, Suite 101, Morrisville, NC 27560.
241	BASF Corporation, P.O. Box 13528, Research Triangle Park, NC 27709.
264	Bayer Cropscience LP, P.O. Box 12014, Research Triangle Park, NC 27709.
270	Farnam Companies, Inc., 1501 E Woodfield Road, Suite 200 West, Shaumburg, IL 60173.
352	E I. Du Pont de Nemours and Company, Chestnut Run Plaza, 974 Centre Road, Wilmington, DE 19805.
400	MacDermid Agricultural Solutions, Inc., c/o Arysta Lifescience North America, LLC, 15401 Weston Parkway, Suite 150, Cary, NC 27513.
432	Bayer Environmental Science, A Division of Bayer Cropscience LP, P.O. Box 12014, Research Triangle Park, NC 27709.
875	Diversey, Inc., 1410 Newman Road, Racine, WI 53406.
1015	Pyxis Regulatory Consulting, Inc., Agent for Douglas Products and Packaging Co., 4110 136th Street CT NW, Gig Harbor, WA 98332.
2596	The Hartz Mountain Corporation, 400 Plaza Drive, Secaucus, NJ 07094.
2724	Wellmark International, 1501 E Woodfield Road, Suite 200 West, Shaumburg, IL 60173.
3862	ABC Compounding Co., Inc., P.O. Box 80729, Conyers, GA 30013.
5383	Troy Chemical Corp., c/o. Troy Corporation, 8 Vreeland Road, Florham Park, NJ 07932.
5481	AMVAC Chemical Corporation, 4695 MacArthur Court, Suite 1200, Newport Beach, CA 92660.
5736	Diversey, Inc., 1410 Newman Road, Racine, WI 53406.
5813	The Clorox Co., c/o PS&RC, P.O. Box 493, Pleasanton, CA 94566.
7173	Liphatech, Inc., 3600 W Elm Street, Milwaukee, WI 53209.
7969	BASF Corporation, Agricultural Products, P.O. Box 13528, Research Triangle Park, NC 27709.
8033	Nisso America Inc., Agent for Nippon Soda Co., Ltd., 88 Pine Street, 14th Floor, New York, NY 10005.
9198	The Andersons, Inc., P.O. Box 119, Maumee, OH 43537.
10163	Gowan Company, P.O. Box 5569, Yuma, AZ 85366.
11556	Bayer Healthcare LLC, Animal Health Division, P.O. Box 390, Shawnee Mission, KS 66201.
28293	Phaeton Corp., d/b/a Unicorn Laboratories, 1501 E Woodfield Road, Suite 200 West, Schaumburg, IL 60173.
34704	Loveland Products, Inc., P.O. Box 1286, Greeley, CO 80632.
39039	Y-Tex Corporation, 1825 Big Horn Avenue, Cody, WY 82414.
50534	GB Biosciences, LLC, P.O. Box 18300, Greensboro, NC 27419.
53883	Control Solutions, Inc., 5903 Genoa Red Bluff Road, Pasadena, TX 77507.
55146	Nufarm Americas, Inc., 4020 Aerial Center Parkway, Suite 101, Morrisville, NC 27560.
59639	Valent U.S.A. Corporation, 1600 Riviera Avenue, Suite 200, Walnut Creek, CA 94596.
60063	Sipcam Agro USA, Inc., 2525 Meridian Pkwy., Suite 350, Durham, NC 27713.
66222	Makhteshim Agan of North America, Inc., D/B/A Adama, 3120 Highwoods Blvd., Suite 100, Raleigh, NC 27604.
66330	Arysta Lifescience North America, LLC, 15401 Weston Parkway, Suite 150, Cary, NC 27513.
67619	Clorox Professional Products Company, c/o PS&RC, P.O. Box 493, Pleasanton, CA 94566.
68156	Dintec Agrichemicals, LLC, 9330 Zionsville Road, Indianapolis, IN 46268.
69681	Allchem Performance Products, 6010 NW First Place, Gainesville, FL 32607.
70506	United Phosphorus, Inc., 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406.
70627	Diversey, Inc., 1410 Newman Road, Racine, WI 53406.
72155	Bayer Advanced, A Business Unit of Bayer CropScience LP, 2 T.W Alexander Drive, Research Triangle Park, NC 27709.
72304	Sostram Corporation, 2525 Meridian Parkway, Suite 350, Durham, NC 27713.
83070	Advan LLC, 2525 Meridian Parkway, Suite 350, Durham, NC 27713.
85588	DuPont Crop Protection, Agent for Agsurf Corporation, Chestnut Run Plaza, 974 Center Road, Newark, DE 19805.

Table 3 of this unit lists all of the FIFRA section 3 and section 24(c) registrations which were canceled for non-payment of the 2018 maintenance fee. These registrations have been canceled by order on September 14, 2018 and without hearing.

TABLE 3—FIFRA SECTION 3 AND SECTION 24(c) REGISTRATIONS CANCELLED FOR NON-PAYMENT OF 2018 MAINTENANCE FEE

Registration No.	Product name
278–66	Sodium Hypochlorite Concentrate Solution.
806–19	Avon Skin-So-Soft Bug Guard Plus IR3535 Expedition Insect Repellent SPF 12 Sunscreen Spray.
806–28	SSS Bug Guard Plus IR3535 Insect Repellent Outdoor Cool Lotion Spray SPF 15 Sunscreen.
2342–897	Tronox Sodium Chlorate.
2342–977	Sodium Chlorate Solution.
2749–526	Dads.
2749–537	Glyphosate IPA 41%.
2749–541	Glyphosate IPA 41% Sl.
2749–552	Glyfine 5 Plus Herbicide.
2749–559	Aceto Mepiquat Chloride 4.2% PGR.

TABLE 3—FIFRA SECTION 3 AND SECTION 24(c) REGISTRATIONS CANCELLED FOR NON-PAYMENT OF 2018 MAINTENANCE FEE—Continued

Registration No.	Product name
2749–566	Glyfine K Plus Herbicide.
3876–158	Spectrus OX109.
3876–20001	Slimicide C-70.
4713–5	Kenya Pyrethrum Extract Refined Concentrate.
5042–35	RCO Patrol Burrow Builder Bait for Moles & Gophers.
6297–6	Bissell Acarosan Dust Mite Powder.
6297–7	Bissell Formula 555.
7152–15	Seaboard Sea/Chlor.
7675–5	Lithium Hypochlorite Industrial Disinfectant and/or Sanitizer.
7675–6	Lithium Hypochlorite.
8405–23	Webco Acid Sanitizer 2.
8622–42	Methylene Bis (Thiocyanate).
8622–58	Fuzzicide-Comp.
11694–114	CCT2 Sanitizer Wipes.
13283–37	Fire Ant Killer Granules.
33906–21	Pyramite.
33906–24	Desperado.
34052–10	San-O-Dine.
34052–18	Bear-Cat RH 13 EC.
35484–5	Copper Hydroxide Technical.
35978–8	Sodium Fluoroacetate (Compound 1080) Livestock Protection Collar.
37686–72	CNI 440 Spray Oil.
37686–73	CNI Hi Supreme Spray Oil.
37686–74	CNI 415 Summer Spray Oil.
41856–1	Griffin 455 Soluble Oil.
42048–1	Glyco-San.
44446–75	CS101 Roach & Ant Spray.
45337–15	No Mor Problems II.
48139–6	Everglades Insect Repellent.
48139–12	Everglade Insect Repellent Towelette.
48302–12	Sea Grand Prix CF–10.
48377–1	Catchmaster Roach Killing Powder (with Boric Acid).
51838–1	Ozium Commercial Air Sanitizer.
53575–46	Isomate CM/OFM Mist II.
56248–3	Basic Copper Carbonate—Dry.
57538–50	Stimulate Seed Germ.
58300–20	Hycide.
58300–23	Defend.
58300–24	Woodworx.
59106–2	Bio-Clear 750.
59905–10	Arbortech Manufacturing Use Only.
59905–11	Armor-Guard Industrial.
62275–1	Bacteriostatic Water Filter Media.
62575–1	2,4-D Amine-4.
62575–8	2,4-D Amine-6 Herbicide.
62575–9	Biesterfeld Diuron 80.
62575–12	Atrazine 90 DF.
64137–8	Primastop Biofungicide Powder.
64745–4	Three Elephant Disodium Octaborate Tetrahydrate Technical.
64914–1	Humidifier Cleaning Solution.
65161–1	Fleago the Magic Crystal.
67572–12	R & M Dog and Cat Repellent Spray #1.
68173–2	Endorse Wettable Powder Fungicide.
68543–9	Bengal Roach & Flea Fogger.
68575–2	Palene LN 710-C.
69208–1	Shaker Duster.
69361–41	Dicamba Technical Herbicide.
69361–50	Propiconazole Technical.
69826–1	Warfarin Technical.
70062–5	Babolna Residual Flea Killer Aerosol.
70062–7	Babolna Bio Flea Killer Spray.
70062–8	Babolna Cockroach Killer Fogger (Aerosol).
70191–3	Pathway K+Neem Insecticide-Fungicide II.
70191–4	Pathway Ready-To-Use K+Neem Insecticide-Fungicide II.
71406–3	Sinesto B.
72956–1	Sani-Towel.
73562–2	Signafresh 10EC.
75082–3	Krud Kutter MC-2.
81927–10	Alligare Dithiopyr 40.
82118–1	Sodium Hypochlorite Sanitizer and Cleaner.
82415–1	Bactekiller AC.

TABLE 3—FIFRA SECTION 3 AND SECTION 24(c) REGISTRATIONS CANCELLED FOR NON-PAYMENT OF 2018 MAINTENANCE FEE—Continued

Registration No.	Product name
82415–3	Bactekiller A.
83135–1	Sports-Aide 1000.
83451–1	Towerpro Tablets.
83471–4	Trinova Chlor.
83529–23	Shypho-AQ Aquatic & VM Herbicide.
83529–28	Hexy 2E.
83825–1	Fresh Impression Anti-Bacterial Disinfecting Toilet Bowl Cleaner.
83991–1	Fecundal 100EC.
83991–3	Imazalil Technical.
84059–2	Milsana Bioprotectant Concentrate.
84059–7	Regalia Disease Control Concentrate.
84059–8	Regalia-Garden Disease Control.
84059–10	MBI-203 EP Bioinsecticide.
84059–16	MBI-203 SC Bioinsecticide.
84697–1	Regular Scent Bleach.
84697–2	Regular Scent Concentrated Bleach 8.25%.
84708–3	Green Dragon Insect Bait.
84886–1	Precise Acephate.
84886–2	Precise Acephate Greenhouse & Nursery Insecticide.
85021–3	Aquaox Disinfectant 460.
85199–10	Burrows C Wrap.
85224–2	Antright.
85353–4	Cuverro IV.
85852–1	Algicid-Plus.
87122–1	Nab Nico Tech.
87122–2	Nicon 75 WDG.
87262–9	C-Quat 1650.
87636–1	Anolyte.
87636–2	Envirolyte.
87747–1	Sodium Hypochlorite 12.5%.
87949–1	Diatomaceous Earth for Pets.
87949–2	Diatomaceous Earth for Pets.
88060–2	Duratex 852.
88346–3	Pooline Super Dichlor 62.
88704–1	CuH2O.
88746–4	Apex German Cockroach Bait.
89014–1	Scraminator Crawling Insect Killer.
89041–1	Azaplus.
89152–1	Conquer 3.0.
89152–2	Defeat 1.5.
89363–1	Sequent S-Methoprene Technical.
90188–2	Propanil 4SC Herbicide.
90354–2	Yellow Jacket Killer!.
90436–1	ARG-001.
90456–1	B-8525.
90605–1	Mineraluxe Oxygen.
91113–1	TAS-007 Granule Biological Nematicide and Insecticide.
91209–5	Micro Kleen.
91209–6	Super Scrub 15.
91620–2	Kinetin Technical.
92504–1	Quick Clone Gel.
92534–3	Novita Metolachlor.
92629–3	Nemastar.
92630–1	Zadirax.
CA110011	Lorox DF.
CA860005	Ortho Dibrom 14 Concentrate.
ID050012	Pin Nip 98% Chlorpropham.
ID140001	Lorox DF.
NY130007	Pathex Antimicrobial Filter Media.
PR150001	Ovocontrol P.
WA140002	Lorox DF.

IV. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received two comments were received in response to the October 19, 2018 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1 of Unit III. One comment was general in nature did not merit further review. The other comment was from Loveland Products, Inc. requesting that EPA Reg. No. WA900005 be retained because the voluntary cancellation request was made in error. As a result of this

comment, the Agency is retaining the registration of EPA Reg. No. WA900005.

V. Cancellation Order

Pursuant to FIFRA section 6(f) (7 U.S.C. 136d(f)), EPA hereby approves the requested cancellations of the registrations identified in Table 1 of Unit III. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit III. are canceled. The effective date of the cancellations that are the subject of this notice is March 14, 2019. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit III. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VII. will be a violation of FIFRA.

VI. What is the Agency's authority for taking this action?

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** of October 19, 2018 (83 FR 53054) (FRL–9983–98). The comment period closed on November 19, 2018.

VII. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until January 15, 2019 or the date of publication of this **Federal Register** notice, whichever is later. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1, except for export in accordance with FIFRA section 17 (7 U.S.C. 136o), or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit III. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

Authority: 7 U.S.C. 136 *et seq.*

Dated: February 26, 2019.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2019–04695 Filed 3–13–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OLEM–2018–0765; FRL–9990–79–OLEM]

Agency Information Collection Activities; Proposed Collection; Comment Request; Recordkeeping and Reporting—Solid Waste Disposal Facilities and Practices

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is planning to submit an information collection request (ICR), Recordkeeping and Reporting—Solid Waste Disposal Facilities and Practices, (EPA ICR No. 1381.12, OMB Control No. 2050–0122) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the existing ICR, which is currently approved through August 19, 2019. A person is not required to respond to, nor an Agency may conduct or sponsor a collection of information, unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before May 13, 2019.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OLEM–2018–0765, online using *www.regulations.gov* (our preferred method), by email to *rcra-docket@epa.gov* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Craig Dufficy, Materials Recovery and Waste Management Division, Office of Resource Conservation and Recovery, Mail Code 5304P, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (703) 308–9037; fax number: (703) 308–8686; email address: *dufficy.craig@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents detailing the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at: *www.regulations.gov,* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit: *http://www.epa.gov/dockets.*

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are required to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: To effectively implement and enforce final changes to 40 CFR part 258 on a State level, owners/operators of municipal solid waste landfills must comply with the final reporting and recordkeeping requirements. Respondents include owners or operators of new municipal solid waste

landfills (MSWLFs), existing MSWLFs, and lateral expansions of existing MSWLFs. The respondents, in complying with 40 CFR part 258, are required to record information in the facility operating record, pursuant to § 258.29, as it becomes available. The operating record must be supplied to the State, as requested, until the end of the post-closure care period of the MSWLF. The information collected will be used by the State Director to confirm owner or operator compliance with the regulations under Part 258. These owners or operators could include State, Tribal, and local governments, and private waste management companies.

Form Numbers: None.

Respondents/affected entities: Business or other for-profit, as well as State, Local, and Tribal governments.

Respondent's obligation to respond: Mandatory, see 40 CFR part 258.29.

Estimated number of respondents: 3,800.

Frequency of response: On occasion.

Total estimated burden: 204,868 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $2,211,000 (per year), includes $1,831,000 annualized capital or operation & maintenance costs.

Changes in Estimates: There is increase of 60 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is due to the higher number of states adopting the Research, Development and Demonstration (RD&D) Permits section (40 CFR 258.4) since the last ICR update.

Dated: March 4, 2019.

Kathleen Salyer,

Acting Director, Office of Resource Conservation and Recovery.

[FR Doc. 2019–04773 Filed 3–13–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–ORD–2015–0611; FRL–9990–71–ORD]

Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities (SHC) Subcommittee Meeting—April 2019

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act the U.S. Environmental Protection Agency, Office of Research and Development (ORD), gives notice of a meeting of the Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities (SHC) Subcommittee.

DATES: The meeting will be held on Tuesday, April 2, 2019, from 8:30 a.m. to 5:30 p.m., and Wednesday, April 3, 2019, from 9:00 a.m. until 5:00 p.m. All times noted are Eastern Time and approximate. The meeting may adjourn early if all business is finished. Attendees should register by March 26 at *https://www.eventbrite.com/e/us-epa-bosc-sustainable-and-healthy-communities-subcommittee-meeting-tickets-56580152760.* Requests for making oral presentations at the meeting will be accepted up to one business day before the meeting.

ADDRESSES: The meeting will be held at the EPA's Research Triangle Park Main Campus Facility, Room C–112, 109 T.W. Alexander Drive, Research Triangle Park, North Carolina 27711. Submit your comments to Docket ID No. EPA–HQ–ORD–2015–0611 by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email:* Send comments by electronic mail (email) to: *ORD.Docket@epa.gov,* Attention Docket ID No. EPA–HQ–ORD–2015–0611.
- *Fax:* Fax comments to: (202) 566–0224, Attention Docket ID No. EPA–HQ–ORD–2015–0611.
- *Mail:* Send comments by mail to: Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities Subcommittee Docket, Mail Code: 2822T, 1301 Constitution Ave. NW, Washington, DC 20004, Attention Docket ID No. EPA–HQ–ORD–2015–0611.
- *Hand Delivery or Courier:* Deliver comments to: EPA Docket Center (EPA/DC), Room 3334, William Jefferson Clinton West Building, 1301 Constitution Ave. NW, Washington, DC, Attention Docket ID No. EPA–HQ–ORD–2015–0611. Note: This is not a mailing address. Deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov* including any personal information provided unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* website is an ''anonymous access'' system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/dockets/.*

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities Subcommittee Docket, EPA/DC, William Jefferson Clinton West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the ORD Docket is (202) 566–1752.

FOR FURTHER INFORMATION CONTACT: The Designated Federal Officer (DFO) via mail at: Jace Cujé, Mail Code 8104R, Office of Science Policy, Office of Research and Development, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; via phone/voice mail at: (202) 564–1795; via fax at: (202) 565–2911; or via email at: *cuje.jace@epa.gov.*

SUPPLEMENTARY INFORMATION:

General Information: The meeting is open to the public. Any member of the public interested in receiving a draft agenda, attending the meeting, or making a presentation at the meeting may contact Jace Cujé, the Designated Federal (DFO), via any of the contact methods listed in the **FOR FURTHER INFORMATION CONTACT** section above. Individuals making an oral presentation will be limited to a total of three minutes. For security purposes, all attendees must provide their names to the DFO by registering online at *https://www.eventbrite.com/e/us-epa-bosc-sustainable-and-healthy-communities-subcommittee-meeting-tickets-56580152760* by March 26, 2019, and must go through a metal detector, sign in with the security desk, and show REAL ID Act-compliant government-issued photo identification to enter the building. Attendees are encouraged to arrive at least 15 minutes prior to the start of the meeting to allow sufficient time for security screening. Proposed agenda items for the meeting include, but are not limited to the following: Overview of materials provided to the subcommittee, review of charge questions, overview and illustrations of SHC's draft Strategic Research Action Plan and research topics, and subcommittee deliberations.

Information on Services for Individuals with Disabilities: For information on access or services for individuals with disabilities, please contact Jace Cujé (202) 564–1795 or *cuje.jace@epa.gov.* To request accommodation of a disability, please contact Jace Cujé, preferably at least ten days prior to the meeting, to give the EPA as much time as possible to process your request.

Dated: February 28, 2019.

Fred S. Hauchman,

Director, Office of Science Policy.

[FR Doc. 2019–04770 Filed 3–13–19; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

Open Commission Meeting, Friday, March 15, 2019

March 8, 2019.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Friday, March 15, 2019 which is scheduled to commence at 10:30 a.m. in Room TW–C305, at 445 12th Street SW, Washington, DC.

Item No.	Bureau	Subject
1	Office of Engineering and Technology.	*Title:* Spectrum Horizons (ET Docket No. 18–21); James Edwin Whedbee Petition for Rulemaking to Allow Unlicensed Operation in the 95–1,000 GHz (RM–11795). *Summary:* The Commission will consider a First Report and Order that would adopt rules to make available 21.2 GHz of spectrum above 95 GHz for unlicensed operations and create a new class of experimental licenses for the 95 GHz to 3 THz spectrum range.
2	Wireless Tele-Communications	*Title:* Review of the Commission's Rules Governing the 896–901/935–940 MHz Band (WT Docket No. 17–200). *Summary:* The Commission will consider a Notice of Proposed Rulemaking that would propose to reconfigure the 900 MHz band to create a broadband segment to facilitate technologies and services for a wide variety of businesses, including critical infrastructure, as well as seek comment on various transition mechanisms to achieve this goal.
3	Public Safety & Homeland Security.	*Title:* Wireless E911 Location Accuracy Requirements (PS Docket No. 07–114). *Summary:* The Commission will consider a Fourth Further Notice of Propose Rulemaking that proposes a vertical, or z-axis, location accuracy metric in connection with wireless E911 calls.
4	Media	*Title:* LPTV, TV Translator, and FM Broadcast Station Reimbursement (MB Docket No. 18–214): Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions (GN Docket No. 12–268). *Summary:* The Commission will consider a Report and Order that implements Congress's directive in the Reimbursement Expansion Act that the Commission reimburse certain low power television, television translator, and FM broadcast stations for costs incurred as a result of the Commission's broadcast television spectrum incentive auction.
5	Media	*Title:* Streamlined Reauthorization Procedures for Assigned or Transferred Television Satellite Stations (MB Docket No. 18–63); Modernization of Media Regulation Initiative (MB Docket No. 17–105). *Summary:* The Commission will consider a Report and Order that streamlines the reauthorization process for television satellite stations when they are assigned or transferred.
6	Wireless Tele-Communications	*Title:* Partitioning, Disaggregation, and Leasing of Spectrum (WT Docket No. 19–38). *Summary:* The Commission will consider a Notice of Proposed Rulemaking that would explore how potential changes to our partitioning, disaggregation, and leasing rules might better close the digital divide and increase spectrum access by small and rural carriers, fulfilling the Commission's requirement under the MOBILE NOW Act.
7	Wireline Competition	*Title:* Rural Call Completion (WC Docket No. 13–39). *Summary:* The Commission will consider a Fourth Report and Order to implement the Improving Rural Call Quality and Reliability Act of 2017 by establishing service quality standards for intermediate providers.

* * * * *

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. In your request, include a description of the accommodation you will need and a way we can contact you if we need more information. Last minute requests will be accepted, but may be impossible to fill. Send an email to: *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

Additional information concerning this meeting may be obtained from the Office of Media Relations, (202) 418–0500; TTY 1–888–835–5322. Audio/Video coverage of the meeting will be broadcast live with open captioning

over the internet from the FCC Live web page at *www.fcc.gov/live*.

For a fee this meeting can be viewed live over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the internet. To purchase these services, call (703) 993–3100 or go to *www.capitolconnection.gmu.edu*.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2019–04727 Filed 3–13–19; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0804, OMB 3060–1096]

Information Collections Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before May 13, 2019. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0804.

Title: Universal Service—Rural Health Care Program.

Form Numbers: FCC Forms 460, 461, 462, 463, 465, 466, and 467.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit; Not-for-profit institutions; Federal Government; and State, Local, or Tribal Governments.

Number of Respondents and Responses: 20,314 respondents; 117,042 responses.

Estimated Time per Response: 0.1–40 hours.

Frequency of Response: On occasion and one-time annual reporting requirements, and recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this collection of information is contained in sections 1, 4(i), 4(j), 201–205, 214, 254, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151–154, 201–205, 218–220, 254, 303(r), 403 and 405.

Total Annual Burden: 275,090 hours.

Total Annual Cost: No Cost.

Privacy Act Impact Assessment: No Impact(s).

Nature and Extent of Confidentiality: The Commission is not requesting that the respondents submit confidential information to the Commission. Respondents may, however, request confidential treatment for information they believe to be confidential under *47 CFR 0.459* of the Commission's rules. We note that the universal service administrator must preserve the confidentiality of all data obtained from respondents and contributors to the universal service support program mechanism; must not use the data except for purposes of administering the universal service support program; and must not disclose data in company-specific form unless directed to do so by the Commission.

Needs and Uses: The Commission seeks Office of Management and Budget (OMB) approval of a revision (change in reporting and recordkeeping requirements) to this information collection. This collection is utilized for the rural health care support mechanism (RHC Program) of the Commission's universal service fund (USF). Section 254(h)(A)(1) of the Telecommunications Act of 1996 (1996 Act), 47 U.S.C. 254(h)(A)(1), mandates that telecommunications carriers provide telecommunications services for health care purposes to eligible rural public or non-profit health care providers at rates that are ''reasonably comparable'' to rates in urban areas. In addition, section 254(h)(2)(A) of the 1996 Act, 47 U.S.C. 254(h)(2)(A), directs the Commission to establish competitively neutral rules to enhance, to the extent technically feasible and economically reasonable, access to ''advanced telecommunications and information services'' for public and non-profit health care providers.

Based on this legislative mandate, the Commission established the two components of the RHC Program—the Telecommunications (Telecom) Program and the Healthcare Connect Fund Program. Additionally, in 2006, the Commission established the Pilot Program which provided funding for a limited time (through funding year 2012). At the time of the Commission's last revision of this information collection, while no new funding was available under Pilot Program, some projects were still spending funds previously committed as part of the Pilot Program. Since that time, all invoicing under the Pilot Program has been completed and there are no remaining funds to be disbursed under the Pilot Program. This revised collection is therefore necessary to eliminate the requirements associated with this program. Additionally, this collection of information is necessary so that the Commission and the Universal Service Administrative Company (USAC), the administrator of the USF program, will have sufficient information to determine if entities are eligible for funding pursuant to the RHC Program, to determine if entities are complying with the Commission's rules, and to prevent waste, fraud, and abuse.

This information is also necessary in order to allow the Commission to evaluate the extent to which the RHC Program is meeting the statutory objectives specified in section 254(h) of the 1996 Act, and the Commission's performance goals for the Healthcare Connect Fund Program. Accordingly, this information collection is being revised to: (1) Eliminate the requirements for the Pilot Program and (2) extend the existing information

collection requirements for the Healthcare Connect Fund and Telecom Programs.

This submission is organized by program indicating which information collection requirements are being eliminated or extended for each RHC program. The Healthcare Connect Fund includes FCC Forms 460, 461, 462, and 463, and the Telecom Program includes FCC Forms 465, 466, 467.

OMB Control Number: 3060–1096.

Title: Prepaid Calling Card Service Provider Certification, WC Docket No. 05–68.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 121 respondents; 1,452 responses.

Estimated Time per Response: 2.5 hours–20 hours.

Frequency of Response: Quarterly reporting requirement, third party disclosure requirement and recordkeeping requirement.

Obligation to Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. 151, 152, 154(i), 201, 202 and 254 of the Communications Act of 1934, as amended.

Total Annual Burden: 12,100 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The Commission does not anticipate providing confidentiality of the information submitted by prepaid calling card providers. Particularly, the prepaid calling card providers must send reports to their transport providers. Additionally, the quarterly certifications sent to the Commission will be made public through the Commission's Electronic Comment Filing System (ECFS) process. These certifications will be filed in the Commission's docket associated with this proceeding. If the respondents submit information they believe to be confidential, they may request confidential treatment of such information under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: Prepaid calling card service providers must report quarterly the percentage of interstate, intrastate and international access charges to carriers from which they purchase transport services. Prepaid calling card providers must also file certifications with the Commission quarterly that include the above information and a statement that they are contributing to the federal Universal Service Fund based on all interstate and international revenue, except for revenue from the sale of prepaid calling cards by, to, or pursuant to contract with the Department of Defense (DoD) or a DoD entity.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2019–04726 Filed 3–13–19; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 12, 2019.

A. Federal Reserve Bank of Richmond (Adam M. Drimer, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23219. Comments can also be sent electronically to or *Comments.applications@rich.frb.org:*

1. *BB&T Corporation, Winston-Salem, North Carolina;* to merge with SunTrust Banks, Inc., Atlanta, Georgia, and thereby indirectly acquire SunTrust Bank Holding Company, Orlando, Florida, and SunTrust Bank, Atlanta, Georgia.

Board of Governors of the Federal Reserve System, March 11, 2019.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2019–04737 Filed 3–13–19; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (''Act'') (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 29, 2019.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Hiu Kwan Kwok, Cyber Port, Hong Kong, and Jun Yang, Tianjin, China;* to acquire voting shares of My Anns Corporation, and thereby indirectly acquire Piqua State Bank, both of Piqua, Kansas.

Board of Governors of the Federal Reserve System, March 8, 2019.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2019–04669 Filed 3–13–19; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies

owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 10, 2019.

A. Federal Reserve Bank of Atlanta (Kathryn Haney, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can also be sent electronically to *Applications.Comments@atl.frb.org:*

1. *Community Bancshares of Mississippi, Inc. Employee Stock Ownership Plan, Brandon, Mississippi,* to acquire additional voting shares, for a total of 18.82 percent, of Community Bancshares of Mississippi, Inc., Brandon, Mississippi, and thereby indirectly acquire shares of Community Bank of Mississippi, Forest, Mississippi.

Board of Governors of the Federal Reserve System, March 8, 2019.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2019–04668 Filed 3–13–19; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

[OMB No. 0985–0007]

Agency Information Collection Activities; Proposed Collection; Public Comment Request; Annual Reporting Requirements for the Older Americans Act Title VI Grant Program

AGENCY: Administration for Community Living, HHS.

ACTION: Notice

SUMMARY: The Administration for Community Living (ACL) is announcing an opportunity for the public to comment on the proposed collection of information listed above. Under the Paperwork Reduction Act of 1995 (the PRA), Federal agencies are required to publish a notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice.

This Extension without Change (ICR Ext) solicits comments on the information collection requirements related to the Program Performance Reports for Title VI grants under the Older Americans Act.

DATES: Comments on the collection of information must be submitted electronically by 11:59 p.m. (EST) or postmarked by May 13, 2019.

ADDRESSES: Submit electronic comments on the collection of information to: Cynthia LaCounte, *Cynthia.LaCounte@acl.hhs.gov.* Submit written comments on the collection of information to Administration for Community Living, Washington, DC 20201, Attention: Cynthia LaCounte.

FOR FURTHER INFORMATION CONTACT: Cynthia LaCounte, Director, Office of American Indian, Alaskan Native and Native Hawaiian Programs, Administration for Community Living, Washington, DC 20416, 202–795–7380, *Cynthia.LaCounte@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party.

Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, ACL is publishing a notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, ACL invites comments on our burden estimates or any other aspect of this collection of information, including:

(1) Whether the proposed collection of information is necessary for the proper performance of ACL's functions, including whether the information will have practical utility;

(2) the accuracy of ACL's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used to determine burden estimates;

(3) ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques when appropriate, and other forms of information technology.

The purpose of the Program Performance Report data collection provides a data base for ACL to: (1) Monitor program achievement of performance objective; (2) establish program policy and direction; and (3) prepare responses to Congress, the OMB, the General Accounting Office, other Federal Departments, and public and private agencies as required by the OAA Title II sections 202(f)(1) and 207. This data collection will also support ACL in tracking performance outcomes and efficiency measures with respect to the annual and long-term performance targets established in compliance with the Government Performance Results Modernization Act (GPRAMA). If ACL did not collect the program data herein requested, it would not be able to monitor and manage total program progress as expected, nor develop program policy options directed toward assuring the most effective use of limited Title VI funds.

The proposed data collection tools may be found on the ACL website for review at *https://www.acl.gov/about-acl/public-input.*

Estimated Program Burden

ACL estimates the burden associated with this collection of information as follows: 274 tribal grantees respond annually and it will take 2.5 hours to complete the Title VI report for each grantee for a total of 685 hours for all tribal grantees to complete the form.

Respondent/data collection activity	Number of respondents	Responses per respondent	Hours per response	Annual burden hours
Title VI Part A, B and C	274	1	2.5	685
Total	274	1	2.5	685

Dated: March 5, 2019.

Mary Lazare,

Principal Deputy Administrator.

[FR Doc. 2019–04734 Filed 3–13–19; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–4002]

Electronic Submission of Adverse Event Reports to the Food and Drug Administration Adverse Event Reporting System Using International Council for Harmonisation E2B(R3) Standards; Public Meetings; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public meetings; request for comments.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is re-announcing three public meetings entitled ''Electronic Submission of Adverse Event Reports to FDA Adverse Event Reporting System (FAERS) Using International Council for Harmonisation (ICH) E2B(R3) Standards.'' The purpose of these public meetings is to provide the pharmaceutical industry and other interested parties with information on the plans, progress, and technical specifications to upgrade electronic submission standards for drug, biological, and drug/biologic-led combination products for the premarket and postmarket safety surveillance programs managed by the Center for Drug Evaluation and Research (CDER) and the Center for Biologics Evaluation and Research (CBER). These meetings will focus on enhancements to electronic submission of Individual Case Safety Reports (ICSRs) in FAERS using ICH E2B(R3) standards.

FDA is seeking input from stakeholders as it fulfills its commitment to implement ICH E2B(R3) standards by holding three public meetings. FDA will use the information provided by the public to inform the enhancements to FAERS required for the implementation of ICH E2B(R3) standards and relevant regional variations.

DATES: The first public meeting is being rescheduled due to a previous lapse in appropriations. The rescheduled first public meeting will be held on March 25, 2019, from 9 a.m. to 4 p.m. The second public meeting will be held on July 17, 2019, from 9 a.m. to 4 p.m. The third public meeting will be held on February 19, 2020, from 9 a.m. to 4 p.m. Submit either electronic or written comments on these public meetings by April 25, 2019, for the first public meeting; by August 16, 2019, for the second public meeting, and by March 20, 2020, for the third public meeting. See the **SUPPLEMENTARY INFORMATION** section for registration dates and information.

ADDRESSES: The first public meeting will be held at the Silver Spring Civic Building at Veterans Plaza, The Buffalo Soldiers Great Hall, 1 Veterans Pl., Silver Spring, MD 20910. The second and third public meetings will be held at the FDA White Oak Campus, 10903 New Hampshire Ave., Bldg. 31 Conference Center, the Great Room (Rm. 1503, Section A), Silver Spring, MD 20993–0002. Entrance for the public meeting participants (non-FDA employees) is through Building 1, where routine security check procedures will be performed. For parking and security information, please refer to *https://www.fda.gov/AboutFDA/WorkingatFDA/BuildingsandFacilities/WhiteOakCampusInformation/default.htm*.

You may submit comments as follows. Please note that late, untimely filed comments will not be considered. For timely consideration, we request that electronic comments be submitted before or within 30 days after each public meeting (*i.e.,* comments submitted by or before April 25, 2019, for the first public meeting; August 16, 2019, for the second public meeting; and March 20, 2020, for the third public meeting. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of April 25, 2019, August 16, 2019, and March 20, 2020, after the first, second, and the third meeting, respectively. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–N–4002 for ''Electronic Submission of Adverse Event Reports to FAERS Using ICH E2B(R3) Standards.'' Received comments, those filed in a timely manner (see **ADDRESSES**), 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: Suranjan De, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 4307, Silver Spring, MD 20993–0002, 240–402–0498, email: *eprompt@fda.hhs.gov;* or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911, email: *eprompt@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is committed to achieving the long-term goal of improving the predictability and consistency of the electronic submission process and enhancing transparency and accountability of FDA information technology-related activities. FDA participated in the development of ICH E2B guideline [1] pertaining to the submission of adverse event reports across multiple regions: ''Implementation Guide for Electronic Transmission of Individual Case Safety Reports (ICSRs) E2B(R3) Data Elements and Message Specification.'' FDA plans to incorporate ICH E2B(R3) recommended standards into the requirements for the electronic submission of adverse event reports to FAERS tentatively by April 2020. Consistent with the Prescription Drug User Fee Act (PDUFA) VI commitments, FDA is organizing several public meetings to allow industry the opportunity to provide feedback and/or participate in user acceptance testing in advance of the Agency's planned implementation of ICH E2B(R3) data standards. FDA's performance goals and procedures under the PDUFA program for the years 2018 to 2022 are outlined in the commitment letter available at: *https://www.fda.gov/forindustry/userfees/prescriptiondruguserfee/ucm446608.htm.*

II. Topics for Discussion at the Public Meetings

FDA will present its plan to incorporate ICH E2B(R3) recommended standards into the requirements for the electronic submission of adverse event reports to FAERS. The meetings will include a general discussion of CDER's and CBER's plans to revise the FDA Regional Implementation Specifications for premarketing and postmarketing adverse event reporting. The goal of this revision is to enhance the quality of adverse event reports received by the Agency by incorporating ICH E2B(R3) recommendations into FDA Regional Implementation Specifications. The information exchange at the meetings will enhance the pharmaceutical industry's knowledge of the processes needed to implement ICH E2B(R3) into their systems. In addition, the comments provided by participating stakeholders will inform CDER's and CBER's plans for the implementation of ICH E2B(R3) for drugs, biologics, and drug/biologic-led combination products.

During the public meetings, FDA intends to discuss: (1) E2B(R3) Regional (U.S.) Data Elements; (2) usage of data standards in E2B(R3); (3) submission paths for premarket and postmarket ICSRs; (4) data migration exceptions; and (5) FDA regional implementation specifications for ICH E2B(R3) implementation. One or more of the above topics may be discussed in each meeting. FDA will consider all comments made at these public meetings or received through the docket (see **ADDRESSES**).

III. Participating in the Public Meeting

Registration: To register for the public meetings, please visit the following website to register: *https://fdae2br3.eventbrite.com* by March 22, 2019, for the first meeting, June 14, 2019, for the second meeting, and January 17, 2020, for the third meeting. Persons who registered for the first public meeting date of January 25, 2019, should visit the website to register again for the rescheduled meeting date of March 25, 2019. Please provide complete contact information for each attendee, including name, title, affiliation, address, email, telephone, and method of attendance (in person or web conference).

Registration is free and based on space availability, with priority given to early registrants. Persons interested in attending the public meetings must register by 11:59 p.m. Eastern Time on March 22, 2019, for the first meeting, June 14, 2019, for the second meeting, and January 17, 2020, for the third meeting. Early registration is recommended because seating is limited; therefore, FDA may limit the number of participants from each organization. Registrants will receive confirmation when they have been accepted. If time and space permit, onsite registration on the day of the public meeting/public workshop will be provided beginning at 8 a.m.

If you need special accommodations due to a disability, please contact Chenoa Conley, 301–796–0035, email: *Chenoa.Conley@fda.hhs.gov,* at least 7 days before each meeting.

Request for Oral Presentations: During online registration you may indicate if you wish to present during the public comment session. All requests to make oral presentations must be received by 11:59 p.m. Eastern Time on March 19, 2019, for the first meeting, June 14, 2019, for the second meeting, and January 17, 2020, for the third meeting. We will do our best to accommodate requests to make public comments. Individuals and organizations with common interests are urged to

[1] The ICH E2B(R3) IG guideline (*http://estri.ich.org/e2br3/index.htm*) provides technical and business specifications for the harmonized, core set of ICH data elements.

consolidate or coordinate their presentations and request time for a joint presentation. Following the close of registration, we will determine the amount of time allotted to each presenter and the approximate time each oral presentation is to begin and will select and notify participants by 11:59 p.m. Eastern Time on March 20, 2019, for the first meeting, June 26, 2019, for the second meeting, and January 30, 2020, for the third meeting. FDA will notify registered presenters of their scheduled presentation time. If selected for presentation, any presentation materials must be emailed to *eprompt@fda.hhs.gov* no later than 11:59 p.m. Eastern Time on March 22, 2019, for the first meeting, July 10, 2019, for the second meeting, and February 12, 2020, for the third meeting. Persons registered to speak should check in before the meeting and are encouraged to arrive early to ensure their designated order of presentation. Participants who are not present when called may not be permitted to speak at a later time. No commercial or promotional material will be permitted to be presented or distributed at the public meeting. An agenda will be made available at least 3 days before each public meeting at *https://www.fda.gov/Drugs/NewsEvents/ucm621215.htm.*

Streaming Webcast of the Public Meetings and Video of the Public Meetings: The second and third public meetings will also be webcast; the URL will be posted at *https://www.fda.gov/Drugs/NewsEvents/ucm621215.htm* at least 1 day before each meeting. A video record of the public workshops will be available at the same website address for 1 year.

If you have never attended a Connect Pro event before, test your connection at *https://collaboration.fda.gov/common/help/en/support/meeting_test.htm.* To get a quick overview of the Connect Pro program, visit *https://www.adobe.com/go/connectpro_overview.* FDA has verified the website addresses in this document, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

Transcripts: Please be advised that as soon as a transcript of the public meeting is available, it will be accessible at *https://www.regulations.gov.* It may be viewed at the Dockets Management Staff (see **ADDRESSES**). A link to the transcript will also be available on the internet at *https://www.fda.gov/Drugs/GuidanceCompliance RegulatoryInformation/Surveillance/AdverseDrugEffects/ucm115894.htm.*

Dated: March 11, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04730 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–N–1045]

Vaccines and Related Biological Products Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming public advisory committee meeting of the Vaccines and Related Biological Products Advisory Committee (VRBPAC). The general function of the committee is to provide advice and recommendations to the Agency on FDA's regulatory issues. Consistent with FDA's regulations, notice is being published with less than 15 days prior to the date of the meeting based on a determination that an immediate meeting of the Vaccines and Related Biological Products Advisory Committee is needed. This **Federal Register** notice could not be published 15 days prior to the date of the meeting due to a delay by the World Health Organization (WHO) in recommending H3N2 strain for inclusion in the 2019–2020 seasonal influenza vaccines.

DATES: The meeting will be held on March 22, 2019, from 8:30 a.m. to 2:30 p.m.

ADDRESSES: FDA White Oak Campus, 10903 New Hampshire Ave., Bldg. 31 Conference Center, the Great Room (Rm. 1503), Silver Spring, MD 20993–0002. Answers to commonly asked questions including information regarding special accommodations due to a disability, visitor parking, and transportation may be accessed at: *https://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm408555.htm.*

For those unable to attend in person, the meeting will also be webcast and will be available at the following link: *https://collaboration.fda.gov/vrbpac032019.*

FOR FURTHER INFORMATION CONTACT: Serina Hunter-Thomas, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 6338, Silver Spring, MD 20993–0002, 240–402–5771, *serina.hunter-thomas@fda.hhs.gov;* or Monique Hill, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 6307C, Silver Spring, MD 20993–0002, 301–796–4620, *monique.hill@fda.hhs.gov;* or the FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area). A notice in the **Federal Register** about last minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice. Therefore, you should always check the Agency's website at *https://www.fda.gov/AdvisoryCommittees/default.htm* and scroll down to the appropriate advisory committee meeting link, or call the advisory committee information line to learn about possible modifications before coming to the meeting.

SUPPLEMENTARY INFORMATION:

Agenda: On March 22, 2019, in followup to a delay by the World Health Organization (WHO) in recommending H3N2 strain for inclusion in the 2019–2020 seasonal influenza vaccines, the Center for Biologics Evaluation and Research will reconvene the VRBPAC to discuss and make recommendations specifically on the H3N2 strain. The VRBPAC previously met on March 6, 2019, and made recommendations on the selection of all other strains to be included in seasonal influenza virus vaccines for the 2019–2020 influenza season.

FDA intends to make background material available to the public no later than 2 business days before the meeting. If FDA is unable to post the background material on its website prior to the meeting, the background material will be made publicly available at the location of the advisory committee meeting, and the background material will be posted on FDA's website after the meeting. Background material is available at: *https://www.fda.gov/AdvisoryCommittees/Calendar/default.htm.* Scroll down to the appropriate advisory committee meeting link.

Procedure: On March 22, 2019, from 8:30 a.m. to 2:30 p.m. the meeting is open to the public. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person on or before March 15, 2019. On March 22, 2019, oral presentations from the public will be scheduled between

approximately 10:30 a.m. to 11:30 a.m. Those individuals interested in making formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation on or before March 14, 2019. Time allotted for each presentation may be limited. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled open public hearing session, FDA may conduct a lottery to determine the speakers for the scheduled open public hearing session. The contact person will notify interested persons regarding their request to speak by March 15, 2019.

Persons attending FDA's advisory committee meetings are advised that the Agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with disabilities. If you require accommodations due to a disability, please contact Serina Hunter-Thomas (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days in advance of the meeting.

FDA is committed to the orderly conduct of its advisory committee meetings. Please visit our website at: *https://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm111462.htm* for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: March 8, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04708 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–D–0661]

Modifications to Compliance Policy for Certain Deemed Tobacco Products; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a draft guidance for industry entitled ''Modifications to Compliance Policy for Certain Deemed Tobacco Products.'' The draft guidance discusses changes to the compliance policies for premarket review requirements for certain deemed tobacco products and describes how FDA intends to prioritize its enforcement resources with regard to the marketing of certain deemed tobacco products that do not have premarket authorization.

DATES: Submit either electronic or written comments on the draft guidance by April 15, 2019 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2019–D–0661 for ''Modifications to Compliance Policy for Certain Deemed Tobacco Products.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this draft guidance to the Center for Tobacco Products, Food and Drug Administration, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G335, Silver Spring, MD 20993–0002. Send one self-addressed

adhesive label to assist that office in processing your request or include a fax number to which the draft guidance may be sent. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the draft guidance.

FOR FURTHER INFORMATION CONTACT: Gerie Voss, Center for Tobacco Products, Food and Drug Administration, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G335, Silver Spring, MD 20993–0002, email: *CTPRegulations@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Modifications to Compliance Policy for Certain Deemed Tobacco Products.''

The Family Smoking Prevention and Tobacco Control Act (Pub. L. 111–31) (Tobacco Control Act) granted FDA the authority to regulate the manufacture, marketing, and distribution of cigarettes, cigarette tobacco, roll-your-own (RYO) tobacco, and smokeless tobacco products to protect public health generally and to reduce tobacco use by minors. The Tobacco Control Act also gave FDA the authority to issue regulations deeming other products that meet the statutory definition of a tobacco product to be subject to chapter IX of the Federal Food, Drug, and Cosmetic Act (FD&C Act).

In accordance with that authority, on May 10, 2016, FDA issued a final rule entitled ''Deeming Tobacco Products to be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products'' (the final deeming rule) deeming all products that meet the statutory definition of a tobacco product, except accessories of deemed tobacco products, to be subject to FDA's tobacco product authority. This included electronic nicotine delivery systems (ENDS), cigars, waterpipe (hookah) tobacco, pipe tobacco, nicotine gels, and dissolvables that were not already subject to the FD&C Act, and other tobacco products that may be developed in the future (81 FR 28974 at 28976, May 10, 2016).

Among other requirements, these statutory provisions and implementing regulations prohibit sales of tobacco products to minors and impose certain premarket-review requirements for new tobacco products—*i.e.,* those that were not commercially marketed in the United States as of February 15, 2007. In addition, the preamble to the final deeming rule explained that, for deemed tobacco products on the market as of August 8, 2016, FDA did not intend to initiate enforcement for failure to have premarket authorization during two compliance periods: One for submission and FDA receipt of applications and one for obtaining premarket authorization (81 FR 28974 at 29011).

In May 2017, FDA published a guidance document entitled ''Three-Month Extension of Certain Tobacco Product Compliance Deadlines Related to the Final Deeming Rule'' under which the Agency, as a matter of enforcement discretion, stated its intention not to begin enforcement for an additional 3 months for all future compliance dates for requirements under the final deeming rule. In July 2017, FDA announced a new comprehensive plan for tobacco and nicotine regulation that would serve as a multiyear roadmap. In an effort to strike an appropriate balance between regulation and encouraging development of innovative tobacco products that may be less dangerous than cigarettes, the Agency announced that it would be providing targeted relief on some timelines described in the preamble to the final deeming rule. In accordance with this comprehensive plan announcement, in August 2017, FDA stated its intention to further extend the period during which it would not initiate enforcement action for requirements under the final deeming rule (''August 2017 Compliance Policy'').

Recent data has documented a significant increase in youth use of ENDS products. Data from the 2018 National Youth Tobacco Survey, as described in the guidance, reveals the magnitude in the increase of youth use of ENDS products. In addition, evidence from the 2016–2017 (Wave 4) Population Assessment of Tobacco and Health (PATH) Study and other studies, as described in the guidance, indicates that minors are attracted to flavored ENDS products. In light of this public health threat, FDA has reconsidered and, in its discretion, plans to modify the August 2017 Compliance Policy as to the premarket authorization requirements for certain flavored ENDS products that were on the market on August 8, 2016, and to replace it with a new policy as described in the draft guidance.

The draft guidance is intended to discuss how FDA plans to prioritize its enforcement resources with regard to certain deemed tobacco products in the United States that do not have the required FDA premarket authorization for marketing. Goals of the guidance are to encourage more prompt filing of premarket submissions for certain ENDS products, to focus the Agency's enforcement resources where there is a greater threat to public health, and to balance that public health threat against the potential benefit to providing adult smokers noncombustible options to allow them to completely switch from the use of combustible products.

II. Significance of Draft Guidance

FDA is issuing this draft guidance consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on the compliance policy for certain deemed tobacco products. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

III. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR 1107.1(b) and (c) have been approved under 0910–0684; the collections of information under section 910 of the FD&C Act (21 U.S.C. 387j) have been approved under OMB control number 0910–0768. The collections of information in section 905(j) of the FD&C Act (21 U.S.C. 387e(j)) have been approved under OMB control number 0910–0673.

IV. Electronic Access

Persons with access to the internet may obtain an electronic version of the draft guidance at either *https://www.regulations.gov* or *https://www.fda.gov/TobaccoProducts/Labeling/RulesRegulationsGuidance/default.htm.*

Dated: March 11, 2019.

Scott Gottlieb,

Commissioner of Food and Drugs.

[FR Doc. 2019–04765 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0242]

Agency Information Collection Activities; Proposed Collection; Comment Request; Current Good Manufacturing Practices for Positron Emission Tomography Drugs

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on FDA's regulations on current good manufacturing practice (CGMP) for positron emission tomography (PET) drugs.

DATES: Submit either electronic or written comments on the collection of information by May 13, 2019.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before May 13, 2019. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of May 13, 2019. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2013–N–0242 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Current Good Manufacturing Practices for Positron Emission Tomography Drugs.'' Received comments, those filed in a timely manner (see **ADDRESSES**), 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: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, 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 respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Current Good Manufacturing Practice (CGMP) for Positron Emission Tomography Drugs

OMB Control Number 0910–0667—Extension

PET is a medical imaging modality involving the use of a unique type of radiopharmaceutical drug product. Our CGMP regulations at part 212 (21 CFR part 212) are intended to ensure that PET drug products meet the requirements of the Federal Food, Drug, and Cosmetic Act (FD&C Act) regarding safety, identity, strength, quality, and purity. The CGMP requirements for PET drugs are issued under the provisions of the Food and Drug Administration Modernization Act of 1997 (FDAMA) (Pub. L. 105–115). These CGMP requirements are designed according to the unique characteristics of PET drugs, including their short half-lives, and the fact that most PET drugs are produced at locations close to the patients to whom the drugs are administered.

The CGMP regulations require the establishment of written procedures as well as recordkeeping related to ongoing manufacturing of individual PET drugs, testing, and product release activities, including any third-party disclosure requirements for producing PET drugs. To estimate time spent to comply with the requirements, we relied on informal communications with PET producers, FDA staff visits to PET facilities, our familiarity with PET and general pharmaceutical manufacturing practices with application and supplement submissions, and various reports FDA received from 2016 through 2018.

I. Investigational and Research PET Drugs

Section 212.5(b) (21 CFR 212.5(b)) provides that for investigational PET drugs produced under an investigational new drug application (IND) and research PET drugs produced with approval of a Radioactive Drug Research Committee (RDRC), the requirement (FD&C Act) to follow CGMP is met by complying with the regulations under part 212 or complying with United States Pharmacopeia (USP) 32 Chapter 823. We believe that PET production facilities producing drugs under INDs and RDRCs are already substantially complying with the recordkeeping requirements of USP 32 Chapter 823 (see section 121(b) of FDAMA). Some IND and RDRC PET facilities also produce approved NDA (new drug application) and abbreviated new drug application (ANDA) PET drugs. While we do not have sufficient information to estimate burdens for all IND and RDRC PET facilities, our estimates have included those facilities that also produce NDA and ANDA PET drugs. Those facilities are included under academic and small firms.

II. Recordkeeping Burden

A. One-Time Burden for Corporate Firms

We estimate corporate firms will have to employ one-time and ongoing annual recordkeeping. There are three major PET manufacturing corporations and most of the quality, manufacturing, and testing procedures are developed at the corporate level and then issued to the individual sites located in various States across the country. There are an estimated 115 such sites under three major corporations. Thus, the burden has been calculated for 3 recordkeepers instead of 115 individual sites.

It would take approximately 8 hours for each corporate firm to create one master batch record per drug, and an average of three PET drugs have been taken into consideration. We also estimate that approximately 3 firms will create and maintain approximately 27 records associated with production and quality testing for an average of 3 drugs, with a total recordkeeping burden of approximately 216 hours.

Sections 212.20(c), 212.30(b), 212.50(d), and 212.60(f) (21 CFR 212.20(c), 212.30(b), 212.50(d), and 212.60(f)) contain standard operating procedures (SOPs) dealing with equipment operation, maintenance, and cleaning, including maintenance of physical facilities.

It would take approximately 5 hours for each corporate firm to establish and maintain procedures for equipment and facility maintenance. We estimate that the 3 corporate firms will establish and maintain 39 procedures, with a total recordkeeping burden of approximately 195 hours.

Sections 212.20(c) and 212.40(a) and (b) contain requirements on SOPs regarding receiving, testing, and accepting components. We estimate that the burden for corporate firms to create procedures for acceptance of raw materials and components would be approximately 8 hours and that there will be approximately three corporate firms performing these activities, with a total recordkeeping burden of approximately 48 hours. The burden for corporate firms to create component specification data sheets would be approximately 2 hours with approximately 3 corporate firms performing these activities, with a total recordkeeping burden of approximately 150 hours for approximately 25 component specification sheets for each firm.

Sections 212.20(c) and 212.71(a) and (b) require that PET drug firms establish procedures for investigating ''deviations'' and ''out of specifications failures'' of products during manufacturing and testing that do not conform to specifications and to conduct these investigations and record them as needed. We estimate that it will take approximately 8 hours for three corporate firms to establish one procedure, with a total recordkeeping burden of approximately 24 hours.

Sections 212.20(c) and 212.90(a) require that written procedures regarding distribution of PET drug products be established and maintained. We estimate that it will take approximately 8 hours for each corporate firm to establish written procedures regarding distribution of PET drugs with a total of approximately three records, with a total recordkeeping burden of approximately 24 hours.

Sections 212.20(c) and 212.100(a), (b), and (c) require that PET drug firms establish and maintain written procedures for handling complaints and procedures for field alert reports (FARs). We estimate that each corporate firm will create three written procedures to establish complaints and FARs process and it will take approximately 24 hours for each corporate firm. A total of 72 hours will be required to create 27 procedures by 3 corporate firms.

B. One-Time Burden for Academia, Small Firms, and Precursors

There is a total of 52 sites combined for academic and small commercial firms, including some IND and RDRC sites. There are nine starting material/precursors/sterile raw material manufacturing entities who are required to follow selected regulations from part 212, according to the PET drug definition under section 121(a) of FDAMA and codified in section 201(ii)(1)(A) of the FD&C Act (21 U.S.C. 321(ii)(1)(A)). We will refer to them as high-risk component manufacturing firms in the tables and other sections of this document.

It would take approximately 8 hours for each firm to perform the same activities as corporate firms regarding creating master batch records and manufacturing and quality procedures.

We estimate that there will be a total of approximately 488 records, with a total recordkeeping burden of approximately 3,904 hours.

It would take approximately 8 hours for each firm to create equipment and facility related procedures as corporate firms. We also estimate that there will be a total of approximately 793 records, with a total recordkeeping burden of approximately 6,344 hours.

We also estimate that the burden for each firm to create and maintain specification sheets would be approximately 2 hours and that there will be a total of approximately 61 firms performing these activities, with a total recordkeeping burden of approximately 3,050 hours. Furthermore, the burden for these firms to create and maintain procedures for acceptance of raw materials and components would be approximately 8 hours and that there will be a total of approximately 61 firms performing these activities, with a total recordkeeping burden of approximately 976 hours.

It would take approximately 8 hours for each firm to perform the same activities as corporate firms. We estimate that there will be a total of approximately 61 records, with a total recordkeeping burden of approximately 488 hours.

We estimate that 61 academia, small firms, and high-risk component manufacturers will create about one procedure related to deviations and out of specifications and that each firm will expend approximately 8 hours, for a total of 488 hours. Similarly, 488 hours will be spent for procedures on distribution of PET drugs. There will be 3 procedures created by each firm related to customer complaints, recalls, and FARs, with a total of 156 records from 52 sites and a total of 1,248 hours.

C. Annual Burden for Corporate Firms

In this section, we considered 115 individual corporate sites under the 3 major corporations in our estimates. These activities will be related to individual PET drugs manufactured at each of the sites located across the country. We estimate that it would take 30 minutes each to fill 144 batches (approximately 4 batches/month), for a total of 8,280 hours. In the second row of table 3, we have also estimated that on an annual basis, some new batch records or quality records may have to be created for newly introduced or existing drugs. It would take each firm approximately 24 hours for three new quality procedure/master batch records, with a total recordkeeping burden of approximately 216 hours for nine records from three corporate organizations.

We estimate that 115 individual corporate sites belonging to 3 major corporate entities will create 164 records for equipment maintenance, cleaning, calibration, and facilities maintenance records, with a total recordkeeping burden of 9,430 hours.

Sections 212.20(c) and 212.40(a) and (b) also set out requirements for raw material and component shipments received at the manufacturing facility on an ongoing basis. We estimate that the burden for each firm to create incoming raw material acceptance records for 2 shipments per month and 30 minutes per shipment will be 1,380 hours for 2,760 records from 115 sites.

Sections 212.60(g), 212.61(b), and 212.70(d)(2) and (3) set out requirements for documenting laboratory testing results from each PET drug manufactured referred to in laboratory testing, including final release testing. Each firm must keep records of different tests for each of their products. We estimate that approximately 115 corporate sites will document 144 records of cumulative quality control (QC) test results (one record with 5 to 6 tests included), with a total recordkeeping burden of approximately 8,280 hours.

We estimate that each firm will take approximately 1 hour to record out-of-specification (OOS) events and perform investigations for each incident. We also estimate an average of 2 ''Out of Specification'' investigations per firm, with a total of 230 records for ''OOS'' investigations from 115 sites, which results in a burden of 460 hours. This estimate includes any reprocessing or special release events, which are very rare.

Section 212.100(b) and (c) requires that PET drug firms document how each complaint is handled. We estimate that this will take approximately 2 hours for each site to document and investigate one complaint. We estimated 2 complaints per year per site, with a total expended hour of 460 hours for 115 individual sites. We believe the estimate is appropriate since not all sites receive complaints.

We also estimate annual recordkeeping for PET drug firms to perform quality assurance (QA) and release of manufactured PET drugs from the 115 corporate sites to be 4,140 hours, for a total of 144 released batches estimating 15 minutes per batch.

Section 212.90(b) requires that corporate firms maintain distribution records. We estimate that it will take each firm approximately 15 minutes to create a distribution record for each batch of PET drug products, with a total burden of approximately 4,140 hours for 144 released batches from 115 sites.

D. Annual Burden for Academia and Small Firms

It is estimated that each firm will expend the same amount of time to perform the same activities as corporate firms. Approximately 52 academia and small firms will fill 1,248 batch and production records, totaling 624 hours. For any new master batch record or quality procedures we have estimated 156 total records (3 per site), with a total of 1,248 hours.

For calibration and cleaning records like filling information in log books for each piece of equipment and documenting calibration records in each PET production firm, we estimate approximately 30 minutes on average for each piece of equipment for all firms. The calibration efforts are once per year per equipment, with estimated 10 pieces of equipment per site. We estimate that 52 academic and small firms will record a total of 884 hours for 34 records per site and a total of 1,768 records.

For §§ 212.20(c) and 212.40(a) and (b), approximately 1,768 raw material and component acceptance records will be filled on an ongoing annual basis. We estimate that the burden for each firm to create incoming raw material acceptance records for 12 shipments per year and 30 minutes per shipment will be 312 hours for 624 records from 52 sites.

We also estimate that approximately 52 academia and small firms will document 1,248 laboratory QC tests for 24 batches of drugs, with a total recordkeeping burden of approximately 624 hours.

We estimate that each firm will take approximately 1 hour each to record OOS and customer complaint events and perform investigations. We also estimate that an average of two ''Out of Specification'' and customer complaints and investigations per firm, with a total of 208 hours for each category. This estimate has included any reprocessing or special batch release events, which have been rarely observed.

We also estimate annual recordkeeping for PET drug firms to perform QA and release of manufactured PET drugs from 52 sites to be 312 hours, for a total of 24 batches per site released if estimating 15 minutes per batch.

Section 212.90(b) requires that corporate firms maintain distribution records. We estimate that it will take approximately 15 minutes to create a distribution record for each batch of

PET drug products, with a total burden of approximately 312 hours for 24 batches per site.

E. Annual Burden for High-Risk Component Manufacturers

According to section 121(a) of FDAMA, the PET drug definition includes any non-radioactive or radioactive reagents, kits, nuclidic generators, target materials, synthesizers, and so forth. FDA performs risk assessments of each manufacturer and inspects such manufacturers. Sterile manufacturers and complex labels fall under this category, including sterile raw material or reagent manufactures. We have estimated nine such facilities based on inspections so far and have included them in this section. These manufacturers must comply with selected sections of part 212 since they are not final PET drug manufacturers. We will refer to them as high-risk component manufacturers in general in this document.

We estimate that it would take 9 high-risk component manufacturers about 30 minutes to fill each manufacturing batch records (12 per year) and that there will be a total of approximately 108 records, with a total recordkeeping burden of approximately 54 hours.

We also estimate that it will take nine component manufacturers 30 minutes to fill and create equipment and facilities related records, with a total recordkeeping burden of 72 hours.

We estimate that 9 high-risk component manufacturers will document 54 components, containers, and closures for incoming acceptance tests, with a total recordkeeping burden of approximately 27 hours.

We estimate that 9 high-risk component manufacturers will document 12 QC records related to 12 batches, with a total recordkeeping burden of approximately 54 hours.

We also estimate annual recordkeeping for PET drug firms to perform QA and release manufactured PET drugs from 9 sites to be 27 hours, for a total of 108 batches released, estimating 15 minutes per batch.

We further estimate that it would take each precursor 15 minutes to create and maintain distribution records and that there will be approximately 108 records, with a total recordkeeping burden of approximately 27 hours.

III. Process Verification

Section 212.50(f)(2) requires that any process verification activities and results be recorded. Process verification is usually performed as a one-time activity before a product is approved or if any major manufacturing process or equipment changes are made. This effort to conduct process verification has been estimated under annual new creation of master batch records and manufacturing and quality procedures in section II of this document.

IV. Conditional Final Releases

Section 212.70(f) requires PET drug producers to document any conditional final releases of a product. We believe that conditional final releases will be uncommon, and we have them estimated under annual ''OOS'' investigations and final QA release efforts for each manufactured batch.

V. Reprocessing Procedures

Sections 212.20(c) and 212.71(d) require PET drug producers to establish and document procedures for reprocessing PET drugs. We rarely see any reprocessing option being submitted for application of such drugs and, if reprocessing occurs, we have estimated such rare events under annual QA release efforts.

VI. Third-Party Disclosure Burden

Section 212.70(e) requires that PET drug producers notify all receiving facilities if a batch fails sterility tests. FDA receives FARs reports based on confirmed sterility failures of released PET drugs. Based on our experience of such reporting, we estimated a total of 12 failures from all 167 sites (corporate, small firms, and academia). Therefore, we have estimated that 12 PET drug producers will file 2 reports to FDA and send a notification to the affected clinical/receiving site per year. PET drug producers would transmit the notice by email or Fax and submit the FARs notice to FDA electronically, with 2 hours per incident in total.

We estimate the burden of the information collection as follows:

TABLE 1—ESTIMATED ONE-TIME RECORDKEEPING BURDEN FOR CORPORATE FIRMS [1]

Activity/type of respondent/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	One-time records	Average burden per recordkeeper	Total hours [2]
Batch Production and Control Records (§§ 212.20(c) and (e) and 212.50(a) and (b))	3	9	27	8	216
Equipment and Facilities Records (SOP) (§§ 212.20(c), 212.30(b) 212.50(d), and 212.60(f))	3	13	39	5	195
Records of Components, Containers, and Closures (SOP) (§§ 212.20(c) and 212.40(a) and (b))	3	2	6	8	48
Records of Components, Containers, and Closures (specifications data sheets) (§§ 212.20(c) and 212.40(a) and (b))	3	25	75	2	150
Out-of-Specification Investigations (SOP) (§§ 212.20(c) and 212.71(a))	3	1	3	8	24
Distribution Records (SOP) (§§ 212.20(c) and 212.90(a))	3	1	3	8	24
Complaints, Recalls (§§ 212.20(c) and 212.100(a))	3	3	9	8	72
Total					729

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Number rounded to the nearest whole number.

TABLE 2—ESTIMATED ONE-TIME RECORDKEEPING BURDEN FOR ACADEMIA, SMALL FIRMS, AND HIGH-RISK COMPONENT MANUFACTURERS [1]

Activity/type of respondent/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	One-time records	Average burden per recordkeeper	Total hours [2]
Batch Production and Control Records (§§ 212.20(c) and (e) and 212.50(a) and (b))	61	8	488	8	3,904
Equipment and Facilities Records (SOP) (§§ 212.20(c), 212.30(b) 212.50(d), and 212.60(f))	61	13	793	8	6,344
Records of Components, Containers, and Closures (specification only) (§§ 212.20(c) and 212.40(a) and (b))	61	25	1,525	2	3,050
Records of Components, Containers, and Closures (SOP) (§§ 212.20(c) and 212.40(a) and (b))	61	2	122	8	976
Out-of-Specification Investigations (SOP) (§§ 212.20(c) and 212.71(a))	61	1	61	8	488
Distribution Records (SOP) (§§ 212.20(c) and 212.90(a))	61	1	61	8	488
Complaints, Recalls (§§ 212.20(c) and 212.100(a))	52	3	156	8	1,248
Total					16,498

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Number rounded to the nearest whole number.

TABLE 3—ESTIMATED ANNUAL RECORDKEEPING BURDEN FOR CORPORATE FIRMS [1]

Activity/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeper	Total hours [2]
Batch Production (Creating Manufacturing Records) (creating batch-related records per year) (§§ 212.20(c) and (e) and 212.50(a) and (b)).	115	144	16,560	0.50 (30 minutes)	8,280
Creating Any New Batch Records/Quality Records for New or Existing Drugs (§§ 212.20(c) and (e) and 212.50(a) and (b)).	3	9	27	8	216
Equipment and Facilities Records (calibration and cleaning records systems) (§§ 212.30(b), 212.50(d), and 212.60(f)).	115	164	18,860	0.50 (30 minutes)	9,430
Records of Components, Containers, and Closures (§§ 212.20(c) and 212.40(a) and (b)).	115	24	2,760	0.50 (30 minutes)	1,380
Laboratory Testing Records (record laboratory test results) (§§ 212.60(g), 212.61(b), and 212.70(d)(2) and (3)).	115	144	16,560	0.50 (30 minutes)	8,280
Out-of-Specification Investigations (record events and investigations) (§ 212.71(b)).	115	2	230	2	460
Complaints (§§ 212.100(b) and (c))	115	2	230	2	460
QA and Release of Batches	115	144	16,560	0.25 (15 minutes)	4,140
Distribution Records (§ 212.90(b))	115	144	16,560	0.25 (15 minutes)	4,140
Total					36,786

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Number rounded to the nearest whole number.

TABLE 4—ESTIMATED ANNUAL RECORDKEEPING BURDEN FOR ACADEMIA AND SMALL FIRMS [1]

Activity/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeper	Total hours [2]
Batch Production (creating manufacturing records) (filling batch related records per year) (§§ 212.20(c) and (e) and 212.50(a) and (b)).	52	24	1,248	0.50 (30 minutes)	624
Creating Any New Batch Records/Procedures for New Drugs (§§ 212.20(c) and (e) and 212.50(a) and (b)).	52	3	156	8	1,248
Equipment and Facilities Records (calibration and cleaning records) (§§ 212.30(b), 212.50(d), and 212.60(f)).	52	34	1,768	0.50 (30 minutes)	884
Records of Components, Containers, and Closures (incoming acceptance tests) (§§ 212.20(c) and 212.40(a) and (b)).	52	12	624	0.50 (30 minutes)	312
Laboratory Testing Records (QC test results) (§§ 212.60(g), 212.61(b) and 212.70(d)(2) and (3)).	52	24	1,248	0.50 (30 minutes)	624

TABLE 4—ESTIMATED ANNUAL RECORDKEEPING BURDEN FOR ACADEMIA AND SMALL FIRMS [1]—Continued

Activity/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeper	Total hours [2]
Out-of-Specification Investigations (record events and investigations) (§ 212.71(b)).	52	2	104	2	208
Complaints (Record events and investigations) (§§ 212.100(b) and (c)).	52	2	104	2	208
QA and Release of Batches	52	24	1,248	0.25 (15 minutes)	312
Distribution Records (§ 212.90(b))	52	24	1,248	0.25 (15 minutes)	312
Total					4,732

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Number rounded to the nearest whole number.

TABLE 5—ESTIMATED ANNUAL RECORDKEEPING BURDEN FOR HIGH RISK COMPONENT MANUFACTURERS [1]

Activity/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeper	Total hours [2]
Batch Production (creating manufacturing records and batch related records per year) (§§ 212.20(c) and (e) and 212.50(a) and (b)).	9	12	108	0.50 (30 minutes)	54
Equipment and Facilities Records (calibration and cleaning records systems) (§§ 212.30(b), 212.50(d), and 212.60(f)).	9	16	144	0.50 (30 minutes)	72
Records of Components, Containers, and Closures (incoming acceptance test) (§§ 212.20(c) and 212.40(a) and (b)).	9	6	54	0.50 (30 minutes)	27
Laboratory Testing Records (record QC test results) §§ 212.60(g), 212.61(b) and 212.70(d)(2) and (3).	9	12	108	0.50 (30 minutes)	54
Out-of-Specification Investigations (Record events and investigations) (§ 212.71(b)).	9	1	9	1	9
QA and Release of Batches	9	12	108	0.25 (15 minutes)	27
Distribution Records (§ 212.90(b))	9	12	108	0.25 (15 minutes)	27
Total					270

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Number rounded to the nearest whole number.

TABLE 6—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN [1]

Activity/21 CFR section	Number of sterility failure incidents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
Sterility Test Failure Notices (§ 212.70(e))	12	[2] 3	36	2.5	90

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] There are two reports sent to FDA per incident and notification to receiving site.

These burden estimates reflect adjustments since last OMB approval. Previously we had based the estimated number of respondents on the number of individual production sites, however we believe using the number of registered organizations better reflects the burden attributable to information collection. This results in an overall decrease to the collection.

Dated: March 8, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04716 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–N–0427]

Agency Information Collection Activities; Proposed Collection; Comment Request; Medical Devices; Inspection by Accredited Persons Program

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the Inspection by Accredited Persons Program.

DATES: Submit either electronic or written comments on the collection of information by May 13, 2019.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before May 13, 2019. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of May 13, 2019. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2012–N–0427 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Medical Devices; Inspection by Accredited Persons Program.'' Received comments, those filed in a timely manner (see **ADDRESSES**), 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: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, 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 respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Inspection by Accredited Persons Program Under the Medical Device User Fee and Modernization Act of 2002

OMB Control Number 0910–0510—Extension

The Medical Device User Fee and Modernization Act of 2002 (MDUFMA) (Pub. L. 107–250) was signed into law on October 26, 2002. Section 201 of MDUFMA added a new paragraph (g) to section 704 of the Federal, Food, Drug, and Cosmetic Act (21 U.S.C. 374), directing FDA to accredit third parties (accredited persons) to conduct inspections of eligible manufacturers of class II or class III devices. FDA's guidance document entitled ''Inspection by Accredited Persons Under The Medical Device User Fee and Modernization Act of 2002 and the FDA Amendments Act of 2007; Accreditation Criteria'' [1] provides information for

[1] *https://www.fda.gov/ucm/groups/fdagov-public/@fdagov-meddev-gen/documents/document/ucm089721.pdf.*

those interested in participating in this voluntary program.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Section of the FD&C act; activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
704(g); Request for Accreditation	1	1	1	80	80

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

Dated: March 8, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04717 Filed 3–13–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2004–N–0451]

Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 051

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing a publication containing modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews (FDA Recognized Consensus Standards). This publication, entitled ''Modifications to the List of Recognized Standards, Recognition List Number: 051'' (Recognition List Number: 051), will assist manufacturers who elect to declare conformity with consensus standards to meet certain requirements for medical devices.

DATES: Submit either electronic or written comments on the notice at any time. These modifications to the list of recognized standards are applicable March 14, 2019.

ADDRESSES: You may submit comments on the current list of FDA Recognized Consensus Standards at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2004–N–0451 for ''Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 051.'' 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. FDA will consider any comments received in determining whether to amend the current listing of modifications to the list of recognized standards, Recognition List Number: 051.

- 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: *http://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.

An electronic copy of Recognition List Number: 051 is available on the internet

at *https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Standards/ucm123792.htm.* See section IV for electronic access to the searchable database for the current list of FDA recognized consensus standards, including Recognition List Number: 051 modifications and other standards related information. Submit written requests for a single hard copy of the document entitled ''Modifications to the List of Recognized Standards, Recognition List Number: 051'' to Scott Colburn (see **FOR FURTHER INFORMATION CONTACT**). Send one self-addressed adhesive label to assist that office in processing your request or Fax your request to 301–847–8144.

FOR FURTHER INFORMATION CONTACT: Scott Colburn, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5514, Silver Spring, MD 20993, 301–796–6287, *CDRHStandardsStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Section 204 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) amended section 514 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360d). Amended section 514 allows FDA to recognize consensus standards developed by international and national organizations for use in satisfying portions of device premarket review submissions or other requirements.

In the **Federal Register** of September 14, 2018 (83 FR 46738), FDA announced the availability of a guidance entitled ''Appropriate Use of Voluntary Consensus Standards in Premarket Submissions for Medical Devices.'' The guidance describes how FDA has implemented its standard recognition program and is available at *https://www.fda.gov/downloads/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/ucm077295.pdf.* Modifications to the initial list of recognized standards, as published in the **Federal Register**, can be accessed at *https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Standards/ucm123792.htm.*

These notices describe the addition, withdrawal, and revision of certain standards recognized by FDA. The Agency maintains hypertext markup language (HTML) and portable document format (PDF) versions of the list of FDA Recognized Consensus Standards. Additional information on the Agency's standards program is available at *https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Standards/default.htm.*

II. Modifications to the List of Recognized Standards, Recognition List Number: 051

FDA is announcing the addition, withdrawal, correction, and revision of certain consensus standards the Agency is recognizing for use in premarket submissions and other requirements for devices. FDA is incorporating these modifications to the list of FDA Recognized Consensus Standards in the Agency's searchable database. FDA is using the term ''Recognition List Number: 051'' to identify the current modifications.

In table 1, FDA describes the following modifications: (1) The withdrawal of standards and their replacement by others, if applicable; (2) the correction of errors made by FDA in listing previously recognized standards; and (3) the changes to the supplementary information sheets of recognized standards that describe revisions to the applicability of the standards.

In section III, FDA lists modifications the Agency is making that involve the initial addition of standards not previously recognized by FDA.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change [2]
		A. Anesthesiology	
1–104	1–141	ISO 80601–2–13 First edition 2011–08–11 Medical electrical equipment—Part 2–13: Particular requirements for basic safety and essential performance of an anaesthetic workstation [Including: AMENDMENT 1 (2015) and AMENDMENT 2 (2018)].	Withdrawn and replaced with newer version including amendment. Extent of Recognition.
1–108		ANSI/AAMI/ISO 5361:2012 Anaesthetic and respiratory equipment—Tracheal tubes and connectors.	Withdrawn. See 1–118.
1–110		ANSI/AAMI/ISO 5366–1:2000 Anaesthetic and respiratory equipment—Tracheostomy tubes—Part 1: Tubes and connectors for use in adults.	Withdrawn. See 1–117.
1–111		ANSI/AAMI/ISO 5366–3:2001 Anaesthetic and respiratory equipment—Tracheostomy Tubes—Part 3: Paediatric Tracheostomy Tubes.	Withdrawn. See 1–117.
1–114		ISO 18835 First Edition 2015–04–01 Inhalational Anaesthesia Systems—Draw-over Anaesthetic Systems.	Extent of Recognition.
1–117		ISO 5366 First edition 2016–10–01 Anaesthetic and respiratory equipment—Tracheostomy tubes and connectors.	Extent of Recognition.
1–118		ISO 5361 Third edition 2016–09–01 Anaesthetic and respiratory equipment—Tracheal tubes and connectors.	Extent of Recognition.
1–120		ISO 18190 First edition 2016–11–01 Anaesthetic and respiratory equipment—General requirements for airways and related equipment.	Extent of Recognition.
1–138		ISO 80601–2–74 First edition 2017–05 Medical electrical equipment—Part 2–74: Particular requirements for basic safety and essential performance of respiratory humidifying equipment.	Extent of Recognition.
		B. Biocompatibility	
2–136		ASTM E1262–88 (Reapproved 2018) Standard Guide for Performance of Chinese Hamster Ovary Cell/Hypoxanthine Guanine Phosphoribosyl Transferase Gene Mutation Assay.	Reaffirmation.
2–141		ASTM F1984–99 (Reapproved 2018) Standard Practice for Testing for Whole Complement Activation in Serum by Solid Materials.	Reaffirmation.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change [2]
2–145		ASTM F1439–03 (Reapproved 2018) Standard Guide for Performance of Lifetime Bioassay for the Tumorigenic Potential of Implant Materials.	Reaffirmation.
2–220	2–258	ISO 10993–1 Fifth edition 2018–08 Biological evaluation of medical devices—Part 1: Evaluation and testing within a risk management process.	Withdrawn and replaced with newer version.
2–251	2–259	USP 41–NF36:2018 <87> Biological Reactivity Test, In Vitro—Direct Contact Test	Withdrawn and replaced with newer version.
2–252	2–260	USP 41–NF36:2018 <87> Biological Reactivity Test, In Vitro—Elution Test	Withdrawn and replaced with newer version.
2–253	2–261	USP 41–NF36:2018 <88> Biological Reactivity Test, In Vivo	Withdrawn and replaced with newer version.
2–254	2–262	USP 41–NF36:2018 <151> Pyrogen Test (USP Rabbit Test)	Withdrawn and replaced with newer version. Extent of Recognition.
C. Cardiovascular			
3–44		AAMI BP22:1994 (R2016) Blood Pressure Transducers	Reaffirmation.
3–52		ANSI/AAMI EC12:2000/(R) 2015 Disposable ECG electrodes	Reaffirmation.
3–55		ASTM F1830–97 (Reapproved 2017) Standard Practice for Selection of Blood for in vitro Evaluation of Blood Pumps.	Reaffirmation.
3–56		ASTM F1841–97 (Reapproved 2017) Standard Practice for Assessment of Hemolysis in Continuous Flow Blood Pumps.	Reaffirmation. Extent of Recognition.
3–66		ASTM F2081–06 (Reapproved 2017) Standard Guide for Characterization and Presentation of the Dimensional Attributes of Vascular Stents.	Reaffirmation.
3–79		ASTM F2079–09 (Reapproved 2017) Standard Test Method for Measuring Intrinsic Elastic Recoil of Balloon-Expandable Stents.	Reaffirmation.
3–86		ASTM F2394–07 (Reapproved 2017) Standard Guide for Measuring Securement of Balloon Expandable Vascular Stent Mounted on Delivery System.	Reaffirmation. Extent of Recognition.
3–99		AAMI TIR 42:2010 Evaluation of Particulates Associated with Vascular Medical Devices.	Extent of Recognition.
3–122		IEC 81060–2 Second edition 2013–05–01 Non-invasive sphygmomanometers—Part 2: Clinical validation of automated measurement type.	Extent of Recognition.
3–123		IEC 80601–2–30 Edition 2.0 2018–03 Medical electrical equipment—Part 2–30: Particular requirements for the basic safety and essential performance of automated non-invasive sphygmomanometers.	Title change. Extent of recognition.
3–124		ISO 7199:2009 Cardiovascular implants and artificial organs—Blood gas exchangers (oxygenators).	Withdrawn.
3–126		IEC 60601–2–27 Edition 3.0 2011–03 Medical electrical equipment—Part 2–27: Particular requirements for the basic safety and essential performance of electrocardiographic monitoring equipment.	Extent of recognition.
3–127		ANSI/AAMI/IEC 60601–2–47:2012/(R) 2016 Medical electrical equipment—Part 2–47: Particular requirements for the basic safety and essential performance of ambulatory electrocardiographic systems.	Reaffirmation.
3–138		ASTM F2942–13 Standard Guide for the In Vitro Axial, Bending, and Rotational Durability Test of Vascular Stents.	Extent of Recognition.
3–142		ISO/TS 17137 First edition 2014–05–15 Cardiovascular implants and extracorporeal systems—Cardiovascular absorbable implants.	Extent of Recognition.
D. Dental/Ear, Nose, and Throat (ENT)			
4–126	4–248	ISO 10477 Third edition 2018–06 Dentistry—Polymer-based crown and veneering materials.	Withdrawn and replaced with newer version.
4–150	4–249	ANSI/ADA Standard No. 19—2018 Elastomeric Impression Materials	Withdrawn and replaced with newer version.
4–162		ANSI S3.4–2007 (Reaffirmed 2017) American National Standard Procedure for the Computation of Loudness of Steady Sounds.	Reaffirmation.
4–163		ANSI S3.5–1997 (Reaffirmed 2017) American National Standard Methods for Calculation of the Speech Intelligibility Index.	Reaffirmation.
4–171		ANSI S3.37–1987 (Reaffirmed 2017) American National Standard Preferred Earhook Nozzle Thread for Postauricular Hearing Aids.	Reaffirmation.
4–213	4–250	ISO 7494–1 Third edition 2018–06 Dentistry—Stationary dental units and dental patient chairs—Part 1: General requirements.	Withdrawn and replaced with newer version.
4–217		ANSI/ASA S3.36–2012 (Reaffirmed 2018) American National Standard Specification for a Manikin for Simulated in-situ Airborne Acoustic Measurements.	Reaffirmation.
4–223	4–251	ISO 6872 Fourth edition 2015–06–01 Dentistry—Ceramic materials [including AMENDMENT 1 2018–04].	Withdrawn and replaced with newer version including amendment.
4–226	4–252	ISO 10650 Second edition 2018–08 Dentistry—Powered polymerization activators	Withdrawn and replaced with newer version.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change [2]
E. General I (Quality Systems/Risk Management) (QS/RM)			
5–39	5–120	IEC 60812 Edition 3.0 2018–08 Failure modes and effects analysis (FMEA and FMECA).	Withdrawn and replaced with newer version. Title change.
5–63	5–121	ISO 80369–1 Second edition 2018–11 Small-bore connectors for liquids and gases in healthcare applications—Part 1: General requirements.	Withdrawn and replaced with newer version.
5–105		ISO 16142–1 First edition 2016–03–01 Medical devices—Recognized essential principles of safety and performance of medical devices—Part 1: General essential principles and additional specific essential principles for all non-IVD medical devices and guidance on selection of standards.	Withdrawn.
F. General II (Electrical Safety/Electromagnetic Compatibility) (ES/EMC)			
19–13	19–32	IEC 62133–1 Edition 1.0 2017–02 Secondary cells and batteries containing alkaline or other non-acid electrolytes—Safety requirements for portable sealed secondary cells, and for batteries made from them, for use in portable applications—Part 1: Nickel systems.	Withdrawn and replaced with newer version. Title change.
	19–33	IEC 62133–2 Edition 1.0 2017–02 Secondary cells and batteries containing alkaline or other non-acid electrolytes—Safety requirements for portable sealed secondary cells, and for batteries made from them, for use in portable applications—Part 2: Lithium systems.	
19–18	19–34	IEC 61010–1 Edition 3.1 2017–01 Safety requirements for electrical equipment for measurement, control, and laboratory use—Part 1: General requirements.	Withdrawn and replaced with newer version.
G. General Hospital/General Plastic Surgery (GH/GPS)			
6–239	6–410	ISO 8536–6 Third edition 2016–12–01 Infusion equipment for medical use—Part 6: Freeze drying closures for infusion bottles.	Withdrawn and replaced with newer version.
6–338		ASTM D7866–14 Standard Specification for Radiation Attenuating Protective Gloves.	Extent of recognition.
6–383	6–411	ASTM D6499–18 Standard Test Method for Immunological Measurement of Antigenic Protein in Hevea Natural Rubber (HNR) and its Products.	Withdrawn and replaced with newer version.
6–391	6–412	USP 41–NF36:2018 Sodium Chloride Irrigation	Withdrawn and replaced with newer version.
6–392	6–413	USP 41–NF36:2018 Sodium Chloride Injection	Withdrawn and replaced with newer version.
6–393	6–414	USP 41–NF36:2018 Nonabsorbable Surgical Suture	Withdrawn and replaced with newer version.
6–394	6–415	USP 41–NF36:2018 <881> Tensile Strength	Withdrawn and replaced with newer version.
6–395	6–416	USP 41–NF36:2018 <861> Sutures—Diameter	Withdrawn and replaced with newer version.
6–396	6–417	USP 41–NF36:2018 <871> Sutures—Needle Attachment	Withdrawn and replaced with newer version.
6–397	6–418	USP 41–NF36:2018 Sterile Water for Irrigation	Withdrawn and replaced with newer version.
6–398	6–419	USP 41–NF36:2018 Heparin Lock Flush Solution	Withdrawn and replaced with newer version.
6–399	6–420	USP 41–NF36: 2018 Absorbable Surgical Suture	Withdrawn and replaced with newer version.
H. In Vitro Diagnostics (IVD)			
7–139		CLSI QMS24 3rd Edition September 2016 Replaces GP27–A2 and GP29–A2. Using Proficiency Testing and Alternative Assessment to Improve Medical Laboratory Quality.	Title change.
7–178		CLSI M22–A3 Vol. 24 No. 19 Replaces M22–A2 Vol. 16 No. 16 Quality Control for Commercially Prepared Microbiological Culture Media; Approved Standard—Third Edition.	Extent of recognition.
7–200	7–285	CLSI M48 2nd Edition Laboratory Detection and Identification of Mycobacteria	Withdrawn and replaced with a newer version.
7–215		CLSI M44–A2 Vol. 29 No. 17 Replaces MM44–A Vol. 24 No. 15 Method for Antifungal Disk Diffusion Susceptibility Testing of Yeast; Approved Guideline—Second Edition.	Extent of recognition.
7–222		CLSI M24–A2 (Replaces M24–A) Susceptibility Testing of Mycobacteria, Nocardiae and other Aerobic Actinomycetes; Approved Standards—Second Edition.	Extent of recognition.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change [2]
7–228	7–286	CLSI M11 9th Edition Methods for Antimicrobial Susceptibility Testing of Anaerobic Bacteria.	Withdrawn and replaced with a newer version. Extent of recognition.
7–232		CLSI MM05–A2 Vol. 32 No. 6 Replaces MM05–A Vol. 23 No. 17 Nucleic Acid Amplification Assays for Molecular Hematopathology; Approved Guideline—Second Edition.	Extent of recognition.
7–262		CLSI M45 3rd Edition Methods for Antimicrobial Dilution and Disk Susceptibility Testing of Infrequently Isolated or Fastidious Bacteria.	Extent of recognition.
7–269		CLSI MM23 1st Edition Molecular Diagnostic Methods for Solid Tumors (Nonhematological Neoplasms).	Extent of recognition.
7–282		CLSI M60 1st Edition Performance Standards for Antifungal Susceptibility Testing of Yeasts.	Withdrawn. Duplicate version.
		I. Materials	
8–179		ASTM F754–08 (Reapproved 2015) Standard Specification for Implantable Polytetrafluoroethylene (PTFE) Sheet, Tube, and Rod Shapes Fabricated from Granular Molding Powders.	Extent of recognition.
8–335	8–480	ASTM F2063–18 Standard Specification for Wrought Nickel-Titanium Shape Memory Alloys for Medical Devices and Surgical Implants.	Withdrawn and replaced with newer version.
8–345	8–481	ASTM F1314–18 Standard Specification for Wrought Nitrogen Strengthened 22 Chromium—13 Nickel—5 Manganese—2.5 Molybdenum Stainless Steel Alloy Bar and Wire for Surgical Implants (UNS S20910).	Withdrawn and replaced with newer version.
8–365	8–482	ASTM D1505–18 Standard Test Method for Density of Plastics by the Density-Gradient Technique.	Withdrawn and replaced with newer version.
8–371	8–483	ASTM F601–18 Standard Practice for Fluorescent Penetrant Inspection of Metallic Surgical Implants.	Withdrawn and replaced with newer version.
8–375	8–484	ASTM F2066–18 Standard Specification for Wrought Titanium-15 Molybdenum Alloy for Surgical Implant Applications (UNS R58150).	Withdrawn and replaced with newer version.
8–462	8–485	ASTM F3260–18 Standard Test Method for Determining the Flexural Stiffness of Medical Textiles.	Withdrawn and replaced with newer version.
		J. Nanotechnology	
18–2		ASTM E2535–07 (Reapproved 2018) Standard Guide for Handling Unbound Engineered Nanoscale Particles in Occupational Settings.	Reaffirmation.
18–5		ASTM E2859–11 (Reapproved 2017) Standard Guide for Size Measurement of Nanoparticles Using Atomic Force Microscopy.	Reaffirmation.
18–6		ASTM E2865–12 (Reapproved 2018) Standard Guide for Measurement of Electrophoretic Mobility and Zeta Potential of Nanosized Biological Materials.	Reaffirmation.
18–7		ASTM E2834–12 (Reapproved 2018) Standard Guide for Measurement of Particle Size Distribution of Nanomaterials in Suspension by Nanoparticle Tracking Analysis (NTA).	Reaffirmation.
18–8		ASTM E2578–07 (Reapproved 2018) Standard Practice for Calculation of Mean Sizes/Diameters and Standard Deviations of Particle Size Distributions.	Reaffirmation.
		K. Neurology	
17–14		ANSI/AAMI NS4:2013/(R) 2017 Transcutaneous electrical nerve stimulators	Reaffirmation.
		L. Obstetrics-Gynecology/Gastroenterology/Urology (OB-Gyn/G/Urology)	
9–68		ISO 23409 First edition 2011–02–15 Male Condoms—Requirements and test methods for condoms made from synthetic materials.	Extent of Recognition.
9–80	9–121	IEC 60601–2–16 Edition 5.0 2018–04 Medical electrical equipment—Part 2–16: Particular requirements for the basic safety and essential performance of haemodialysis, haemodiafiltration and haemofiltration equipment.	Withdrawn and replaced with newer version.
9–89		ANSI AAMI ISO 8638:2010 (R2015) Cardiovascular implants and extracorporeal systems—Extracorporeal blood circuit for hemodialyzers, hemodiafilters and hemofilters.	Reaffirmation.
9–93	9–122	ISO 25841 Third edition 2017–08 Female condoms—Requirements and test methods.	Withdrawn and replaced with newer version.
9–111		ISO 4074 Third edition 2015–10–15 Natural latex rubber condoms—Requirements and test methods.	Extent of Recognition.
9–112		ASTM D3492–16 Standard Specification for Rubber Contraceptives (Male Condoms).	Extent of Recognition.
		M. Ophthalmic	
10–74		ISO 10940 Second edition 2009–08–01 Ophthalmic instruments—Fundus cameras.	Extent of recognition.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change [2]
10–85		ISO 11980 Third edition 2012–11–15 Corrected version 2012–12–01 Ophthalmic optics—Contact lenses and contact lens care products—Guidance for clinical investigations.	Title change. Extent of recognition.
10–86		ISO 14729 First edition 2001–04–15 Ophthalmic optics—Contact lens care products—Microbiological requirements and test methods for products and regimens for hygienic management of contact lenses [Including: Amendment 1 (2010)].	Extent of recognition.
10–89		ANSI Z80.7–2013 (R2018) American National Standard for Ophthalmic Optics—Intraocular Lenses.	Reaffirmation. Extent of recognition.
10–93		ANSI Z80.27–2014 American National Standard for Ophthalmics—Implantable Glaucoma Devices.	Extent of recognition.
10–108		ISO 18369–2 Third Edition 2017–08 Ophthalmic optics—Contact lenses—Part 2: Tolerances.	Extent of recognition.
		N. Orthopedic	
11–184		ISO 8827 First edition 1988–10–15 Implants for surgery—Staples with parallel legs for orthopaedic use—General requirements.	Extent of Recognition.
11–234	11–342	ASTM F732–17 Standard Test Method for Wear Testing of Polymeric Materials Used in Total Joint Prostheses.	Withdrawn and replaced with newer version.
11–243	11–343	ASTM F2346–18 Standard Test Methods for Static and Dynamic Characterization of Spinal Artificial Discs.	Withdrawn and replaced with newer version.
11–272		ASTM F1714–96 (Reapproved 2018) Standard Guide for Gravimetric Wear Assessment of Prosthetic Hip Designs in Simulator Devices.	Reaffirmation.
11–295	11–344	ASTM F2580–18 Standard Practice for Evaluation of Modular Connection of Proximally Fixed Femoral Hip Prosthesis.	Withdrawn and replaced with newer version.
11–302	11–345	ASTM F1717–18 Standard Test Methods for Spinal Implant Constructs in a Vertebrectomy Model.	Withdrawn and replaced with newer version.
11–323	11–346	ASTM F2706–18 Standard Test Methods for Occipital-Cervical and Occipital-Cervical-Thoracic Spinal Implant Constructs in a Vertebrectomy Model.	Withdrawn and replaced with newer version.
11–331	11–347	ASTM F2077–18 Test Methods for Intervertebral Body Fusion Devices	Withdrawn and replaced with newer version.
		O. Physical Medicine	
16–29	16–204	ISO 7176–6 Third edition 2018–06 Wheelchairs—Part 6: Determination of maximum speed of electrically powered wheelchairs.	Withdrawn and replaced with newer version.
16–202	16–205	RESNA WC–4:2017 Standard for Wheelchairs Volume 4: Wheelchairs and Transportation.	Withdrawn and replaced with new recognition number.
		P. Radiology	
12–102		ANSI/IES RP–27.2–00/R17 Recommended Practice for Photobiological Safety for Lamps and Lamp Systems—Measurement Techniques.	Reaffirmation.
12–179	12–321	ANSI/IES RP–27.3–17 Recommended Practice for Photobiological Safety for Lamps—Risk Group Classification and Labeling.	Withdrawn and replaced with newer version.
12–231	12–322	NEMA MS 5–2018 Determination of Slice Thickness in Diagnostic Magnetic Resonance Imaging.	Withdrawn and replaced with newer version.
12–247	12–323	ISO 11990 Third edition 2018–08 Lasers and laser-related equipment—Determination of laser resistance of tracheal tube shaft and tracheal tube cuffs.	Withdrawn and replaced with newer version. Title change.
12–305	12–324	ISO 13694 Third edition 2018–11 Optics and Photonics—Lasers and laser-related equipment—Test methods for laser beam power (energy) density distribution.	Withdrawn and replaced with newer version.
		Q. Software/Informatics	
13–32		ANSI AAMI IEC 62304:2006 Medical device software—Software life cycle processes.	Transition period.
13–79		IEC 62304 Edition 1.1 2015–06 CONSOLIDATED VERSION Medical device software—Software life cycle processes.	Title change and transition period.
		R. Sterility	
14–314		ANSI/AAMI ST67:2011/(R) 2017 Sterilization of health care products—Requirements and guidance for selecting a sterility assurance level (SAL) for products labeled 'sterile'.	Reaffirmation.
14–311	14–518	ANSI/AAMI ST55:2016 Table-top steam sterilizers	Withdrawn and replaced with newer version.
14–396		ANSI/AAMI ST77:2013/(R) 2018 Containment devices for reusable medical device sterilization.	Reaffirmation.

TABLE 1—MODIFICATIONS TO THE LIST OF RECOGNIZED STANDARDS—Continued

Old recognition No.	Replacement recognition No.	Title of standard [1]	Change [2]
14–410	14–519	ASTM F17–18 Standard Terminology Relating to Primary Barrier Packaging	Withdrawn and replaced with newer version.
14–503	14–520	USP 41–NF36:2018 <61> Microbiological Examination of Nonsterile Products: Microbial Enumeration Tests.	Withdrawn and replaced with newer version.
14–504	14–521	USP 41–NF36:2018 <71> Sterility Tests	Withdrawn and replaced with newer version.
14–505	14–522	USP 41–NF36:2018 <85> Bacterial Endotoxins Test	Withdrawn and replaced with newer version.
14–506	14–523	USP 41–NF36:2018 <161> Medical Devices—Bacterial Endotoxin and Pyrogen Tests.	Withdrawn and replaced with newer version.
14–507	14–524	USP 41–NF36:2018 <62> Microbiological Examination of Nonsterile Products: Tests for Specified Microorganisms.	Withdrawn and replaced with newer version.
14–508	14–525	USP 41–NF36:2018 <55> Biological Indicators—Resistance Performance Tests	Withdrawn and replaced with newer version.
14–509	14–526	USP 41–NF36:2018 <1229.5> Biological Indicators for Sterilization	Withdrawn and replaced with newer version.
S. Tissue Engineering			
15–47		ISO 22442–3 First edition 2007–12–15 Medical devices utilizing animal tissues and their derivatives—Part 3: Validation of the elimination and/or inactivation of viruses and transmissible spongiform encephalopathy (TSE) agents.	Extent of Recognition.

[1] All standard titles in this table conform to the style requirements of the respective organizations.
[2] Standards that are ''Withdrawn'' or ''Withdrawn and replaced with newer version'' will have a transition period with an expiration date as noted in the recognition database *https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfStandards/search.cfm.*

III. Listing of New Entries

In table 2, FDA provides the listing of new entries and consensus standards added as modifications to the list of recognized standards under Recognition List Number: 051.

TABLE 2—NEW ENTRIES TO THE LIST OF RECOGNIZED STANDARDS

Recognition No.	Title of standard [1]	Reference No. and date
A. Anesthesiology		
	No new entries at this time..	
B. Biocompatibility		
	No new entries at this time..	
C. Cardiovascular		
3–157	Cardiovascular implants—Endovascular devices—Part 1: Endovascular prostheses.	ANSI/AAMI/ISO 25539–1: 2017.
3–158	Standard Guide for Coating Characterization of Drug Coated Balloons	ASTM F3320–18.
3–159	Cardiovascular implants and extracorporeal systems—Cardiac valve repair devices.	ISO 5910 First edition 2018–06.
D. Dental/Ear, Nose, and Throat (ENT)		
4–253	Polymer-based Restorative Materials	ANSI/ADA Standard No. 27–2016.
4–254	Athletic Mouth Protectors and Materials	ANSI/ADA Standard No. 99–2001 (Reaffirmed 2013).
4–255	Dental CAD/CAM Machinable Zirconia Blanks	ANSI/ADA Standard No. 131–2015.
4–256	Scanning Accuracy of Dental Chairside and Laboratory CAD/CAM Systems	ANSI/ADA Standard No. 132–2015.
4–257	Dentistry—Fluoride varnishes	ISO 17730 First edition 2014–11–01.
E. General I (Quality Systems/Risk Management) (QS/RM)		
5–122	Assessing Credibility of Computational Modeling Through Verification and Validation: Application to Medical Devices.	ASME V&V 40–2018.
F. General II (Electrical Safety/Electromagnetic Compatibility) (ES/EMC)		
	No new entries at this time..	

TABLE 2—NEW ENTRIES TO THE LIST OF RECOGNIZED STANDARDS—Continued

Recognition No.	Title of standard [1]	Reference No. and date
G. General Hospital/General Plastic Surgery (GH/GPS)		
	No new entries at this time..	
H. In Vitro Diagnostics (IVD)		
	No new entries at this time..	
I. Materials		
8–486	Standard Guide for in vitro Degradation Testing of Absorbable Metals	ASTM F3268–18.
8–487	Additive manufacturing—Design—Requirements, guidelines and recommendations.	ISO/ASTM52910–18.
8–488	Standard for Additive Manufacturing—Post Processing Methods—Standard Specification for Thermal Post-Processing Metal Parts Made Via Powder Bed Fusion.	ASTM F3301–18a.
8–489	Standard for Additive Manufacturing—Finished Part Properties—Standard Specification for Titanium Alloys via Powder Bed Fusion.	ASTM F3302–18.
8–490	Standard for Additive Manufacturing—Process Characteristics and Performance: Practice for Metal Powder Bed Fusion Process to Meet Critical Applications.	ASTM F3303–18.
J. Nanotechnology		
18–11	Nanotechnologies—Nanomaterial risk evaluation	ISO/TR 13121 First edition 2011–05–15.
18–12	Nanotechnology—Nanoparticles in powder form—Characteristics and measurements.	ISO/TS 17200 First edition 2013–06–01.
K. Neurology		
	No new entries at this time..	
L. Obstetrics-Gynecology/Gastroenterology/Urology (OB-Gyn/G/Urology)		
	No new entries at this time..	
M. Ophthalmic		
10–114	American National Standard for Ophthalmics—Methods of Reporting Optical Aberrations of Eyes.	ANSI Z80.28–2017.
10–115	American National Standard for Ophthalmics—Accommodative Intraocular Lenses.	ANSI Z80.29–2015.
N. Orthopedic		
11–348	Implants for surgery—Cleanliness of orthopedic implants—General requirements.	ISO 19227 First edition 2018–03.
O. Physical Medicine		
16–206	Walking aids manipulated by both arms—Requirements and test methods—Part 2: Rollators.	ISO 11199–2 Second edition 2005–04–15.
P. Radiology		
	No new entries at this time..	
Q. Software/Informatics		
13–105	Classification of defects in health software	ANSI/AAMI SW91:2018.
13–106	Health informatics—Point-of-care medical device communication Part 10207: Domain Information and Service Model for Service-Oriented Point-of-Care Medical Device Communication.	IEEE Std 11073–10207–2017.
13–107	Health informatics—Point-of-care medical device communication—Part 20702: Medical devices communication profile for web services.	ISO/IEEE 11073–20702 First edition 2018–09.
R. Sterility		
	No new entries at this time..	

TABLE 2—NEW ENTRIES TO THE LIST OF RECOGNIZED STANDARDS—Continued

Recognition No.	Title of standard [1]	Reference No. and date
	S. Tissue Engineering	
15–56	Standard Test Method for Evaluating Growth of Engineered Cartilage Tissue using Magnetic Resonance Imaging.	ASTM F3224–17.

[1] All standard titles in this table conform to the style requirements of the respective organizations.

IV. List of Recognized Standards

FDA maintains the current list of FDA Recognized Consensus Standards in a searchable database that may be accessed at *https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfStandards/search.cfm.* Such standards are those that FDA has recognized by notice published in the **Federal Register** or that FDA has decided to recognize but for which recognition is pending (because a periodic notice has not yet appeared in the **Federal Register**). FDA will announce additional modifications and revisions to the list of recognized consensus standards, as needed, in the **Federal Register** once a year, or more often if necessary. Beginning with list 52, FDA will no longer announce in the **Federal Register** updates to current recognized standards for reapproved or reaffirmed standards because reapproved or reaffirmed standards have not changed from the recognized standard. International and national standards developing organizations use the designations of reapproved or reaffirmed to indicate a standard has been reviewed but no changes were made to the standard at that time.

V. Recommendation of Standards for Recognition by FDA

Any person may recommend consensus standards as candidates for recognition under section 514 of the FD&C Act by submitting such recommendations, with reasons for the recommendation, to *CDRHStandardsStaff@fda.hhs.gov.* To be considered, such recommendations should contain, at a minimum, the following information available at *https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Standards/ucm123739.htm.*

Dated: March 8, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04710 Filed 3–13–19; 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: HIV Quality Measures (HIVQM) Module, OMB No. 0906–0022—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects, 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 13, 2019.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 14N39, 5600 Fishers Lane, Rockville, MD 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: HIV Quality Measures (HIVQM) Module OMB No. 0906–0022—Revision.

Abstract: HRSA Ryan White HIV/AIDS Program (RWHAP) funds and coordinates with cities, states, and local clinics/community-based organizations to deliver efficient and effective HIV care, treatment, and support to low-income people living with HIV (PLWH). Nearly two-thirds of clients (patients) live at or below 100 percent of the Federal poverty level and approximately three-quarters of RWHAP clients are racial/ethnic minorities. Since 1990, the RWHAP has developed a comprehensive system of safety net providers who deliver high quality direct health care and support services to over half a million PLWH—more than 50 percent of all people living with diagnosed HIV in the United States.

All parts of the RWHAP must follow the legislative requirements for the establishment of clinical quality management programs to assess their HIV services according to the most recent HHS guidelines and to develop strategies to improve access to quality HIV services. The HIVQM Module supports recipients and subrecipients in their clinical quality management, performance measurement, service delivery, and monitoring of client health outcomes; and supports the requirement imposed by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements that recipients relate performance accomplishments of their Federal awards. 45 CFR 75.301. The module is accessible via the Ryan White Services Report, an existing online portal that RWHAP recipients already use for required data collection of their services. While the use of the module is voluntary for RWHAP recipients, its use is strongly encouraged.

The HRSA performance measures are comprised of the following categories: (1) Core, (2) all ages, (3) adolescent/adult, (4) HIV-infected children, (5) HIV-exposed children, (6) medical case management, (7) oral health, (8) AIDS drug assistance program, and (9) systems level performance measures. Recipients can choose the performance measures they want to monitor and may enter data on their measures into the module up to 4 times a year and then generate reports to assess their performance. Recipients may also compare their performance against other recipients regionally and nationally.

Need and Proposed Use of the Information: The HIVQM Module provides recipients an easy-to-use and

structured platform to voluntarily and continually monitor their performance. The main purpose for the module is to help recipients set goals and monitor performance measures and quality improvement projects. For recipients and sub-recipients participating in the Centers for Medicare & Medicaid Incentive Programs, such as the Medicare Promoting Interoperability Program and the Merit-based Incentive Payment System, the module is to qualify them for incentives and comply with the requirements to receive incentives from these programs.

For this revised information collection request, HRSA is proposing to allow recipients the option to enter data for specific populations for a subset of performance measures based on age, gender, race/ethnicity, and specific risk factors. In addition, recipients will be able to generate reports of performance measures, review them stratified by the recipients or their service providers, and compare to results at the state, regional, and national levels. HRSA is proposing these enhancements to increase the functionality and overall usability of the HIVQM Module.

Likely Respondents: HRSA Ryan White HIV/AIDS Program Part A, Part B, Part C, and Part D recipients and their service providers and the AIDS Drug Assistance Program recipients.

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
HIVQM Report	2,316	4	9,264	1	9,264
Total	2,316		9,264		9,264

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.

John R. Womack,

Acting Deputy Director, Division of the Executive Secretariat.

[FR Doc. 2019–04766 Filed 3–13–19; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Listening Session To Inform the Development of the National Youth Sports Strategy

AGENCY: Office of Disease Prevention and Health Promotion, Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Department of Health and Human Services (HHS) provides notice of a public listening session; invites the public to attend; and solicits request to provide oral remarks to inform the development of the National Youth Sports Strategy.

DATES: The meeting for the public to provide oral remarks to HHS will be held on Thursday, April 4, 2019, from 9:00 a.m. to 5:00 p.m. E.D.T.

ADDRESSES: Those providing public oral remarks to HHS are required to attend the listening session in-person at the Hubert H. Humphrey Building, Auditorium, 200 Independence Ave. SW, Washington, DC 20201. Others wanting to attend can do so in-person or via webcast on the internet.

FOR FURTHER INFORMATION CONTACT: Katrina L. Piercy, Ph.D., R.D., Office of Disease Prevention and Health Promotion (ODPHP), Office of the Assistant Secretary for Health (OASH), HHS; 1101 Wootton Parkway, Suite LL–100; Rockville, MD 20852; Telephone: (240) 453–8280. Email: *odphpinfo@hhs.gov.*

SUPPLEMENTARY INFORMATION: Executive Order 13824 directs the development of a National Strategy on Youth Sports and outlines the key pillars that the strategy will address. The Office of Disease Prevention and Health Promotion, in collaboration with the President's Council on Sports, Fitness & Nutrition, Centers for Disease Control and Prevention, and National Institutes of Health, is leading the development of this strategy.

Key Pillars of Youth Sports Strategy

1. Increase awareness of the benefits of participation in sports and regular physical activity, as well as the importance of good nutrition;
2. Promote private and public sector strategies to increase participation in sports, encourage regular physical activity, and improve nutrition;
3. Develop metrics that gauge youth sports participation and physical activity to inform efforts that will improve participation in sports and regular physical activity among young Americans; and
4. Establish a national and local strategy to recruit volunteers who will encourage and support youth participation in sports and regular physical activity, through coaching, mentoring, teaching, or administering athletic and nutritional programs.

Agenda: The agenda will include opportunity for the public to provide oral remarks to HHS and to hear an update about this project from HHS.

Submitting a Request to Speak: HHS requests applications from organizations to speak at the April 4, 2019 listening session. There are a limited number of speaking slots available. Length of presentation will be determined based on interest and is anticipated to be approximately 15 minutes per organization, including time for comments or questions. HHS is interested in hearing from organizations that have experience and expertise in

one or more of the following areas: Benefits and barriers to youth sports participation, private and public strategies to improve youth sports participation, measurement of youth sports participation, and strategies to recruit and train youth sports coaches. Organizations working with underrepresented populations (*e.g.,* girls, low socioeconomic status, racial/ethnic minorities, youth with disabilities, etc.), and groups with evaluation metrics to support programs are encouraged to apply. Submissions must be emailed to *sports@hhs.gov* by 11:59 p.m. E.D.T on Thursday, March 21, 2019 with the subject line ''Application to Speak at Public Meeting.'' Submissions must include speaker's name, title, organization, contact information, and a written outline of the intended remarks not exceeding 500 words. Selected speakers will receive email confirmation with further instructions for participation. Selected speakers will be compensated for travel.

Meeting Registration: The meeting will be publicly accessible in-person and by webcast on the internet. Registration is required for both in-person attendance and webcast viewing and is expected to open on March 11, 2019. Registration information is available at: *https://events.kauffmaninc.com/events/sportslisteningsession/register/*

In-Person Public Participation: The meeting will be held in the Hubert H. Humphrey Building Auditorium, located on the first floor, as noted above in the **ADDRESSES** section. Individuals will need to bring a government-issued photo identification for the security screening and will check-in at the registration desk onsite. All individuals speaking at the meeting will need to attend in-person.

Webcast Participation: After registering, webcast access information will be sent via email.

Dated: March 4, 2019.

Don Wright,

Deputy Assistant Secretary for Health, Disease Prevention and Health Promotion.

[FR Doc. 2019–04733 Filed 3–13–19; 8:45 am]

BILLING CODE 4150–32–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Second Stage Review

Date: April 4, 2019.

Time: 10:30 a.m. to 12:30 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Kimberly Firth, Ph.D., National Institutes of Health, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7702, *firthkm@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04753 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel.

Date: March 15, 2019.

Time: 11:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: Robert C. Unfer, Ph.D., Scientific Review Officer, Scientific Review Program, DEA/NIAID/NIH/DHHS, 5601 Fishers Lane, Room 3F40, MSC 9823, Rockville, MD 20892–9823, 240–669–5035, *unferrc@nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the urgent need to meet timing limitations imposed by the intramural research review cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS).

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04662 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Biomedical Research Review Subcommittee, June 10, 2019, 08:30 a.m. to June 10, 2019, 05:00 p.m., National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism, 6700B Rockledge Drive, Bethesda, MD 20817, which was published in the **Federal Register** on February 11, 2019, 84 FR 3201.

The meeting notice is amended to change the meeting date from June 10, 2019 to June 11, 2019. The meeting is closed to the public.

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04747 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Eye Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Eye Institute Special Emphasis Panel; NEI Data Analysis Applications.

Date: April 2, 2019.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health. Rockledge, 6700, 6700B, Rockledge Drive, Bethesda, MD 20817 (Telephone Conference Call).

Contact Person: Brian Hoshaw, Ph.D., Scientific Review Officer, National Eye Institute, National Institutes of Health, Division of Extramural Research, 6700 B Rockledge Dr. Ste 3400, Rockville, MD 20892, 301–451–2020, *hoshawb@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.867, Vision Research, National Institutes of Health, HHS).

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04661 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: AIDS and AIDS Related Research.

Date: April 3, 2019

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Dimitrios Nikolaos Vatakis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3190, Bethesda, MD 20892, 301–827–7480, *dimitrios.vatakis@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: AIDS and AIDS Related Applications.

Date: April 5, 2019.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Jingsheng Tuo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5207, Bethesda, MD 20892, 301–451–8754, *tuoj@nei.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–18–022/023: Tobacco Use and HIV in Low and Middle Income Countries.

Date: April 5, 2019.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Mark P Rubert, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–435–1775, *rubertm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: AIDS and Related Research.

Date: April 9, 2019.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Barna Dey, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, Bethesda, MD 20892, 301–451–2796, *bdey@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Cancer Biology AREA review.

Date: April 9, 2019.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Nywana Sizemore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6204, MSC 7804, Bethesda, MD 20892, 301–435–1718, *sizemoren@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS).

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04660 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Institute of Environmental Health Sciences Special Emphasis Panel, May 2, 2019, 8:30 a.m. until 12:00 p.m. and May 2, 2019, 12:30 p.m. until 2:45 p.m., Hilton Garden Inn Durham,7007 Fayetteville Road, Durham, NC, 27713 which was published in the **Federal Register** on February 15, 2019, 84 FR 32, page 4490.

This meeting is being amended to change the date from May 2, 2019 to May 16, 2019. The times and location remain the same. This meeting is closed to the public.

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04665 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as

amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–18–022/023: Tobacco Use and HIV in Low and Middle Income Countries.

Date: April 5, 2019.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Jose H. Guerrier, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 31–435–1137, *guerriej@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Cancer Biology Topics.

Date: April 16, 2019.

Time: 2:30 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Angela Y. Ng, MBA, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6200, MSC 7804, Bethesda, MD 20892, 301–435–1715. *nga@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: AIDS and Related Research.

Date: April 17, 2019.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Barna Dey, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, Bethesda, MD 20892, 301–451–2796, *bdey@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 8, 2019.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04723 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel; NICHD Contraceptive Clinical Trials Network Statistical and Clinical Coordinating Center.

Date: May 7, 2019.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6710 B Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Sathasiva B. Kandasamy, Ph.D., Scientific Review Officer, Division of Scientific Review, National Institute of Child Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20892, (301) 435–6680, *skandasa@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: March 8, 2019.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04724 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel; NIAAA Member Conflict Applications—Clinical and Population Science Applications.

Date: April 8, 2019.

Time: 12:30 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism, Conference Room C, 6700 B Rockledge Drive, Bethesda, MD 20817, (Telephone Conference Call).

Contact Person: Ranga Srinivas, Ph.D., Chief, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, 6700 B Rockledge Drive, Room 2114, Bethesda, MD 20892, (301) 451–2067, *srinivar@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants; 93.701, ARRA Related Biomedical Research and Research Support Awards, National Institutes of Health, HHS)

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04756 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Lower Urinary Tract Symptoms Network Limited Competition.

Date: April 3, 2019.

Time: 1:30 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Ryan G. Morris, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7015, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, 301–594–4721, *ryan.morris@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04760 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy And Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIHAO201800011: Data Management and Data Warehousing.

Date: March 28, 2019.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: Kumud K. Singh, Ph.D., Scientific Review Officer, Scientific Review Program, DEA/NIAID/NIH/DHHS, 5601 Fishers Lane, MSC–9823, Rockville, MD 20852, 301–761–7830, *kumud.singh@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04690 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Loan Repayment Review.

Date: May 6, 2019.

Time: 9:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kimberly Firth, Ph.D., National Institutes of Health, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7702, *firthkm@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04757 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK Intestinal Stem Cell Consortium Special Emphasis Panel.

Date: April 2, 2019.

Time: 1:00 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Peter J. Kozel, PHH, Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7009, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–4721, *kozelp@niddk.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing

limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04758 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases, Special Emphasis Panel; NIAID Omnibus BAA, (HHS–NIH–NIAID–BAA2018), Research Area 003: Collaborative Influenza Vaccine Innovation Centers (CIVIC): Component C—Clinical Core.

Date: April 5, 2019.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Lee G Klinkenberg, Ph.D., Scientific Review Program, DEA/NIAID/NIH/DHHS, 5601 Fishers Lane, MSC–9823 Bethesda, MD 20892–9834, 301–761–7749, *lee.klinkenberg@nih.gov*.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Omnibus BAA (HHS–NIH–NIAID–BAA2018), Research Area 003: Collaborative Influenza Vaccine Innovation Centers (CIVIC) (N01); Component A.

Time: April 11–12, 2019.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: Hyatt Regency Bethesda. One Bethesda Metro Center. 7400 Wisconsin Avenue. Bethesda, MD 20814.

Contact Person: Eleazar Cohen, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, Room 3G62A, National Institute of Health, NIAID, 5601 Fishers Lane, MSC 9823, Bethesda, MD 20899823, (240) 669–5081, *ecohen@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS).

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04664 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Omnibus BAA (HHS–NIH–NIAID–BAA2018) Research Area 003: Collaborative Influenza Vaccine Innovation Centers (CIVIC) (N01); Component B.

Date: April 4, 2019.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: Eleazar Cohen, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, Room 3G62A, National Institute of Health, NIAID, 5601 Fishers Lane, MSC 9823, Bethesda, MD 20899823, (240) 669–5081, *ecohen@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS).

Dated: March 8, 2019.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04663 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; AD & RELATED DEMENTIAS—II [2019/10 ZAG1 ZIJ–P (O2))].

Date: April 3, 2019.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892.

Contact Person: Nijaguna Prasad, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute on Aging, 7201 Wisconsin Avenue, Gateway Building, Suite 2W200, Bethesda, MD 20892, 301–496–9667, *nijaguna.prasad@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 11, 2019.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2019–04751 Filed 3–13–19; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6125–N–02]

Fair Market Rents for the Housing Choice Voucher Program and Moderate Rehabilitation Single Room Occupancy Program Fiscal Year 2019; Revised

AGENCY: Office of the Assistant Secretary for Policy Development and Research, HUD.

ACTION: Notice of Revised Fiscal Year (FY) 2019 Fair Market Rents (FMRs) and Discussion of Comments on FY 2019 FMRs.

SUMMARY: This notice updates the FY 2019 FMRs for ten areas based on new survey data: Boston-Cambridge-Quincy, MA-NH HUD Metropolitan FMR Area (HMFA); Burlington-South Burlington, VT Metropolitan Statistical Area (MSA), Coos County, OR; Curry County, OR; Douglas County, OR; Oakland-Fremont, CA HMFA; Portland-Vancouver-Hillsboro, OR-WA MSA; San Diego-Carlsbad, CA MSA; San Francisco, CA HMFA; and San Jose-Sunnyvale-Santa Clara, CA HUD Metro FMR Area. Further, HUD responds to comments received on the FY 2019 FMRs.

DATES: The revised FY 2019 FMRs for these 10 areas are effective on April 15, 2019.

FOR FURTHER INFORMATION CONTACT: Questions on how to conduct FMR surveys or concerning further methodological explanations may be addressed to Marie L. Lihn or Peter B. Kahn, Program Parameters and Research Division, Office of Economic Affairs, Office of Policy Development and Research, telephone 202–402–2409. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800–877–8339 (toll-free).

Questions related to use of FMRs or voucher payment standards should be directed to the respective local HUD program staff.

For technical information on the methodology used to develop FMRs or a listing of all FMRs, please call the HUD USER information line at 800–245–2691 (toll-free) or access the information on the HUD USER website: *http://www.huduser.gov/portal/datasets/fmr.html.* FMRs are listed at the 40th or 50th percentile in Schedule B. For informational purposes, 40th percentile recent-mover rents for the areas with 50th percentile FMRs will be provided in the HUD FY 2019 FMR documentation system at *https://www.huduser.gov/portal/datasets/fmr.html#2019_query* and 50th percentile rents for all FMR areas are published at *http://www.huduser.gov/portal/datasets/50per.html.*

SUPPLEMENTARY INFORMATION: On August 31, 2018 HUD published the FY 2019 FMRs, requesting comments on the FY 2019 FMRs, and outlining procedures for requesting a reevaluation of an area's FY 2019 FMRs (83 FR 44644). This notice revises FY 2019 FMRs for 10 areas based on data provided to HUD. Nine of these areas requested a reevaluation and one did not, but data for reevaluation was submitted by the January 11, 2019 due date. This notice also provides responses to the public comments HUD received on the previous notice referenced above. Data supporting a reevaluation request for the Akron, OH MSA were supplied to the Department by the due date; however, there was insufficient recent mover observations to implement the survey. The FY 2019 American Community Survey (ACS)-based FMRs in the Akron, OH MSA become effective with this notice.

I. Revised FY 2019 FMRs

The FMRs appearing in the following table supersede the use of the FY 2018 FMRs for the enumerated areas. The updated FY 2019 FMRs are based on surveys conducted by the area public housing agencies (PHAs) and reflect the estimated 40th or 50th percentile rent levels trended to April 1, 2019.

The FMRs for the affected area are revised as follows:

2019 Fair market rent area	FMR by number of bedrooms in unit				
	0 BR	1 BR	2 BR	3 BR	4 BR
Boston-Cambridge-Quincy, MA-NH HMFA	$1,608	$1,801	$2,194	$2,749	$2,966
Burlington-South Burlington, VT MSA	992	1,202	1,544	2,008	2,087
Coos County, OR	538	684	837	1,210	1,394
Curry County, OR	629	777	979	1,416	1,574
Douglas County, OR	657	773	1,023	1,479	1,796
Oakland-Fremont, CA HMFA	1,409	1,706	2,126	2,925	3,587
Portland-Vancouver-Hillsboro, OR-WA MSA	1,131	1,234	1,441	2,084	2,531
San Diego-Carlsbad, CA MSA*	1,422	1,590	2,068	2,962	3,632
San Francisco, CA HMFA	2,069	2,561	3,170	4,153	4,392
San Jose-Sunnyvale-Santa Clara, CA	1,952	2,316	2,839	3,829	4,394

* San Diego-Carlsbad, CA MSA is a 50th percentile FMR area. As part of the Small Area FMR Rulemaking (81 FR 80567), 50th percentile FMRs were abolished. FMRs for San Diego-Carlsbad, CA MSA will complete the three-year period of use under previous regulations and revert to 40th percentile rents in FY 2020.

The FY 2019 FMRs are amended and are available on the HUD USER website: *http://www.huduser.gov/portal/datasets/fmr.html.* The FY 2019 Small Area FMRs (SAFMRs) for the revised metropolitan areas have also been updated and may be found at *https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html.*

II. Public Comments on FY 2019 FMRs

A total of 67 comments were received and posted on *regulations.gov*, *https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&D=HUD-2018-0071.* Fifty-seven of these comments were requests for reevaluation or comments in support of requests for reevaluation of the FY 2019 FMRs in 13 FMR areas. HUD granted requests for reevaluation for 12 FMR areas, and rejected one area's request, by community partners in Lenawee County, MI. HUD could not approve this request because the request was not made by the housing agency administering the voucher program in the county. HUD discussed these requests for reevaluation in a posting available at *https://www.huduser.gov/portal/datasets/fmr.html#2019_data.*

These 12 areas continued to use FY 2018 FMRs until the PHAs provided local survey rent data, which was due no later than January 11, 2018. Due to the lapse in Federal appropriations, HUD first assessed which areas delivered data on January 28, 2019. Ten

of these 12 areas have continued to use FY 2018 FMRs because they provided sufficient data. HUD published a list of the two FMR areas not providing data on January 30, 2019 stating that the FY 2019 FMRs become effective on January 30, 2019 (*https://www.huduser.gov/portal/datasets/fmr.html#2019_data*). This notice provides the reevaluated FY 2019 FMRs for 9 of these areas plus the one area that did not request a reevaluation but provided data by the reevaluation date of January 11, 2019 and the one area where the submitted information was unable to be implemented.

General Comments

Most of the comments not related to specific areas requesting a reevaluation discussed inaccuracies of the FMRs and a need for more current and local data. These comments and their responses are discussed in greater detail below. Before addressing specific issues, HUD would like to remind commenters that HUD receives no geographic information from regulations.gov for the location of the commenter. Therefore, HUD cannot respond to or take action on comments regarding the level of the FMR when there is no corresponding information about the FMR area in question.

Comment: FMRs in the town of Windham, CT are going down and this will impact Housing Choice Voucher (HCV) holders' ability to find units.

HUD Response: While HUD wants to be responsive to comments regarding the level of FMRs, HUD cannot reevaluate the FMRs in an area without data more current than what was originally used to calculate FMRs. Additionally, valid reevaluation requests must be submitted by or supported by public housing agencies servicing at least 50 percent of the voucher holders in the FMR area. Finally, Windham Town, CT is part of the Windham County, CT HUD Metro FMR Area, which consists of the following towns: Ashford town, CT; Brooklyn town, CT; Canterbury town, CT; Chaplin town, CT; Eastford town, CT; Hampton town, CT; Killingly town, CT; Plainfield town, CT; Pomfret town, CT; Putnam town, CT; Scotland town, CT; Sterling town, CT; Thompson town, CT; Windham town, CT; and Woodstock town, CT. Any data collected in support of a future reevaluation request would need to be representative of the rental units across the entire FMR area.

Comment: Baltimore City, MD requested a reevaluation to maintain their FMRs at the 50th percentile.

HUD Response: 50th percentile FMRs were abolished as part of the Small Area FMR Rulemaking (81 FR 80567) and Baltimore's three-year use of 50th percentile FMRs ended with the FY 2018 FMRs. Public housing agencies operating in metropolitan areas that revert to 40th percentile FMRs from 50th percentile FMRs and where Small Area FMR are not required have several avenues to maintain current payment standards or maintain the use of 50th percentile rents. These options include:

1. The Housing Opportunities Through Modernization Act allows PHAs to maintain their current payment standard amounts (regardless of their percentage relative to the new FMRs) for in-place tenants. The Small Area FMR rule further provides that PHAs may select a payment standard between the current in-place payment standard down to 110 percent of the new FMR. This is characterized as a gradual reduction in the family's payment standard. For more information, please see PIH Notice 2018–01 (*https://www.hud.gov/sites/dfiles/PIH/documents/PIH-2018-01.pdf*), item (4)(e).

2. HUD's regulations at 24 CFR 982.503(f) provides a mechanism for PHAs in this position to request approval to maintain payment standards based on 50th percentile rents.

3. HUD's regulations at 24 CFR 982.503(e), Success Rate Payment Standards, allows PHAs to set payment standards based on 50th percentile rents if they qualify based on HCV holders having limited success in finding suitable units.

4. The PHA may adopt exception payment standards of up to 110 percent of the applicable Small Area FMRs as described in 24 CFR 982.503(b)(iii).

Comment: One of the comments requesting a reevaluation of the FY 2019 FMRs in the Oakland-Freemont, CA HMFA also included several comments regarding the use of their December 2015 rent survey, an objection to the use of 5-year ACS data, an objection to the use of a national trend factor, and a comment that the ''public housing cut off'' rent is too low for one county within the metropolitan area.

HUD Response: Due to the nature of the questions posed regarding the need to conduct a new survey within the comment, HUD has already provided in-depth responses to the commenter; however, HUD is providing additional commentary here for the benefit of all FMR commenters.

HUD cannot continue to use the survey conducted in the area in December 2015 because data collected through the 2016 ACS are more recent than the survey. This is true even though the Department received the local survey in early 2016 and used the information to revise the FY 2016 FMRs, and used the local survey as the basis of the FY 2017 and FY 2018 FMR calculations. Due to the rolling nature of the ACS, HUD has adopted the following policy concerning the longevity of local area surveys. Surveys with an ''as-of'' date of January through June ARE NOT considered to be more current than the same year ACS survey since at least 50 percent of the ACS responses are newer than the local area survey. Local area surveys with ''as-of'' dates in July through December ARE considered to be more current than the same year ACS since less than 50 percent of the ACS responses are more current than the locally conducted survey.

For the purposes of uniformity and transparency, HUD's FMR documentation systems shows the 5-year ACS data for each FMR area along with the calculation of a recent-mover factor for each area based on information available from the 1-year ACS data. In practice, for large areas with statistically reliable 2-bedroom recent-mover estimates from the 1-year ACS tabulations, the recent mover ''factor'' is an explanation artifact for conformity in HUD's online documentation systems . The 1-year recent mover data replaces the 5-year ACS data in the FMR calculation. That is, the FMR for the area is based solely on the 40th percentile 2-bedroom recent mover rent calculated from the 1-year ACS data and this is true for the Oakland area.

HUD has addressed the issue of local trend factors in prior FMR **Federal Register** notices. Beyond HUD's own research into this topic, HUD has employed third-party researchers to assist with this important component of the FMR calculation. Following the successful completion of this research, should local trend factors be viable, HUD is compelled to announce the new trend factor calculation methodology in a notice of FMR material changes and solicit public comments on such changes prior to implementing them. Due to the lapse in Federal appropriations at the end of 2018, HUD is not able to commit to this change being ready for a material change notice prior to the calculation of the FY 2020 FMRs.

Finally, HUD reiterates that the ''public housing cut-off rent'' used to eliminate the bottom end of the distribution of rental units from the ACS before the 40th percentile rent is calculated is a proxy because the ACS does not collect whether or not a respondent is receiving some form of housing assistance. HUD uses a

consistent method to calculate this distribution cut off for each HUD region and sees no reason to make a change to this method at this time.

Comment: Several commenters suggested that HUD should provide additional funding to PHAs who undertake local area surveys.

HUD Response: HUD reminds PHAs that paying for local area rent surveys is an eligible expense to be paid from on-going administrative fees or their administrative fee reserve account.

Comment: HUD received several comments from the Lenawee, MI community regarding the level of their FMRs. The commenters noted that the FMRs were too low and one commenter requested information on how information is gathered to calculate FMRs.

HUD Response: The requests for reevaluation of the FY 2019 FMRs in Lenawee County, MI were not accompanied by supporting statements from PHAs representing at least 50 percent of the voucher holders in the area and HUD was unable to grant the request. As for information on how HUD calculates the FMRs, HUD provides comprehensive documentation on how FMRs are calculated for each area. For FY 2019, please visit *https://www.huduser.gov/portal/datasets/fmr.html#2019_query* and follow the prompts after selecting the ''Click Here For FY 2019 FMRs'' button.

Comment: HUD should use more timely data when calculating FMRs. HUD should request more money to reimburse surveys. HUD should continue to refine the FMR calculation methodology.

HUD Response: There are no other data on gross rents paid that are consistently collected on a nationwide basis, available to HUD, that are more current than the data we receive from the ACS dataset. Proprietary rental data cannot be used as the basis for the FMR calculations because they are not consistently available for all areas and frequently are not statistically representative of the rental markets they cover. Some of these sources focus on rents for major apartment projects only. Other sources include single family homes, which are at least 30 percent of the rental market in major metropolitan areas and a greater portion in rural areas, are typically compiled from internet-based ads, or the small subset of professionally managed single-family rental units. Online listings of rents are similar to newspaper ads which have been excluded as a source of rent data for FMRs since the mid-1980s due to a directive issued by HUD's Inspector General.

As HUD has stated before, the Federal Government invests a substantial amount of resources in collecting socio-economic data through the ACS. Furthermore, the Census Bureau has statutory advantages in compelling responses to the ACS and receives significantly higher response rates than HUD could achieve if it was to undertake its own survey program.

Comment: Annual ''erratic fluctuations'' in FMRs within the same area do not follow established housing market dynamics and represent serious flaws in the FMR calculation methodology.

HUD Response: HUD has implemented steps to attenuate the fluctuations found in the annually updated survey data; however, with the statutory directive to use the most recent data available, HUD is compelled to update the data behind each area's FMR calculation when new data is released. Consequently, FMRs will change from year to year in accordance with changes in the underlying survey data. Furthermore, the commenter provides no references to academic literature that seeks to establish that it is impossible for rents to move both up and down over time. HUD emphasizes that the primary data source for FMRs is a survey (ACS) and while surveyors do their best to select unbiased random samples of the population they wish to study, sampling error still persists within survey statistics.

III. Environmental Impact

This Notice makes changes in FMRs for multiple FMR areas and does not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly, under 24 CFR 50.19(c)(6), this Notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Dated: March 8, 2019.

Todd M. Richardson,

General Deputy Assistant Secretary, Office of Policy Development and Research.

[FR Doc. 2019–04691 Filed 3–13–19; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R2–ES–2019–N169; FXES11140200000–190–FF02ENEH00]

Notice of Availability: Draft Amendments to the Environmental Assessment and Oil and Gas Industry Conservation Plan for the American Burying Beetle in Oklahoma

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of documents; request for public comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce the availability of an amended environmental assessment, under the National Environmental Policy Act, that evaluates the impacts of a 5-year extension of the Oil and Gas Industry Conservation Plan (ICP) for incidental take of the federally listed American burying beetle resulting from oil and gas industry activities. The ICP Planning Area consists of 45 counties in Oklahoma. Individual oil and gas companies would continue to apply for Endangered Species Act permits for incidental take and agree to comply with the terms and conditions of the ICP.

DATES: *Comments:* To ensure consideration, written comments must be received or postmarked on or before April 15, 2019. Any comments we receive after the closing date or not postmarked by the closing date may not be considered in the final decision on this action.

ADDRESSES: *Obtaining Documents:*

- *Internet:* You may obtain copies of the draft amendments to the environmental assessment (EA) and Industry Conservation Plan (ICP) on the U.S. Fish and Wildlife Service's (Service) website at *www.fws.gov/southwest/es/oklahoma/ABBICP*.
- *U.S. Mail:* A limited number of CD–ROM and printed copies of the draft amendments to the EA and ICP are available, by request, from the Field Supervisor, by mail at the Oklahoma Ecological Services Field Office, 9014 E 21st St., Tulsa, OK 74129; by phone at 918–581–7458; or by fax at 918–581–7467. Please note that your request is in reference to the ABB ICP.
- *In-Person:* Copies of the draft amendments to the EA and ICP are also available for public inspection and review at the following locations, by appointment and written request only, 8 a.m. to 4:30 p.m.:

○ U.S. Fish and Wildlife Service, 500 Gold Avenue SW, Room 6034, Albuquerque, NM 87102.

○ U.S. Fish and Wildlife Service, 9014 E 21st St., Tulsa, OK 74129.

Comment submission: You may submit comments by one of the following methods. Please note that your comments are in reference to the ABB ICP.

○ *U.S. Mail:* U.S. Fish and Wildlife Service, Oklahoma Ecological Services Field Office, 9014 E 21st St., Tulsa, OK 74129; by phone at 918–581–7458; or by fax at 918–581–7467.

○ *Electronically: fw2_hcp_permits@fws.gov.*

FOR FURTHER INFORMATION CONTACT: Jonna Polk, Field Supervisor, 918–581–7458 (phone).

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, announce the availability of an amended environmental assessment, under the National Environmental Policy Act, that evaluates the impacts of a 5-year extension of the Oil and Gas Industry Conservation Plan (ICP) for incidental take of the federally listed American burying beetle (ABB) resulting from oil and gas industry activities. Individual oil and gas companies would continue to apply for Endangered Species Act permits for incidental take and agree to comply with the terms and conditions of the ICP.

Under the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*), this notice advises the public that we, the Service, have gathered the information necessary to determine impacts of the draft amendments to the EA and ICP related to the proposed issuance of incidental take permits (ITPs) under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), to oil and gas companies (applicants) who agree to the conditions in the ICP. The ICP is a habitat conservation plan (HCP) that covers take of the ABB that is incidental to covered activities associated with geophysical exploration (seismic), development, extraction, or transport of crude oil, natural gas, and/or other petroleum products, as well as maintenance, operation, repair, and decommissioning of oil and gas pipelines and well field infrastructure, and will include measures necessary to minimize and mitigate impacts to the covered species and its habitat to the maximum extent practicable.

The Service is proposing to amend the Industry Conservation Plan (ICP) to extend the timeframe for oil and gas companies' (industry) participation in the ICP and the expiration date of the ICP and permits by 5 years.

The original ICP allows industry to apply for a permit to participate for the first 2 years (from the date of approval and signature—May 20, 2014, through May 20, 2016) and operations and maintenance for up to an additional 20 years (May 20, 2036). A previous amendment extended the ICP signup period for 3 years (until May 20, 2019), and this amendment would extend the signup period for an additional 5 years (until May 20, 2024). Permittees with existing ICP permits will not be automatically enrolled and must apply for an amendment to their permit to obtain coverage under the amended ICP. ICP applications must be received by May 20, 2024, but may be approved after that date. Applications for Individual Project Plans (IPP), under an approved ICP, must be received by May 20, 2027. All construction related to approved IPPs must be completed by May 20, 2030. Operation and maintenance activities are authorized until the permit expires on May 20, 2039. Therefore, incidental take issued under this ICP may occur for a maximum of 25 years following the original ICP authorization on May 20, 2014. All incidental take coverage provided by the ICP will end when the permit expires on May 20, 2039, regardless of when the ICP or IPP applications were approved. Providing date-certain limits for each period will reduce confusion and simplify tracking for both permittees and the Service.

The Service has assessed the potential impacts of the 5-year extension for the ICP and reviewed the associated environmental assessment (EA) and biological opinion (BO) for industry-related activities within the eastern Oklahoma planning area. The estimates of potential impacts from industry activities for the ICP were based on recent history of development and industry predictions. Industry activity and impacts have been less than expected due to reduced petroleum prices and market conditions. Therefore, the amount of take issued under the ICP has been significantly lower than anticipated (32,234 acres allowed, with only about 5,255 acres issued as of December 19, 2018). The current ICP is only open for new applications through May 20, 2019, and incidental take authorized through the ICP is unlikely to approach the 32,234 acres allowed by that date.

The change in timelines is the only proposed revision to the ICP, EA, and BO. There are no proposed changes to the federally listed species or area covered, and no increases in the total amount of incidental take provided through this ICP amendment. The ABB is the only species with incidental take in the ICP. Extending the same level of take over additional years should reduce potential impacts to local habitat and ABB populations. Much of the oil and gas related impacts are temporary and can be restored within 2–5 years. Spreading the soil disturbance impacts out to 2030 would allow temporary soil disturbance initiated in the first few years to be partially or fully restored before impacts from later projects have begun. The ABB is an annual species, and reducing take in any year should allow more adult beetles to survive into the next year. Incidental take authorized through the extension would not be increased, is a very small percentage of the total ABB habitat, and would not change the BO determination that the take would not jeopardize the continued existence of the ABB. The ICP Planning Area covers the following 45 Oklahoma counties: Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Cleveland, Coal, Craig, Creek, Delaware, Garvin, Haskell, Hughes, Johnson, Kay, Latimer, Le Flore, Lincoln, Love, Marshall, Mayes, McClain, McCurtain, McIntosh, Murray, Muskogee, Noble, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Rogers, Seminole, Sequoyah, Tulsa, Wagoner, and Washington.

Background

Potential impacts as a result of the extension are not expected to increase beyond those already identified in the EA. Environmental consequences were reviewed for the ICP extension, and potential impacts to the following resources were evaluated: Geology, Soils, Water Resources, Water Quality, Air Quality, Vegetation, Wetlands, General Wildlife, Threatened and Endangered Species, Land Use, Aesthetics and Noise, Socioeconomics, Environmental Justice, Tribal Jurisdiction, and Cultural Resources. Minor benefits to Water Resources, Water Quality, Air Quality, Vegetation, Wetlands, General Wildlife, Threatened and Endangered Species, Land Use, and Aesthetics and Noise could occur, because any impacts of oil and gas construction activity would be spread out over more years. Local impacts of project-related soil disturbance, such as removal of vegetation, erosion, and dust, may be reduced, and some recovery of natural resources could be expected if spread out over additional years.

The ICP extension is not expected to significantly affect oil and gas activity,

but would help support industry activity by streamlining ESA compliance, while continuing conservation efforts for the ABB. The 5-year ICP extension is expected to trigger no new environmental consequences; no new impacts to local economies or cultural resources; and no changes to direct, indirect, and cumulative effects. The ICP extension would not authorize any additional activities or incidental take. The same types and quantities of activities previously described in the EA are expected to occur with the 5-year extension. Based on the proposed amendment, construction-related impacts could occur until May 20, 2030, instead of only during the original 2-year timeframe, and operation and maintenance-related impacts could occur until May 20, 2039.

Public Availability of Comments

Written comments we receive become part of the public record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. We will not consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Dated: February 5, 2019.

Amy Lueders,

Regional Director, Southwest Region, Albuquerque, New Mexico.

[FR Doc. 2019–04761 Filed 3–13–19; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NERO–GATE–27367; PPNEGATEB0, PPMVSCS1Z.Y00000]

Gateway National Recreation Area Fort Hancock 21st Century Advisory Committee Notice of Public Meeting

AGENCY: National Park Service, Interior.

ACTION: Meeting notice.

SUMMARY: In accordance with the Federal Advisory Committee Act of 1972, the National Park Service (NPS) is hereby giving notice that the Gateway National Recreation Area Fort Hancock 21st Century Advisory Committee will meet as indicated below.

DATES: The meeting will take place on Friday, March 29, 2019. The meeting will begin at 9:00 a.m. until 3:00 p.m., with a public comment period at 11:30 a.m. (Eastern).

ADDRESSES: The meeting will be held at the park visitor center, Thompson Park, 805 Newman Springs, Lincroft, New Jersey 07738.

FOR FURTHER INFORMATION CONTACT: Daphne Yun, Acting Public Affairs Officer, Gateway National Recreation Area, 210 New York Avenue, Staten Island, New York 10305, or by telephone (718) 815–3651, or by email *daphne_yun@nps.gov.*

SUPPLEMENTARY INFORMATION: The Committee was established on April 18, 2012, by authority of the Secretary of the Interior (Secretary) under 54 U.S.C. 100906, and is regulated by the Federal Advisory Committee Act. The Committee provides advice to the Secretary, through the Director of the National Park Service, on matters relating to the Fort Hancock Historic District of Gateway National Recreation Area. All meetings are open to the public.

Purpose of the Meeting: The agenda will include an update on the leasing program (new leases, letters of intent, and building proposals), and a general park update, including possible summer plans. The final agenda will be posted on the Committee's website at *https://www.forthancock21.org.* The website includes meeting minutes from all prior meetings.

Interested persons may present, either orally or through written comments, information for the Committee to consider during the public meeting. Written comments will be accepted prior to, during, or after the meeting. Members of the public may submit written comments by mailing them to Daphne Yun, Acting Public Affairs Officer, Gateway National Recreation Area, 210 New York Avenue, Staten Island, New York 10305, or by email *daphne_yun@nps.gov.*

Due to time constraints during the meeting, the Committee will be unable to read aloud written public comments submitted into the record. Individuals or groups requesting to make oral comments at the public Committee meeting will be limited to no more than five minutes per speaker. All comments will be made part of the public record and will be electronically distributed to all Committee members. Detailed minutes of the meeting will be available for public inspection within 90 days of the meeting.

Public Disclosure of Comments: Before including your address, phone number, email address, or other personal identifying information in your written comments, you should be aware that your entire comment including your personal identifying information will be publicly available. 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.

Authority: 5 U.S.C. Appendix 2.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2019–04697 Filed 3–13–19; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–27418; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance of properties nominated before March 2, 2019, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by March 29, 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 March 2, 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:

NEW JERSEY

Bergen County

Westwood Railroad Station, Broadway & Westwood Ave., Westwood, SG100003609

Somerset County

Craig, Moses, Limekilns, 122 Main St., Peapack Gladstone, SG100003610

NORTH DAKOTA

Bottineau County

State Bank of Antler, Antler Sq., Antler, SG100003620

VIRGINIA

Botetourt County

Buchanan Theatre, 19778 Main St., Buchanan, SG100003611

Nelson County

Arrowhead, 115 Arrowhead Ln., Wingina, SG100003613

Newport News Independent City

Basic Construction Company Headquarters Building, 80 29th St., Newport News, SG100003614

Richmond Independent City

General Outdoor Advertising Company Richmond Branch, 1000 Jefferson Davis Hwy., Richmond, SG100003615

Milburne, 315 Lock Ln., Richmond, SG100003616

Model Tobacco Factory (Tobacco Warehouses in Richmond, Virginia, 1874–1963 MPS), 1100 Jefferson Davis Hwy., Richmond, MP100003617

Roanoke Independent City

Belmont Historic District, Albemarle, Bullitt, Elm, Jamison, Dale, Campbell, Cedar Bluff, Church, Highland, Mountain, Stewart, Tazewell & White Aves. SE, 4th–11th Sts. SE, Roanoke, SG100003618

WASHINGTON

Pierce County

Cushman Substation (Boundary Increase and Decrease), 1920 N Adams St., Tacoma, BC100003608

Additional documentation has been received for the following resource:

VIRGINIA

Lexington Independent City

Lexington Historic District, Roughly bounded by Chesapeake and Ohio RR, Graham and Jackson Aves., and Estill and Jordan Sts., Lexington, AD72001506

Authority: Section 60.13 of 36 CFR part 60.

Dated: March 4, 2019.

Christopher Hetzel,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2019–04720 Filed 3–13–19; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2019–0004]

Notice of Availability of the Proposed Notice of Sale for Gulf of Mexico Outer Continental Shelf Oil and Gas Region-Wide Lease Sale 253

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of availability of the proposed notice of sale for Gulf of Mexico Outer Continental Shelf Oil and Gas Region-Wide Lease Sale 253.

SUMMARY: The Bureau of Ocean Energy Management (BOEM) announces the availability of the Proposed Notice of Sale (NOS) for the proposed Gulf of Mexico (GOM) Outer Continental Shelf (OCS) Oil and Gas Region-wide Lease Sale 253 (GOM Region-Wide Sale 253). BOEM is publishing this Notice pursuant to its regulatory authority. With regard to oil and gas leasing on the OCS, the Secretary of the Interior, pursuant to section 19 of the Outer Continental Shelf Lands Act, provides Governors of affected states the opportunity to review and comment on the Proposed NOS. The Proposed NOS describes the proposed size, timing, and location of the sale, including lease stipulations, terms and conditions, minimum bids, royalty rates, and rental rates.

DATES: Governors of affected states may comment on the size, timing, and location of proposed GOM Region-Wide Sale 253 within 60 days following their receipt of the Proposed NOS. BOEM will publish the Final NOS in the **Federal Register** at least 30 days prior to the date of bid opening. Bid opening is currently scheduled for August 21, 2019.

ADDRESSES: The Proposed NOS for GOM Region-wide Sale 253 and Proposed NOS Package containing information essential to potential bidders may be obtained from the Public Information Unit, Gulf of Mexico Region, Bureau of Ocean Energy Management, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394; telephone: (504) 736–2519. The Proposed NOS and Proposed NOS Package also are available for downloading or viewing on BOEM's website at *http://www.boem.gov/Sale-253/.*

FOR FURTHER INFORMATION CONTACT: Bernadette Thomas, Regional Supervisor, Office of Leasing and Plans, 504–736–2596, *bernadette.thomas@boem.gov* or Wright Jay Frank, Chief, Leasing Policy and Management Division, 703–787–1325, *wright.frank@boem.gov.*

Authority: 43 U.S.C. 1345 and 30 CFR 556.304(c).

Dated: March 8, 2019.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2019–04699 Filed 3–13–19; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR83550000, 190R5065C6, RX.59389832.1009676]

Quarterly Status Report of Water Service, Repayment, and Other Water-Related Contract Actions

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of contract actions.

SUMMARY: Notice is hereby given of contractual actions that have been proposed to the Bureau of Reclamation (Reclamation) and are new, discontinued, or completed since the last publication of this notice. This notice is one of a variety of means used to inform the public about proposed contractual actions for capital recovery and management of project resources and facilities consistent with section 9(f) of the Reclamation Project Act of 1939. Additional announcements of individual contract actions may be published in the **Federal Register** and in newspapers of general circulation in the areas determined by Reclamation to be affected by the proposed action.

ADDRESSES: The identity of the approving officer and other information pertaining to a specific contract proposal may be obtained by calling or

writing the appropriate regional office at the address and telephone number given for each region in the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Michelle Kelly, Reclamation Law Administration Division, Bureau of Reclamation, P.O. Box 25007, Denver, Colorado 80225–0007; *mkelly@usbr.gov;* telephone 303–445–2888.

SUPPLEMENTARY INFORMATION: Consistent with section 9(f) of the Reclamation Project Act of *1939,* and the rules and regulations published in 52 FR 11954, April 13, 1987 (43 CFR 426.22), Reclamation will publish notice of proposed or amendatory contract actions for any contract for the delivery of project water for authorized uses in newspapers of general circulation in the affected area at least 60 days prior to contract execution. Announcements may be in the form of news releases, legal notices, official letters, memorandums, or other forms of written material. Meetings, workshops, and/or hearings may also be used, as appropriate, to provide local publicity. The public participation procedures do not apply to proposed contracts for the sale of surplus or interim irrigation water for a term of 1 year or less. Either of the contracting parties may invite the public to observe contract proceedings. All public participation procedures will be coordinated with those involved in complying with the National Environmental Policy Act. Pursuant to the ''Final Revised Public Participation Procedures'' for water resource-related contract negotiations, published in 47 FR 7763, February 22, 1982, a tabulation is provided of all proposed contractual actions in each of the five Reclamation regions. When contract negotiations are completed, and prior to execution, each proposed contract form must be approved by the Secretary of the Interior, or pursuant to delegated or redelegated authority, the Commissioner of Reclamation or one of the regional directors. In some instances, congressional review and approval of a report, water rate, or other terms and conditions of the contract may be involved.

Public participation in and receipt of comments on contract proposals will be facilitated by adherence to the following procedures:

1. Only persons authorized to act on behalf of the contracting entities may negotiate the terms and conditions of a specific contract proposal.

2. Advance notice of meetings or hearings will be furnished to those parties that have made a timely written request for such notice to the appropriate regional or project office of Reclamation.

3. Written correspondence regarding proposed contracts may be made available to the general public pursuant to the terms and procedures of the Freedom of Information Act, as amended.

4. Written comments on a proposed contract or contract action must be submitted to the appropriate regional officials at the locations and within the time limits set forth in the advance public notices.

5. All written comments received and testimony presented at any public hearings will be reviewed and summarized by the appropriate regional office for use by the contract approving authority.

6. Copies of specific proposed contracts may be obtained from the appropriate regional director or his or her designated public contact as they become available for review and comment.

7. In the event modifications are made in the form of a proposed contract, the appropriate regional director shall determine whether republication of the notice and/or extension of the comment period is necessary.

Factors considered in making such a determination shall include, but are not limited to, (i) the significance of the modification, and (ii) the degree of public interest which has been expressed over the course of the negotiations. At a minimum, the regional director will furnish revised contracts to all parties who requested the contract in response to the initial public notice.

Definitions of Abbreviations Used in the Reports

ARRA American Recovery and Reinvestment Act of 2009
BCP Boulder Canyon Project
Reclamation Bureau of Reclamation
CAP Central Arizona Project
CUP Central Utah Project
CVP Central Valley Project
CRSP Colorado River Storage Project
FR Federal Register
IDD Irrigation and Drainage District
ID Irrigation District
M&I Municipal and Industrial
O&M Operation and Maintenance
OM&R Operation, Maintenance, and Replacement
P–SMBP Pick-Sloan Missouri Basin Program
RRA Reclamation Reform Act of 1982
SOD Safety of Dams
SRPA Small Reclamation Projects Act of 1956
USACE U.S. Army Corps of Engineers
WD Water District

Pacific Northwest Region: Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise, Idaho 83706–1234, telephone 208–378–5344.

1. Irrigation, M&I, and Miscellaneous Water Users; Idaho, Oregon, Washington, Montana, and Wyoming: Temporary or interim irrigation and M&I water service, water storage, water right settlement, exchange, miscellaneous use, or water replacement contracts to provide up to 10,000 acre-feet of water annually for terms up to 5 years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

2. Rogue River Basin Water Users, Rogue River Basin Project, Oregon: Water service contracts; $8 per acre-foot per annum.

3. Willamette Basin Water Users, Willamette Basin Project, Oregon: Water service contracts; $8 per acre-foot per annum.

4. Pioneer Ditch Company, Boise Project, Idaho; Clark and Edwards Canal and Irrigation Company, Enterprise Canal Company, Ltd., Lenroot Canal Company, Liberty Park Canal Company, Poplar ID, all in the Minidoka Project, Idaho; Juniper Flat District Improvement Company, Wapinitia Project, Oregon; and Whitestone Reclamation District, Chief Joseph Dam Project, Washington: Amendatory repayment and water service contracts; purpose is to conform to the RRA.

5. Nine water user entities of the Arrowrock Division, Boise Project, Idaho: Repayment agreements with districts with spaceholder contracts for repayment, per legislation, of the reimbursable share of costs to rehabilitate Arrowrock Dam Outlet Gates under the O&M program.

6. Three irrigation water user entities, Rogue River Basin Project, Oregon: Long-term contracts for exchange of water service with three entities for the provision of up to 292 acre-feet of stored water from Applegate Reservoir (a USACE project) for irrigation use in exchange for the transfer of out-of-stream water rights from the Little Applegate River to instream flow rights with the State of Oregon for instream flow use.

7. Conagra Foods Lamb Weston, Inc., Columbia Basin Project, Washington: Miscellaneous purposes water service contract providing for the delivery of up to 1,500 acre-feet of water from the Scooteney Wasteway for effluent management.

8. Benton ID, Yakima Project, Washington: Replacement contract to, among other things, withdraw Benton ID from the Sunnyside Division Board of Control; provide for direct payment of Benton ID's share of total operation, maintenance, repair, and replacement

costs incurred by the United States in operation of storage division; and establish Benton ID responsibility for operation, maintenance, repair, and replacement for irrigation distribution system.

9. City of Prineville and Ochoco ID, Crooked River Project, Oregon: Long-term contract to provide the City of Prineville with a mitigation water supply from Prineville Reservoir; with Ochoco ID anticipated to be a party to the contract, as they are responsible for O&M of the dam and reservoir.

10. Burley and Minidoka IDs, Minidoka Project, Idaho: Supplemental and amendatory contracts to transfer the O&M of the Main South Side Canal Headworks to Burley ID and transfer the O&M of the Main North Side Canal Headworks to the Minidoka ID.

11. Clean Water Services and Tualatin Valley ID, Tualatin Project, Oregon: Long-term water service contract that provides for the District to allow Clean Water Services to beneficially use up to 6,000 acre-feet annually of stored water for water quality improvement.

12. Willow Creek District Improvement Company, Willow Creek Project, Oregon: Amend contract to increase the amount of storage water made available under the existing long-term contract from 2,500 to 3,500 acre-feet.

13. East Columbia Basin ID, Columbia Basin Project, Washington: Amendment of renewal master water service contract No. 159E101882, to authorize up to an additional 70,000 acres within the East Columbia ID that are located within the Odessa Subarea and eligible to participate in the Odessa Groundwater Replacement Program, to receive Columbia Basin Project irrigation water service; and to provide for additional acreage development through future water conservation measures.

14. Stanfield ID, Umatilla Basin Project, Oregon: A short-term water service contract to provide for the use of conjunctive use water, if needed, for the purposes of pre-saturation or for such use in October to extend their irrigation season.

15. Yakima Nation and Cascade ID, Yakima Project, Washington: Long-term contract for an exchange of water and to authorize the use of capacity in Yakima Project facilities to convey up to 10 cubic feet per second of non-project water during the non-irrigation season for fish hatchery purposes.

16. Falls ID, Michaud Flats Project, Idaho: Amendment to contract No. 14–06–100–851 to authorize the District to participate in State water rental pool.

17. Cascade ID, Yakima Project, Washington: Contract for Yakima Tribes use of Cascade ID's canal for Melvin R. Sampson Hatchery.

18. Bitter Root ID, Bitter Root Project, Montana: Amendment to SOD contract to extend repayment period.

19. Water user entities responsible for repayment of reimbursable project construction costs in Idaho, Washington, Oregon, Montana, and Wyoming: Contracts for conversion or prepayment executed pursuant to the Water Infrastructure Improvements for the Nation Act, Public Law 114–322, Sec. 4011(a–d).

Mid–Pacific Region: Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825–1898, telephone 916–978–5250.

1. Irrigation water districts, individual irrigators, M&I and miscellaneous water users; California, Nevada, and Oregon: Temporary (interim) water service contracts for available project water for irrigation, M&I, or fish and wildlife purposes providing up to 10,000 acre-feet of water annually for terms up to 5 years; temporary Warren Act contracts for use of excess capacity in project facilities for terms up to 5 years; temporary conveyance agreements with the State of California for various purposes; long-term contracts for similar service for up to 1,000 acre-feet annually.

2. Contractors from the American River Division, Delta Division, Cross Valley Canal, San Felipe Division, West San Joaquin Division, San Luis Unit, and Elk Creek Community Services District; CVP; California: Renewal of 30 interim and long-term water service contracts; water quantities for these contracts total in excess of 2.1M acre-feet. These contract actions will be accomplished through long-term renewal contracts pursuant to Public Law 102–575. Prior to completion of negotiation of long-term renewal contracts, existing interim renewal water service contracts may be renewed through successive interim renewal of contracts.

3. Redwood Valley County WD, SRPA, California: Restructuring the repayment schedule pursuant to Public Law 100–516.

4. El Dorado County Water Agency, CVP, California: M&I water service contract to supplement existing water supply. Contract will provide for an amount not to exceed 15,000 acre-feet annually authorized by Public Law 101–514 (Section 206) for El Dorado County Water Agency. The supply will be subcontracted to El Dorado ID and Georgetown Divide Public Utility District.

5. Sutter Extension WD, Delano-Earlimart ID, Pixley ID, the State of California Department of Water Resources, and the State of California Department of Fish and Wildlife; CVP; California: Pursuant to Public Law 102–575, agreements with non-Federal entities for the purpose of providing funding for Central Valley Project Improvement Act refuge water conveyance and/or facilities improvement construction to deliver water for certain Federal wildlife refuges, State wildlife areas, and private wetlands.

6. CVP Service Area, California: Temporary water acquisition agreements for purchase of 5,000 to 200,000 acre-feet of water for fish and wildlife purposes as authorized by Public Law 102–575 for terms of up to 5 years.

7. Horsefly, Klamath, Langell Valley, and Tulelake IDs; Klamath Project; Oregon: Repayment contracts for SOD work on Clear Lake Dam. These districts will share in repayment of costs, and each district will have a separate contract.

8. Casitas Municipal WD, Ventura Project, California: Repayment contract for SOD work on Casitas Dam.

9. Warren Act Contracts, CVP, California: Execution of long-term Warren Act contracts (up to 40 years) with various entities for conveyance of non-project water in the CVP.

10. Tuolumne Utilities District (formerly Tuolumne Regional WD), CVP, California: Long-term water service contract for up to 9,000 acre-feet from New Melones Reservoir, and possibly a long-term contract for storage of non-project water in New Melones Reservoir.

11. Madera-Chowchilla Water and Power Authority, CVP, California: Agreement to transfer the OM&R and certain financial and administrative activities related to the Madera Canal and associated works.

12. Town of Fernley, State of California; City of Reno, City of Sparks, Washoe County, State of Nevada, Truckee-Carson ID, and any other local interest or Native American Tribal Interest who may have negotiated rights under Public Law 101–618; Nevada and California: Contracts for the storage of non-Federal water in Truckee River reservoirs as authorized by Public Law 101–618 and the Preliminary Settlement Agreement. The contracts shall be consistent with the Truckee River Water Quality Settlement Agreement and the terms and conditions of the Truckee River Operating Agreement.

13. Delta Lands Reclamation District No. 770, CVP, California: Long-term Warren Act contract for conveyance of up to 300,000 acre-feet of non-project

flood flows via the Friant-Kern Canal for flood control purposes.

14. Pershing County Water Conservation District, Pershing County, and Lander County; Humboldt Project; Nevada: Title transfer of lands and features of the Humboldt Project.

15. Mendota Wildlife Area, CVP, California: Reimbursement agreement between the California Department of Fish and Wildlife and Reclamation for conveyance service costs to deliver Level 2 water to the Mendota Wildlife Area during infrequent periods when the Mendota Pool is down due to unexpected but needed maintenance. This action is taken pursuant to Public Law 102–575, Title 34, Section 3406(d)(1), to meet full Level 2 water needs of the Mendota Wildlife Area.

16. San Luis WD, CVP, California: Proposed partial assignment of 2,400 acre-feet of the District's CVP supply to Santa Nella County WD for M&I use.

17. Placer County Water Agency, CVP, California: Proposed exchange agreement under section 14 of the 1939 Act to exchange up to 71,000 acre-feet annually of the Agency's American River Middle Fork Project water for use by Reclamation, for a like amount of CVP water from the Sacramento River for use by the Agency.

18. Irrigation contractors, Klamath Project, Oregon: Amendment of repayment contracts or negotiation of new contracts to allow for recovery of additional capital costs.

19. Orland Unit Water User's Association, Orland Project, California: Repayment contract for the SOD costs assigned to the irrigation of Stony Gorge Dam.

20. Goleta WD, Cachuma Project, California: An agreement to transfer title of the federally owned distribution system to the Goleta WD subject to approved legislation.

21. City of Santa Barbara, Cachuma Project, California: Execution of a temporary contract and a long-term Warren Act contract with the City for conveyance of non-project water in Cachuma Project facilities.

22. Water user entities responsible for payment of O&M costs for Reclamation projects in California, Nevada, and Oregon: Contracts for extraordinary maintenance and replacement funded pursuant to ARRA. Added costs to rates to be collected under irrigation and interim M&I ratesetting policies.

23. Water user entities responsible for payment of O&M costs for Reclamation projects in California, Nevada, and Oregon: Contracts for extraordinary maintenance and replacement funded pursuant to Subtitle G of Public Law 111–11.

24. Cachuma Operation and Maintenance Board, Cachuma Project, California: Amendment to SOD contract No. 01–WC–20–2030 to provide for increased SOD costs associated with Bradbury Dam.

25. Reclamation will become signatory to a three-party conveyance agreement with the Cross Valley Contractors and the California State Department of Water Resources for conveyance of Cross Valley Contractors' CVP water supplies that are made available pursuant to long-term water service contracts.

26. Westlands WD, CVP, California: Negotiation and execution of a long-term repayment contract to provide reimbursement of costs related to the construction of drainage facilities. This action is being undertaken to satisfy the Federal Government's obligation to provide drainage service to Westlands WD located within the San Luis Unit of the CVP.

27. San Luis WD, Meyers Farms Family Trust, and Reclamation; CVP; California: Revision of an existing contract among San Luis WD, Meyers Farms Family Trust, and Reclamation providing for an increase in the exchange of water from 6,316 to 10,526 acre-feet annually and an increase in the storage capacity of the bank to 60,000 acre-feet.

28. Contra Costa WD, CVP, California: Amendment to an existing O&M agreement to transfer O&M of the Contra Costa Rock Slough Fish Screen to the Contra Costa WD. Initial construction funding provided through ARRA.

29. Irrigation water districts, individual irrigators and M&I water users, CVP, California: Temporary water service contracts for terms not to exceed 1 year for up to 100,000 acre-feet of surplus supplies of CVP water resulting from an unusually large water supply, not otherwise storable for project purposes, or from infrequent and otherwise unmanaged flood flows of short duration.

30. Irrigation water districts, individual irrigators, M&I and miscellaneous water users, CVP, California: Temporary Warren Act contracts for terms up to 5 years providing for use of excess capacity in CVP facilities for annual quantities exceeding 10,000 acre-feet.

31. City of Redding, CVP, California: Proposed partial assignment of 30 acre-feet of the City of Redding's CVP water supply to the City of Shasta Lake for M&I use.

32. Sacramento River Division, CVP, California: Administrative assignments of various Sacramento River Settlement Contracts.

33. California Department of Fish and Game, CVP, California: To extend the term of and amend the existing water service contract for the Department's San Joaquin Fish Hatchery to allow an increase from 35 to 60 cubic feet per second of continuous flow to pass through the Hatchery prior to it returning to the San Joaquin River.

34. Santa Clara Valley WD, CVP, California: Second amendment to Santa Clara Valley WD's water service contract to add CVP-wide form of contract language providing for mutually agreed upon point or points of delivery.

35. PacifiCorp, Klamath Project, Oregon and California: Transfer of O&M of Link River Dam and associated facilities. Contract will allow for the continued O&M by PacifiCorp.

36. Tulelake ID, Klamath Project, Oregon and California: Transfer of O&M of Station 48 and gate on Drain No. 1, Lost River Diversion Channel.

37. Fresno County Waterworks No. 18; Friant Division, CVP; California: Execution of an agreement to provide for the O&M of select Federal facilities by Fresno County Waterworks No. 18.

38. U.S. Fish and Wildlife Service and Tulelake ID; Klamath Project; Oregon and California: Water service contract for deliveries to Lower Klamath National Wildlife Refuge, including transfer of O&M responsibilities for the P Canal system.

39. Tulelake ID, Klamath Project, Oregon and California: Amendment of repayment contract to eliminate reimbursement for P Canal O&M costs.

40. East Bay Municipal Utility District, CVP, California: Long-term Warren Act contract for storage and conveyance of up to 47,000 acre-feet of water annually.

41. Gray Lodge Wildlife Area, CVP, California: Reimbursement agreement between the California Department of Fish and Wildlife and Reclamation for groundwater pumping costs. Groundwater will provide a portion of Gray Lodge Wildlife Area's Central Valley Improvement Act Level 4 water supplies. This action is taken pursuant to Public Law 102–575, Title 34, Section 3406(d)(1, 2 and 5), to meet full Level 4 water needs of the Gray Lodge Wildlife Area.

42. State of Nevada, Newlands Project, Nevada: Title transfer of lands and features of Carson Lake and Pasture.

43. Santa Barbara County Water Agency, Cachuma Project, California: Negotiation and execution of a long-term water service contract.

44. Cachuma Operations and Maintenance Board, Cachuma Project, California: Negotiation and execution of an O&M contract.

45. State of California, Department of Water Resources; CVP; California: Negotiation of a multi-year wheeling agreement with the State of California, Department of Water Resources providing for the conveyance and delivery of CVP water through the State of California's water project facilities to Byron-Bethany ID (Musco Family Olive Company), Del Puerto WD, and the San Joaquin Valley National Cemetery.

46. Water user entities responsible for repayment of reimbursable project construction costs in California, Nevada, and Oregon: Contracts for conversion or prepayment executed pursuant to the Water Infrastructure Improvements for the Nation Act, Public Law 114–322, Sec. 4011(a–d).

47. Contra Costa Water District: Title transfer of lands and features of the Contra Costa Canal System of the CVP.

48. Friant Water Authority, CVP, California: Title transfer of lands and features of the Friant-Kern Canal System of the CVP.

49. Wampler Ranches, LLC; Klamath Project; California and Oregon: Contractor requested Warren Act contract cancellation from upper Klamath Lake through Crane Creek.

Completed contract action:

1. (12) Sacramento Suburban WD, CVP, California: Execution of a long-term Warren Act contract for conveyance of 29,000 acre-feet of non-project water. The contract will allow CVP facilities to be used to deliver non-project water provided from the Placer County Water Agency to the District for use within its service area. Contract executed November 20, 2018.

Lower Colorado Region: Bureau of Reclamation, P.O. Box 61470 (Nevada Highway and Park Street), Boulder City, Nevada 89006–1470, telephone 702–293–8192.

1. Milton and Jean Phillips, BCP, Arizona: Develop a Colorado River water delivery contract for 60 acre-feet of Colorado River water per year as recommended by the Arizona Department of Water Resources.

2. Gila Project Works, Gila Project, Arizona: Perform title transfer of facilities and certain lands in the Wellton-Mohawk Division from the United States to the Wellton-Mohawk IDD.

3. Bard WD, Yuma Project, California: Consolidate Bard WD's O&M contracts for the Yuma Project, California, Reservation Division, Indian and Bard Units, to reflect updated Reclamation policy and procedures.

4. Ogram Boys Enterprises, Inc., BCP, Arizona: Revise Exhibit A of the contract to change the contract service area and points of diversion/delivery.

5. City of Yuma, BCP, Arizona: Enter into a long-term consolidated contract with the City for delivery of its Colorado River water entitlement.

6. Gold Dome Mining Corporation and Wellton-Mohawk IDD, Gila Project, Arizona: Terminate contract No. 0–07–30–W0250 pursuant to Articles 11(d) and 11(e).

7. Estates of Anna R. Roy and Edward P. Roy, Gila Project, Arizona: Terminate contract No. 6–07–30–W0124 pursuant to Article 9(c).

8. Reclamation, Davis Dam (Davis Dam) and Big Bend WD; BCP; Arizona and Nevada: Enter into proposed ''Agreement for the Diversion, Treatment, and Delivery of Colorado River Water'' for the District to divert, treat, and deliver to Davis Dam the Davis Dam Secretarial Reservation amount of up to 100 acre-feet per year of Colorado River water.

9. Present Perfected Right 30 (Stephenson), BCP, California: Offer contracts for delivery of Colorado River water to holders of miscellaneous present perfected rights as described in the 2006 Consolidated Decree in *Arizona* v. *California,* 547 U.S. 150.

10. San Carlos Apache and Pascua Yaqui Tribes, CAP, Arizona: Execute a CAP water lease for the San Carlos Apache Tribe to lease 1,750 acre-feet of its CAP water to the Pascua Yaqui Tribe during calendar year 2019.

11. San Carlos Apache Tribe and the Town of Gilbert, CAP, Arizona: Execute a proposed 100-year lease not to exceed 5,925 acre-feet per year of CAP water from the Tribe to Gilbert.

12. San Carlos Apache Tribe and Freeport Minerals Corporation, CAP, Arizona: Execute a CAP water lease for the San Carlos Apache Tribe to lease 17,000 acre-feet of its CAP water to Freeport Minerals Corporation during calendar year 2019.

13. San Carlos Apache Tribe and the Town of Gilbert, CAP, Arizona: Execute a CAP water lease for the San Carlos Apache Tribe to lease 6,216 acre-feet of its CAP water to the Town of Gilbert during calendar year 2019.

Discontinued contract action:

1. (20) Basic Water Company, BCP, Nevada: Approve an acknowledgment of assignment of rights, interests, and obligations under contract No. 14–06–300–2083, as amended, from Tronox LLC to EMD Acquisition.

Upper Colorado Region: Bureau of Reclamation, 125 South State Street, Room 8100, Salt Lake City, Utah 84138–1102, telephone 801–524–3864.

1. Individual irrigators, M&I, and miscellaneous water users; Initial Units, CRSP; Utah, Wyoming, Colorado, and New Mexico: Temporary (interim) water service contracts for surplus project water for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for terms up to 5 years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

2. Contracts with various water user entities responsible for payment of O&M costs for Reclamation projects in Arizona, Colorado, New Mexico, Texas, Utah, and Wyoming: Contracts for extraordinary maintenance and replacement funded pursuant to Subtitle G of Public Law 111–11 to be executed as project progresses.

3. Middle Rio Grande Project, New Mexico: Reclamation continues annual leasing of water from various San Juan-Chama Project contractors to stabilize flows in a critical reach of the Rio Grande to meet the needs of irrigators and preserve habitat for the silvery minnow. Reclamation leased approximately 12,558 acre-feet of water from San Juan-Chama Project contractors in 2018.

4. Strawberry High Line Canal Company, Strawberry Valley Project; Utah: The Strawberry High Line Canal Company has requested to allow for the carriage of non-project water held by McMullin Orchards in the High Line Canal.

5. Eden Valley IDD, Eden Project, Wyoming: The Eden Valley IDD proposes to raise the level of Big Sandy Dam to fully perfect its water rights. An agreement will be necessary to obtain the authorization to modify Federal facilities.

6. Tri-County Water Conservancy District, Dallas Creek Project, Colorado: A contract under the Upper Colorado Recovery Program to construct and transfer O&M of a fish barrier at Ridgway Dam. The State of Colorado, Colorado Parks and Wildlife Department will also be a party to the contract.

7. Newton Water Users Association, Newton Project; Utah: The Utah Division of Wildlife Resources desires to install a fish screen on the outlet works of Newton Dam. This requires an agreement to approve modification to Federal Reclamation facilities.

8. Pojoaque Valley ID, San Juan-Chama Project, New Mexico: An amendment to the repayment contract to reflect the changed allocations of the Aamodt Litigation Settlement Act (Title VI of the Claims Resolution Act of 2010, Public Law 111–291, December 8, 2010, and Article 7 of the Settlement Agreement dated April 19, 2012)) is currently under review by the Pojoaque Valley ID board president and is expected to be signed in January 2019.

9. South Cache Water Users Association, Hyrum Project, Utah:

Problems with the spillway at Hyrum Dam require the construction of a new spillway under the SOD Act, as amended. A repayment contract is necessary to recover 15 percent of the construction costs in accordance with the SOD Act.

10. Salt River Project Agricultural Improvement and Power District, Salt River Project; Glen Canyon Unit, CRSP; Arizona: The District has requested an extension of its existing contract from 2034 through 2044. This action is awaiting further development by the District.

11. Dolores Water Conservancy District, Dolores Project, Colorado: The District has requested a water service contract for 1,402 acre-feet of newly identified project water for irrigation. The proposed water service contract will provide 417 acre-feet of project water for irrigation of the Ute Enterprise and 985 acre-feet for use by the District's full-service irrigators.

12. State of Wyoming, Seedskadee Project; Wyoming. The Wyoming Water Development Commission is interested in purchasing an additional 65,000 acre-feet of M&I water from Fontenelle Reservoir.

13. Ute Indian Tribe of the Uinta and Ouray Reservation, CUP, Utah: The Ute Indian Tribe of the Uinta and Ouray Reservation has requested the use of excess capacity in the Strawberry Aqueduct and Collection System, as authorized in the CUP Completion Act legislation.

14. Ute Indian Tribe of the Uinta and Ouray Reservation; Flaming Gorge Unit, CRSP; Utah: As part of discussions on settlement of a potential compact, the Ute Indian Tribe of the Uinta and Ouray Reservation has indicated interest in storage of its potential water right in Flaming Gorge Reservoir.

15. State of Utah; Flaming Gorge Unit, CRSP; Utah: The State of Utah has requested contracts that will allow the full development and use of the CUP Ultimate Phase water right of 158,000 acre-feet of depletion, which was previously assigned to the State of Utah.

16. Weber Basin Water Conservancy District, Weber Basin Project, Utah: The District has requested permission to install a low-flow hydro-electric generation plant at Causey Reservoir to take advantage of winter releases. This will likely be accomplished through a supplemental O&M contract.

17. Central Utah Water Conservancy District; Bonneville Unit, CUP; Utah: The District has received a request to convert 300 acre-feet of irrigation water in Wasatch County to M&I purposes. This will require an amended block notice.

18. Mancos Water Conservancy District, Mancos Project, Colorado: Proposed preliminary lease and funding agreement for preliminary work associated with potential lease of power privilege.

19. Mancos Water Conservancy District, Mancos Project, Colorado: Proposed funding agreement for preliminary work associated with the evaluation of title transfer.

20. Mancos Water Conservancy District, Mancos Project, Colorado: The District and Reclamation are discussing an amendment to the Public Law 111–11 repayment contract for rehabilitation of the Jackson Gulch facilities to continue to facilitate the District's ability to receive funding under the legislation.

21. Ute Mountain Ute Tribe, Animas-La Plata Project, Colorado: Ute Mountain Ute Tribe has requested a water delivery contract for 16,525 acre-feet of M&I water; contract terms to be consistent with the Colorado Ute Settlement Act Amendments of 2000 (Title III of Pub. L. 106–554).

22. Navajo-Gallup Water Supply Project, New Mexico: Reclamation continues negotiations on an OM&R transfer contract with the Navajo Tribal Utility Authority pursuant to Public Law 111–11, Section 10602(f) which transfers responsibilities to carry out the OM&R of transferred works of the Project; ensures the continuation of the intended benefits of the Project; distribution of water; and sets forth the allocation and payment of annual OM&R costs of the Project.

23. Animas-La Plata Project, Colorado-New Mexico: (a) Navajo Nation title transfer agreement for the Navajo Nation Municipal Pipeline for facilities and land outside the corporate boundaries of the City of Farmington, New Mexico; contract terms to be consistent with the Colorado Ute Settlement Act Amendments of 2000 (Title III of Pub. L. 106–554) and the Northwestern New Mexico Rural Water Projects Act (Title X of Pub. L. 111–11); (b) City of Farmington, New Mexico, title transfer agreement for the Navajo Nation Municipal Pipeline for facilities and land inside the corporate boundaries of the City of Farmington; New Mexico, contract terms to be consistent with the Colorado Ute Settlement Act Amendments of 2000 (Title III of Pub. L. 106–554) and the Northwestern New Mexico Rural Water Projects Act (Title X of Pub. L. 111–11); and (c) Operations agreement among the United States, Navajo Nation, and City of Farmington for the Navajo Nation Municipal Pipeline pursuant to Pub. L. 111–11, Section 10605(b)(1) that sets forth any terms and conditions that secures an operations protocol for the M&I water supply.

24. Strawberry High Line Canal Company, Strawberry Valley Project; Utah: The Strawberry High Line Canal Company has requested conversion of up to 20,000 acre-feet of irrigation water to be allowed for miscellaneous uses.

25. Ogden River Water Users Association, Ogden River Project, Utah: The Ogden River Water Users Association is requesting to convert 44,175 acre-feet of irrigation water from Pine View Reservoir to be available for M&I purposes.

26. City of Page, Arizona; Glen Canyon Unit, CRSP; Arizona: Request for a long-term contract for 975 acre-feet of water for municipal purposes.

Discontinued contract actions:

1. (9) Dolores Water Conservancy District, Dolores Project, Colorado: The District has requested a contract amendment to update articles related to releases for downstream uses.

2. (25) Collbran Water Conservancy District, Collbran Project, Colorado: Laramie Energy has requested a water exchange contract.

3. (27) Collbran Water Conservancy District, Collbran Project, Colorado: The District has requested an exchange contract with William Morse for exchange of water on the Collbran Project.

4. (31) Weber Basin Water Conservancy District, Weber Basin Project, Utah: The District has requested a contract to allow the storage of Weber Basin Project water in Smith Morehouse Reservoir under the authority of Section 14 of the Reclamation Projects Act of 1939.

5. (33) Emery County Water Conservancy District, Emery County Project, Utah: The District has requested to convert 79 acre-feet of Cottonwood Creek Consolidated Irrigation Company water from irrigation to M&I uses.

Completed contract actions:

1. (6) Grand Valley Water Users Association and Orchard Mesa ID, Grand Valley Project, Colorado: A contract under the Upper Colorado Recovery Program for delivery of non-project water to the Grand Valley Power Plant. The U.S. Fish and Wildlife Service will also be a party to the contract. Contract executed on November 17, 2018.

2. (12) Utah Division of State Parks, Utah: Requested an early renewal of its 11 State Parks Agreements for recreation management at various Reclamation Reservoirs. Agreement signed on October 26, 2018.

Great Plains Region: Bureau of Reclamation, P.O. Box 36900, Federal

Building, 2021 4th Avenue North, Billings, Montana 59101, telephone 406–247–7752.

1. Irrigation, M&I, and miscellaneous water users; Colorado, Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming: Water service contracts for the sale, conveyance, storage, and exchange of surplus project water and non-project water for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for a term of up to 1 year, or up to 1,000 acre-feet of water annually for a term of up to 40 years.

2. Water user entities responsible for payment of O&M costs for Reclamation projects in Colorado, Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming: Contracts for extraordinary maintenance and replacement funded pursuant to Subtitle G of Public Law 111–11.

3. Green Mountain Reservoir, Colorado-Big Thompson Project, Colorado: Water service contracts for irrigation and M&I; contracts for the sale of water from the marketable yield to water users within the Colorado River Basin of western Colorado.

4. Garrison Diversion Conservancy District; Garrison Diversion Unit, P–SMBP; North Dakota: Intent to modify long-term water service contract to add additional irrigated acres.

5. Fryingpan-Arkansas Project, Colorado: Consideration of excess capacity contracting in the Fryingpan-Arkansas Project.

6. Colorado-Big Thompson Project, Colorado: Consideration of excess capacity contracting in the Colorado-Big Thompson Project.

7. Roger W. Evans (Individual); Boysen Unit, P–SMBP; Wyoming: Renewal of long-term water service contract.

8. Busk-Ivanhoe, Inc., Fryingpan-Arkansas Project, Colorado: Contract for long-term carriage and storage, and/or a new contract for an additional use of water.

9. State of Kansas Department of Wildlife and Parks; Glen Elder Unit, P–SMBP; Kansas: Intent to enter into a contract for the remaining conservation storage in Waconda Lake for recreation and fish and wildlife purposes.

10. Arkansas Valley Conduit, Fryingpan-Arkansas Project, Colorado: Consideration of a repayment contract for the Arkansas Valley Conduit and signing a contract to use infrastructure owned by the Pueblo Board of Water Works.

11. Donala Water and Sanitation District, Fryingpan-Arkansas Project, Colorado: Consideration of a long-term excess capacity contract.

12. Tom Green County Water Control and Improvement District No. 1, San Angelo Project, Texas: Consideration of a potential contract(s) for use of excess capacity by individual landowner(s) for irrigation purposes.

13. Western Heart River ID; Heart Butte Unit, P–SMBP; North Dakota: Consideration of amending the long-term irrigation repayment contract and project-use power contract to include additional acres.

14. Buford-Trenton ID; Buford-Trenton Project, P–SMBP; North Dakota: Consideration of amending the long-term irrigation power repayment contract and project-use power contract to include additional acres.

15. Milk River Project, Montana: Proposed amendment to contracts to reflect current landownership.

16. Glen Elder ID No. 8; Glen Elder Unit, P–SMBP; Kansas: Consideration to renew long-term water service contract No. 2–07–60–W0855.

17. Town of Estes Park, Colorado-Big Thompson Project, Colorado: Consideration of a renewal of the contract with the Town of Estes Park.

18. Bureau of Land Management, Fryingpan-Arkansas Project, Colorado: Consideration of an excess capacity contract to store water in the Fryingpan-Arkansas Project.

19. Fresno Dam, Milk River Project, Montana: Consideration of contract(s) for repayment of SOD costs.

20. Canyon Ferry Water Users Association; Canyon Ferry Unit, P–SMBP; Montana: Consideration for new long-term repayment contract.

21. City of Thermopolis; Boysen Unit, P–SMBP; Wyoming: Consideration for renewal of long-term water service contract No. 8–07–WS050.

22. Mid-Dakota Rural Water System, Inc., South Dakota: Consideration of an amendment to agreement No. 5–07–60–W0223 to reflect the payoff of loans.

23. Garrison Diversion Conservancy District; Garrison Diversion Unit, P–SMBP; North Dakota: Consideration of a contract for 20 cubic-feet-per-second of water for rural and M&I purposes.

24. Southeastern Colorado Water Conservancy District, Fryingpan-Arkansas Project, Colorado: Consideration of amending contract No. 5–07–70–W0086 and convert or renew contract No. 5–07–70–W0086.

25. City of Casper; Kendrick Unit, P–SMBP; Wyoming: Consideration for renewal of long-term water service contract No. 2–07–70–W0534.

26. Southeastern Colorado Water Conservancy District Acting by and through its Water Activity Enterprise, Fryingpan-Arkansas Project, Colorado: Consideration to amend Pueblo Lease of Power Privilege contract No. 17XX650016.

27. Pueblo Board of Water Works, Fryingpan-Arkansas Project, Colorado: Consideration for renewal of contract No. 00XX6C0049.

28. Southeastern Colorado Water Conservancy District, Fryingpan-Arkansas Project, Colorado: Consideration of a repayment contract for the North Outlet Works—South Outlet Works Interconnect at Pueblo Reservoir.

29. Dickey-Sargent ID; Garrison Diversion Unit, P–SMBP; North Dakota: Consideration of a repayment contract for irrigation storage in Jamestown Reservoir.

Completed contract action:

1. (21) Western Heart River ID; Heart Butte Unit, P–SMBP; North Dakota: Consideration of contract for repayment of SOD costs. Contract executed on November 2, 2018.

Karl J. Stock,

Acting Director, Policy and Administration.

[FR Doc. 2019–04703 Filed 3–13–19; 8:45 am]

BILLING CODE 4332–90–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. U.S.-Korea FTA–103–032]

U.S.-Korea FTA: Advice on Modifications to Certain Textile and Apparel Rules of Origin

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and notice of opportunity to provide written comments.

SUMMARY: Following receipt on February 22, 2019, of a request from the U.S. Trade Representative (USTR), under authority delegated by the President and pursuant to section 104(1) of the U.S.-Korea Free Trade Agreement Implementation Act (the Act), the U.S. International Trade Commission (Commission) instituted investigation No. U.S.-Korea FTA–103–032, *U.S.-Korea FTA: Advice on Modifications to Certain Textile and Apparel Rules of Origin,* for the purpose of providing advice on modifications to the U.S.-Korea Free Trade Agreement (KORUS) rules of origin for certain textile and apparel goods.

DATES: March 29, 2019: Deadline for filing written submissions. June 24, 2019: Transmittal of Commission report to USTR.

ADDRESSES: All Commission offices are located in the United States

International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://www.usitc.gov/secretary/edis.htm.*

FOR FURTHER INFORMATION CONTACT: Project Leader Jeff Horowitz (202–205–2750 or *jeffrey.horowitz@usitc.gov*) or Deputy Project Leader Robert Casanova (202–708–2719 or *robert.casanova@usitc.gov*) for information specific to this investigation. For information on the legal aspects of this investigation, contact William Gearhart of the Commission's Office of the General Counsel (202–205–3091 or *william.gearhart@usitc.gov*). The media should contact Margaret O'Laughlin, Office of External Relations (202–205–1819 or *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 internet server (*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.

SUPPLEMENTARY INFORMATION:

Background: In his request letter (received February 22, 2019), the USTR stated that the United States and Korea have recently reached preliminary agreement on proposed modifications to the KORUS rules of origin for certain textile and apparel goods. The USTR stated that section 202(o)(2)(B)(i) of the Act authorizes the President, subject to the consultation and layover requirements of section 104 of the Act, to proclaim such modifications to the rules or origin for textiles and apparel goods as are necessary to implement an agreement with Korea pursuant to Article 4.2.5 of the U.S.-Korea FTA. The USTR also stated that one of the requirements set out in section 104(1) of the Act is that the President obtain advice regarding the proposed action from the Commission.

In the request letter, the USTR requested that the Commission provide advice on the probable economic effect of the modifications on U.S. trade under KORUS, total U.S. trade, and on domestic producers of the affected articles. He further requested that the Commission provide its advice at the earliest possible date but no later than four months from receipt of the request, and that it issue, as soon as possible thereafter, a public version of its report with any confidential business information deleted.

The proposed modifications to the KORUS rules of origin cover the following products: Certain cotton yarns (under HTS heading 5206) with viscose rayon staple fibers (under HTS subheadings 5504.10 or 5507.00), certain woven fabrics (under HTS heading 5408) with cuprammonium rayon yarns (under HTS heading 5403.39), and certain apparel (under HTS heading 6110), accessories and parts (under HTS heading 6117) of certain cashmere yarns (under HTS heading 5108). The request letter and the proposed modifications are available on the Commission's website at *https://www.usitc.gov.* As requested, the Commission will provide its advice to USTR no later than four months of receiving the request letter (by June 24, 2019).

Written Submissions: No public hearing is planned. However, interested parties are invited to file written submissions. All written submissions should be addressed to the Secretary, and should be received no later than 5:15 p.m., March 29, 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 p.m. 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 following paragraph for further information regarding confidential business information). 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 of 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 the ''confidential'' or ''non-confidential'' version, and that the confidential business information is clearly identified by means of brackets. All written submissions, except for those containing CBI, will be made available for inspection by interested parties.

The Commission may include some or all of the CBI submitted in the course of the investigation in the report it sends to USTR. In addition, all information, including CBI, 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 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 an appendix to its report. Persons wishing to have a summary of their position included in the appendix should include a summary with their written submission and should specifically state that the summary is intended for that purpose, and titled as such. 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 CBI. The summary will be included in the report as provided if it meets these requirements and is germane to the subject matter of the investigation. In the appendix, 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 11, 2019.

Katherine Hiner,

Acting Secretary to the Commission.

[FR Doc. 2019–04762 Filed 3–13–19; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1059]

Certain Digital Cameras, Software, and Components Thereof: Notice of Commission Determination To Grant a Joint Motion To Terminate the Investigation on the Basis of a Settlement Agreement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant a joint motion to terminate the above-captioned investigation based upon a settlement agreement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 2, 2017, based on a complaint filed by Carl Zeiss AG of Oberkochen, Germany, and ASML Netherlands B.V. of Veldhoven, Netherlands (collectively, ''Complainants''). 82 FR 25627–28. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain digital cameras, software, and components thereof that infringe U.S. Patent Nos. 6,301,440 (''the '440 patent''); 6,463,163 (''the '163 patent''); 6,714,241 (''the '241 patent''); 6,731,335 (''the '335 patent''); 6,834,128 (''the '128 patent''); 7,297,916 (''the '916 patent''); and 7,933,454 (''the '454 patent''). *Id.* The complaint further alleges that a domestic industry exists in the United States. The Commission's notice of investigation named as respondents Nikon Corporation of Tokyo, Japan; Sendai Nikon Corporation of Natori, Japan; Nikon Inc. of Melville, New York; Nikon (Thailand) Co., Ltd. of Ayutthaya, Thailand; Nikon Imaging (China) Co., Ltd. of Wuxi, China (collectively, ''Respondents''); and PT Nikon Indonesia of Jakarta, Indonesia. *Id.* at 25627. The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

The Commission previously terminated the investigation as to PT Nikon Indonesia. Order No. 36 (Dec. 27, 2017) (unreviewed Notice (Jan. 19, 2018)). The Commission also subsequently terminated from the investigation all claims of the '163 and '335 patents and certain claims of the '440, '241, '128, '916, and '454 patents. Order No. 23 (Oct. 3, 2017) (unreviewed Notice (Oct. 17, 2017)); Order No. 32 (Nov. 22, 2017) (unreviewed Notice (Dec. 19, 2017)); Order No. 45 (Feb. 5, 2018) (unreviewed Notice (Mar. 6, 2018)); Order No. 65 (Mar. 27, 2018) (unreviewed Notice (Apr. 25, 2018)); Order No. 67 (Apr. 13, 2018) (unreviewed Notice (May 4, 2018)).

On August 17, 2018, the final ID issued finding a violation of section 337. The final ID also contains the ALJ's recommended determination on remedy and bonding. On November 15, 2018, the Commission determined to review the final ID in part. 83 FR 58592–94 (Nov. 20, 2018).

On February 22, 2019, Complainants and Respondents filed a joint motion to terminate the present investigation pursuant to section 210.21(b) of the Commission Rules of Practice and Procedure (19 CFR. 210.21(b)), based on a settlement agreement that resolves all pending legal disputes between the parties. The motion included a confidential and public version of the settlement agreement. No party filed a response to the motion.

The Commission has determined to grant the joint motion to terminate the investigation. Section 337(c) provides, in relevant part, that the Commission may terminate an investigation ''on the basis of an agreement between the private parties to the investigation.'' When the investigation is before the Commission, as is the case here, the Commission has acted on motions to terminate on the basis of settlement. *See, e.g., Certain Wireless Consumer Electronics Devices and Components Thereof,* Inv. No. 337–TA–853, Notice of Commission Determination to Grant the Consent Motion to Terminate the Investigation-In-Part as to Respondents Kyocera Corporation And Kyocera Communications, Inc. on the Basis of a Settlement Agreement (Sept. 20, 2013). Commission Rule 210.21(b), which implements section 337(c), requires that a motion for termination based upon a settlement contain a copy of that settlement agreement, as well as a statement that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation. The joint motion complies with these requirements.

The Commission also considers the public interest when terminating an investigation based upon a settlement agreement. 19 CFR. 210.50(b)(2). We find no evidence that termination of the investigation will prejudice the public interest or that settlement will adversely impact the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers. Moreover, the public interest favors settlement to avoid needless litigation and to conserve public and private resources.

Accordingly, the Commission hereby grants the joint motion to terminate this investigation on the basis of a settlement agreement.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 8, 2019.

William Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2019–04722 Filed 3–13–19; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

On March 7, 2019, the Department of Justice lodged a proposed Amended Consent Decree (''Amended Decree'') in the United States District Court for the Eastern District of Kentucky, Covington Division in the lawsuit entitled the *Commonwealth of Kentucky, Plaintiff, United States of America, Plaintiff-Intervener, Tim Guilfoile, Plaintiff-Intervener* v. *Sanitation District No. 1 of*

Northern Kentucky (''SD 1''), Defendant, Civil Action No. 2:05–CV–199 (WOB).

This Amended Decree represents a modification to the initial Consent Decree, which was entered by the Court on April 18, 2007. The proposed Amended Decree provides for extending the deadlines by which the Defendant must eliminate sanitary sewer overflows (''SSOs'') and control combined sewer overflows (''CSOs''), and adds performance standards and stipulated penalty provisions geared to expedite overflow reductions and eliminate such overflows. The District submitted to the United States and the Commonwealth a financial capability and affordability analysis. After analysis of the data, the Plaintiffs, Commonwealth of Kentucky and the United States of America, concluded that an extension of the schedule as reflected in the Amended Decree was reasonable and appropriate.

The publication of this notice opens a period for public comment on the Amended Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to the *Commonwealth of Kentucky and the United States of America (Plaintiffs)* v. *Sanitation District Number 1 of Northern Kentucky,* D.J. Ref. No. 90–5–1–1–08591. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By e-mail	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Amended Consent Decree may be examined and downloaded at this Justice Department website: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the Amended Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $13.50 (25 cents per page reproduction cost) payable to the United States Treasury for the Amended Consent Decree and $19.50 for the Amended Consent Decree and Exhibits thereto.

Henry S. Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2019–04698 Filed 3–13–19; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Information Collection Activities, Comment Request

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. 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. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the ''The Consumer Expenditure Surveys: The Quarterly Interview and the Diary.'' A copy of the proposed information collection request can be obtained by contacting the individual listed below in the Addresses section of this notice.

DATES: Written comments must be submitted to the office listed in the Addresses section of this notice on or before May 13, 2019.

ADDRESSES: Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue NE, Washington, DC 20212. Written comments also may be transmitted by fax to 202–691–5111 (this is not a toll free number).

FOR FURTHER INFORMATION CONTACT: Nora Kincaid, BLS Clearance Officer, at 202–691–7628 (this is not a toll free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The Consumer Expenditure (CE) Surveys collect data on consumer expenditures, demographic information, and related data needed by the Consumer Price Index (CPI) and other public and private data users. The continuing surveys provide a constant measurement of changes in consumer expenditure patterns for economic analysis and to obtain data for future CPI revisions. The CE Surveys have been ongoing since 1979.

The data from the CE Surveys are used (1) for CPI revisions, (2) to provide a continuous flow of data on income and expenditure patterns for use in economic analysis and policy formulation, and (3) to provide a flexible consumer survey vehicle that is available for use by other Federal government agencies. Public and private users of price statistics, including Congress and the economic policymaking agencies of the Executive branch, rely on data collected in the CPI in their day-to-day activities. Hence, data users and policymakers widely accept the need to improve the process used for revising the CPI. If the CE Surveys were not conducted on a continuing basis, current information necessary for more timely, as well as more accurate, updating of the CPI would not be available. In addition, data would not be available to respond to the continuing demand from the public and private sectors for current information on consumer spending.

In the Quarterly Interview Survey (CEQ), each consumer unit (CU) in the sample is interviewed every three months over four calendar quarters. The sample for each quarter is divided into three panels, with CUs being interviewed every three months in the same panel of every quarter. The CEQ Survey is designed to collect data on the types of expenditures that respondents can be expected to recall for a period of three months or longer. In general the expenses reported in the Interview Survey are either relatively large, such as property, automobiles, or major appliances, or are expenses which occur on a fairly regular basis, such as rent, utility bills, or insurance premiums.

The Diary (or recordkeeping) Survey (CED) is completed at home by the respondent family for two consecutive one-week periods. The primary objective of the CED is to obtain expenditure data on small, frequently purchased items which normally are difficult to recall over longer periods of time.

II. Current Action

Office of Management and Budget approval is being sought for the proposed revision of the Consumer Expenditure Surveys: The Quarterly Interview and the Diary.

As part of an ongoing effort to improve data quality, maintain or increase response rates, and reduce data collection costs, CE is seeking clearance for the Large Scale Feasibility Test(LSF) of Online Diaries. CE is also requesting clearance for an increase in the sample sizes of both the CEQ and CED surveys to support CPI.

A production sample of 2,500 cases will be used in the LSF Online Diary test. In order to accommodate LSF Online Diary test, several modifications will be made to production procedures and collection including the addition of two question relating to internet access, implementation of an online Diary, and the addition of debriefing questions. The study will be fielded from October 2019 to March 2020 with an expected 1,200 completed cases. The large sample size is needed in order to perform statistically significant analysis of any differences in data quality between the online diaries and production (paper) diaries prior to full production implementation. The study sample will be further divided into two groups, with one group receiving a $5 incentive.

The CPI program is changing its source of outlet frame information from the Telephone Point of Purchase Survey (TPOPS) to the CEQ and CED surveys. As a result, the sample size for the CE surveys will increase.

III. Desired Focus of Comments

The Bureau of Labor Statistics 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.
- 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.

Title of Collection: The Consumer Expenditure Surveys: The Quarterly Interview and the Diary.

OMB Number: 1220–0050.

Type of Review: Revision, of a currently approved collection.

Affected Public: Individuals or Households.

TOTAL RESPONSE BURDEN FOR THE QUARTERLY INTERVIEW AND DIARY SURVEYS

	Total respondents	Frequency	Total responses	Average time per response (minutes)	Estimated total burden
Quarterly Interview Survey	6.067	4.4799	27,180	63.57	28,798
Diary Survey	7,734	4.1836	32,356	43.65	23,539
Totals	13,801		59,536		52,337

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 also will become a matter of public record.

Signed at Washington, DC, on March 11, 2019.

Mark Staniorski,

Division Chief, Division of Management Systems Bureau of Labor Statistics.

[FR Doc. 2019–04731 Filed 3–13–19; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2013–0012]

Proposed Modification to the List of Appropriate NRTL Program Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA proposes to add a test standard to the NRTL Program's List of Appropriate Test Standards.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before April 15, 2019. All submissions must bear a postmark or provide other evidence of the submission date.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at: *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Facsimile: If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693–1648.

Mail, hand delivery, express mail, messenger, or courier service: When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA–2013–0012, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3653, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693–2350. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET. Note that security procedures may result in significant delays in receiving submissions sent by regular mail. Contact the OSHA Docket Office for information about security procedures concerning delivery of materials by regular or express mail, hand delivery, or messenger (courier) service.

Docket: To read or download comments or other material in the docket, go to *http://www.regulations.gov* or the OSHA Docket Office at the above address. All documents in the docket (including this **Federal Register** notice) are listed in the *http://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office. You may also

contact Kevin Robinson at the below address.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2013–0012). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at *http://www.regulations.gov.* Therefore, the agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social Security numbers, birth dates, and medical data. For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

Extension of comment period: Submit requests for an extension of the comment period on or before April 15, 2019 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, Room N–3647, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, telephone (202) 693–2110; email *robinson.kevin@dol.gov.* OSHA's web page includes information about the NRTL Program (see *http://www.osha.gov*).

Copies of this ***Federal Register*** *notice:* Electronic copies of this **Federal Register** notice are available at *http://www.regulations.gov.* This **Federal Register** notice, as well as other relevant information, is also available on OSHA's web page at *http://www.osha.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The NRTL Program recognizes organizations that provide product-safety testing and certification services to manufacturers. These organizations perform testing and certification, for purposes of the NRTL Program, to U.S. consensus-based product-safety test standards. The products covered by the NRTL Program consist of those items for which OSHA safety standards require ''certification'' by a NRTL. The requirements affect electrical products and 38 other types of products. OSHA does not develop or issue these test standards, but generally relies on standards development organizations (SDOs) which develop and maintain the standards using a method that provides input and consideration of views of industry groups, experts, users, consumers, governmental authorities and others having broad experience in the safety field involved.

Addition of Test Standards to the NRTL List of Appropriate Test Standards

Periodically, OSHA will propose to add new test standards to the NRTL List of Appropriate Test Standards following an evaluation of the test standard document. To qualify as an appropriate test standard, the agency evaluates the document to (1) verify it represents a product category for which OSHA requires certification by a NRTL, (2) verify the document represents an end product and not a component, and (3) verify the document defines safety test specifications (not installation or operational performance specifications). OSHA becomes aware of new test standards through various avenues. For example, OSHA may become aware of new test standards by: (1) Monitoring notifications issued by certain Standards Development Organizations; (2) reviewing applications by NRTLs or applicants seeking recognition to include new test standard in their scopes of recognition; and (3) obtaining notification from manufacturers, manufacturing organizations, government agencies, or other parties. OSHA may determine to include a new test standard in the list, for example, if the test standard is for a particular type of product that another test standard also covers or it covers a type of product that no standard previously covered.

II. Proposal To Add a Test Standard to the NRTL Program's List of Appropriate Test Standards

In this notice, OSHA proposes to add one new test standard to the NRTL Program's List of Appropriate Test Standards. Table 1, below, lists the test standard that is new to the NRTL Program. OSHA preliminarily determined that this test standard is an appropriate test standard and proposes to include it in the NRTL Program's List of Appropriate Test Standards. OSHA seeks public comment on this preliminary determination.

TABLE 1—TEST STANDARD OSHA PROPOSES TO ADD TO THE NRTL PROGRAM'S LIST OF APPROPRIATE TEST STANDARDS

Proposed test standard to be added	Test standard title
ANSI/CPLSO 14–2016 ...	Crane Insulators.

III. Public Participation

Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request, by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To obtain or review copies of comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. These materials will also be available online at *http://www.regulations.gov* under Docket No. OSHA–2013–0012.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will make a recommendation to the Assistant Secretary for Occupational Safety and Health regarding the addition of one test standard to the NRTL Program's List of Appropriate Test Standards. The Assistant Secretary will make the final decision. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of this final decision in the **Federal Register**.

V. Authority and Signature

Loren Sweatt, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2)), Secretary of Labor's Order No. 1–2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on March 7, 2019.

Loren Sweatt,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2019–04713 Filed 3–13–19; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meetings; Notice of a Matter To Be Added to the Agenda for Consideration at an Agency Meeting

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: March 11, 2019 (84 FR 8765).

TIME AND DATE: 10:45 a.m., Thursday, March 14, 2019.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

Pursuant to the provisions of the ''Government in Sunshine Act'' notice is hereby given that the NCUA Board gave notice on March 7, 2019 of the closed meeting of the NCUA Board scheduled for March 14, 2019. Prior to the meeting, on March 11, 2019, the NCUA Board unanimously determined that agency business required the addition of a second item on the closed agenda with less than seven days' notice to the public, and that no earlier notice of the addition was possible.

MATTER TO BE ADDED: 2. Supervisory Matter. Closed pursuant to Exemptions (8), (9)(i)(B), and (9)(ii).

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2019–04801 Filed 3–12–19; 11:15 am]

BILLING CODE 7535–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

Meeting of Humanities Panel

AGENCY: National Endowment for the Humanities, National Foundation on the Arts and the Humanities.

ACTION: Notice of meeting.

SUMMARY: The National Endowment for the Humanities (NEH) will hold an additional seventeen meetings of the Humanities Panel, a federal advisory committee, during March and April 2019. NEH previously published notice in the **Federal Register** of twenty-seven Humanities Panel meetings to be held during March and April 2019. The purpose of the meetings is for panel review, discussion, evaluation, and recommendation of applications for financial assistance under the National Foundation on the Arts and Humanities Act of 1965.

DATES: See **SUPPLEMENTARY INFORMATION** for meeting dates. The meetings will open at 8:30 a.m. and will adjourn by 5:00 p.m. on the dates specified below.

ADDRESSES: The meetings will be held at Constitution Center at 400 7th Street SW, Washington, DC 20506, unless otherwise indicated.

FOR FURTHER INFORMATION CONTACT: Elizabeth Voyatzis, Committee Management Officer, 400 7th Street SW, Room 4060, Washington, DC 20506; (202) 606–8322; *evoyatzis@neh.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), notice is hereby given of the following meetings:

1. DATE: March 21, 2019

This meeting will discuss applications on the topics of Archaeology, Anthropology, and Indigenous Collections, for the Sustaining Cultural Heritage Collections grant program, submitted to the Division of Preservation and Access.

2. DATE: March 22, 2019

This meeting will discuss applications on the topic of University Art Museums, for the Sustaining Cultural Heritage Collections grant program, submitted to the Division of Preservation and Access.

3. DATE: March 28, 2019

This meeting will discuss applications for the Landmarks of American History and Culture Workshops: Landmarks of American History grant program, submitted to the Division of Education Programs.

4. DATE: March 28, 2019

This meeting will discuss applications on the topics of History Museums and Historic Houses, for the Sustaining Cultural Heritage Collections grant program, submitted to the Division of Preservation and Access.

5. DATE: March 29, 2019

This meeting will discuss applications on the topics of Libraries, Archives, and Special Collections, for the Sustaining Cultural Heritage Collections grant program, submitted to the Division of Preservation and Access.

6. DATE: April 2, 2019

This meeting will discuss applications on the topic of Historical Societies, for the Sustaining Cultural Heritage Collections grant program, submitted to the Division of Preservation and Access.

7. DATE: April 2, 2019

This meeting will discuss applications for the Landmarks of American History and Culture Workshops: Landmarks of American History grant program, submitted to the Division of Education Programs.

8. DATE: April 3, 2019

This meeting will discuss applications on the topic of Art Museums, for the Sustaining Cultural Heritage Collections grant program, submitted to the Division of Preservation and Access.

9. DATE: April 4, 2019

This meeting will discuss applications for the Landmarks of American History and Culture Workshops: Landmarks of American History grant program, submitted to the Division of Education Programs.

10. DATE: April 10, 2019

This meeting will discuss applications for the Summer Seminars and Institutes: Institutes for School Teachers grant program, submitted to the Division of Education Programs.

11. DATE: April 10, 2019

This meeting will discuss applications for the Summer Seminars and Institutes: Institutes for School Teachers grant program, submitted to the Division of Education Programs.

12. DATE: April 11, 2019

This meeting will discuss applications for the Summer Seminars and Institutes: Institutes for School Teachers grant program, submitted to the Division of Education Programs.

13. DATE: April 11, 2019

This meeting will discuss applications for the Summer Seminars and Institutes, submitted to the Division of Education Programs.

14. DATE: April 12, 2019

This meeting will discuss applications for the Summer Seminars and Institutes: Institutes for College and University Teachers grant program, submitted to the Division of Education Programs.

15. DATE: April 15, 2019

This meeting will discuss applications for the Summer Seminars and Institutes: Institutes for College and University Teachers grant program, submitted to the Division of Education Programs.

16. DATE: April 15, 2019

This meeting will discuss applications for the Summer Seminars

and Institutes: Institutes for School Teachers grant program, submitted to the Division of Education Programs.

17. DATE: April 16, 2019

This meeting will discuss applications for the Summer Seminars and Institutes: Institutes for College and University Teachers grant program, submitted to the Division of Education Programs.

Because these meetings will include review of personal and/or proprietary financial and commercial information given in confidence to the agency by grant applicants, the meetings will be closed to the public pursuant to sections 552b(c)(4) and 552b(c)(6) of Title 5, U.S.C., as amended. I have made this determination pursuant to the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings dated April 15, 2016.

Dated: March 8, 2019.

Elizabeth Voyatzis,

Committee Management Officer, National Endowment for the Humanities.

[FR Doc. 2019–04700 Filed 3–13–19; 8:45 am]

BILLING CODE 7536–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Open to the Public Meetings of the Networking and Information Technology Research and Development (NITRD) Program

AGENCY: Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO), National Science Foundation.

ACTION: Notice of public meetings.

SUMMARY: The NITRD Program holds meetings that are open to the public to attend. The Joint Engineering Team (JET) and Middleware And Grid Interagency Coordination (MAGIC) Team provide an opportunity for the public to engage and participate in information sharing with Federal agencies. The JET and MAGIC Team reports to the NITRD Large Scale Networking (LSN) Interagency Working Group (IWG).

DATES: March 2019–March 2020.

FOR FURTHER INFORMATION CONTACT: Ms. Joyce Lee at *joyce.lee@nitrd.gov* or (202) 459–9674. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The Joint Engineering Team (JET) established in 1997, provides for a forum for participants with interests in high performance research networking and networking to support science applications.

The Middleware And Grid Interagency Coordination (MAGIC) Team, established in 2002, provides a forum for participants with interests and responsibility for middleware, grid, and cloud projects; individuals involved in middleware, grid, and cloud research and infrastructure; individuals involved in implementing or operating grids and clouds; and users of grid, clouds and middleware. The JET and MAGIC Team meetings are hosted by the NITRD NCO with WebEx and/or teleconference participation available for each meeting.

Public Meetings Website: The JET and MAGIC Team meetings are scheduled 30 days in advance of the meeting date. Please reference the NITRD Public Meetings web page (*https://www.nitrd.gov/meetings/public/*) for each Team's upcoming meeting dates and times, in addition to the agendas, minutes, and other meeting materials and information.

Public Meetings Mailing Lists: Members of the public may be added to the mailing lists by sending their full name and email address to *jet-signup@nitrd.gov* for JET and *magic-signup@nitrd.gov* for MAGIC, with the subject line: ''Add to JET and/or Add to MAGIC.'' Meeting notifications and information are shared via the mailing lists.

Public Comments: The government seeks individual input; attendees/participants may provide individual advice only. Members of the public are welcome to submit their comments for JET to *jet-comments@nitrd.gov* and for MAGIC to *magic-comments@nitrd.gov* . Please note that under the provisions of the Federal Advisory Committee Act (FACA), all public comments and/or presentations will be treated as public documents and may be made available to the public via the JET and MAGIC web pages.

Reference Website: NITRD website at: *http://www.nitrd.gov/.*

Submitted by the National Science Foundation in support of the Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO) on March 8, 2019.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2019–04704 Filed 3–13–19; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2018–0060]

Information Collection: Nuclear Material Events Database (NMED) for the Collection of Event Report, Response, Analyses, and Follow-Up Data on Events Involving the Use of Atomic Energy Act (AEA) Radioactive Byproduct Material

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, ''Nuclear Material Events Database (NMED) for the Collection of Event Report, Response, Analyses, and Follow-Up Data on Events Involving the Use of Atomic Energy Act (AEA) Radioactive Byproduct Material.''

DATES: Submit comments by April 15, 2019.

ADDRESSES: Submit comments directly to the OMB reviewer at: OMB Office of Information and Regulatory Affairs (3150–0178), Attn: Desk Officer for the Nuclear Regulatory Commission, 725 17th Street NW, Washington, DC 20503; email: *oira_submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *Infocollects.Resource@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2018–0060 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0060.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select

''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession Nos: ML19046A439 and ML13053A346. The supporting statement is available in ADAMS under Accession No. ML18319A298.

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

• *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *Infocollects.Resource@nrc.gov.*

B. Submitting Comments

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at *http://www.regulations.gov* and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, ''Nuclear Material Events Database (NMED) for the Collection of Event Report, Response, Analyses, and Follow-Up Data on Events Involving the Use of Atomic Energy Act (AEA) Radioactive Byproduct Material.''

The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on September 10, 2018 (83 FR 45695).

1. *The title of the information collection:* ''Nuclear Material Events Database (NMED) for the Collection of Event Report, Response, Analyses, and Follow-up Data on Events Involving the Use of Atomic Energy Act (AEA) Radioactive Byproduct Material.''

2. *OMB approval number:* 3150–0178.

3. *Type of submission:* Extension.

4. *The form number if applicable:* NA.

5. *How often the collection is required or requested:* Agreement States are requested to provide copies of licensee nuclear material event reports electronically or by hard copy to the NRC within 30 days of receipt from their licensee. In addition, Agreement States are requested to report events that may pose a significant health and safety hazard to the NRC Headquarters Operations Officer within 24 hours of notification by an Agreement State licensee.

6. *Who will be required or asked to respond:* Current Agreement States and any State receiving Agreement State status in the future.

7. *The estimated number of annual responses:* 450.

8. *The estimated number of annual respondents:* 39.

9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 720 hours.

10. *Abstract:* NRC regulations require NRC licensees to report incidents and overexposures, leaking or contaminated sealed source(s), release of excessive contamination of radioactive material, lost or stolen radioactive material, equipment failures, abandoned well logging sources and medical events. Agreement State licenses are also required to report these events to their individual Agreement State regulatory authorities under compatible Agreement State regulations. The NRC is requesting that the Agreement States provide information to NRC on the initial notification, response actions, and follow-up investigations on events involving the use (including suspected theft or terrorist activities) of nuclear materials regulated pursuant to the Atomic Energy Act. The event information should be provided in a uniform electronic format, for assessment and identification of any facilities/site specific or generic safety concerns that could have the potential to impact public health and safety. The identification and review of safety concerns may result in lessons learned, and may also identify generic issues for further study which could result in proposals for changes or revisions to technical or regulatory designs, processes, standards, guidance or requirements.

Dated at Rockville, Maryland, on March 11, 2019.

For the Nuclear Regulatory Commission.

David C. Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2019–04754 Filed 3–13–19; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–454 and 50–455; NRC–2018–0186]

Exelon Generation Company, LLC; Byron Station, Unit Nos. 1 and 2

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; withdrawal by applicant.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has granted the request of Exelon Generation Company, LLC (Exelon) to withdraw its application dated August 10, 2018, as supplemented by letter dated December 21, 2018, for proposed amendments to Facility Operating License Nos. NPF–37 and NPF–66, issued to Exelon for operation of the Byron Station, Unit Nos. 1 and 2. The proposed amendment would have extended the Completion Time for Technical Specification 3.8.1, ''AC Sources-Operating,'' Required Action A.2, on a one-time, temporary basis, based on a risk-informed approach.

DATES: March 14, 2019.

ADDRESSES: Please refer to Docket ID NRC–2018–0186 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

• *Federal Rulemaking website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0186. Address questions about NRC Docket IDs in *Regulations.gov* to Krupskaya Castellon; telephone: 301–287–9221; email: *Krupskaya.Castellon@nrc.gov.* For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.*

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

FOR FURTHER INFORMATION CONTACT: Joel S. Wiebe, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6606, email: *Joel.Wiebe@nrc.gov.*

SUPPLEMENTARY INFORMATION: The NRC has granted the request of Exelon (the licensee) to withdraw its August 10, 2018, application (ADAMS Accession No. ML18226A097), as supplemented by letter dated December 21, 2018 (ADAMS Accession No. ML18355A699) for proposed amendments to Facility Operating License Nos. NPF–37 and NPF–66, issued to Exelon for operation of the Byron Station, Unit Nos. 1 and 2, located in Ogle County, Illinois.

The proposed amendment would have extended the Completion Time for Technical Specification 3.8.1, ''AC Sources-Operating,'' Required Action A.2, on a one-time, temporary basis based on a risk-informed approach. The extended Completion Time would have allowed the Byron Station, Unit Nos. 1 and 2, to continue operation for the duration of the extended Completion Time in the event a second station auxiliary transformer failed in Unit No. 2.

Exelon's August 10, 2018, request was published in the **Federal Register** on August 31, 2018 (83 FR 44677). Exelon requested to withdraw the request by letter dated February 8, 2019 (ADAMS Accession No. ML19039A272).

Dated at Rockville, Maryland, on March 11, 2019.

For the Nuclear Regulatory Commission.

Joel S. Wiebe,

Senior Project Manager, Plant Licensing Branch III, Division of Operating Reactors Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2019–04755 Filed 3–13–19; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–443–LA–2]

In the Matter of NEXTERA Energy Seabrook, LLC (Seabrook Station, Unit 1); Notice of Appointment of Adjudicatory Employees

Pursuant to 10 CFR 2.4, notice is hereby given that Mr. Kamal Manoly, Senior Technical Advisor for Structural Mechanics, Office of Nuclear Reactor Regulation, and Dr. Jim Xu, Senior Technical Advisor for Structural and Seismic Analysis, Office of Nuclear Regulatory Research, have been appointed as Commission adjudicatory employees within the meaning of section 2.4, to advise the Commission regarding issues relating to the pending Emergency Petition by C–10 Research and Education Foundation for Exercise of Commission's Supervisory Authority to Reverse No Significant Hazards Determination and Immediately Suspend License Amendment and License Renewal Decisions filed on February 13, 2019. Mr. Manoly and Dr. Xu have not previously performed any investigative or litigating function in connection with this or any related proceeding. Until such time as a final decision is issued in this matter, interested persons outside the agency and agency employees performing investigative or litigating functions in this proceeding are required to observe the restrictions of 10 CFR 2.347 and 2.348 in their communications with Mr. Manoly and Dr. Xu.

It is so ordered.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 8th day of March 2019.

Denise L. McGovern,

Acting Secretary of the Commission.

[FR Doc. 2019–04694 Filed 3–13–19; 8:45 am]

BILLING CODE 7590–01–P

OVERSEAS PRIVATE INVESTMENT CORPORATION

Procedure for Submission of Invoices for Over-Age Contracts

AGENCY: Overseas Private Investment Corporation (OPIC).

ACTION: Notice of intent to execute quick closeout procedures.

SUMMARY: The Overseas Private Investment Corporation (OPIC) currently has contracts that are considered over-age and developed procedures that would enable the Agency to closeout these elapsed actions in an efficient and cost-effective manner. OPIC seeks to facilitate the closeout of these actions by requesting all OPIC contractors with contracts identified on this list submit any outstanding invoices.

DATES: For the contract actions listed herein, interested parties must submit all outstanding invoices within 60 days after publication of this notice.

ADDRESSES: Mail all comments, questions or invoices in response to this notice to Anthony Terrell, Overseas Private Investment Corporation, 1100 New York Avenue NW, Washington, DC 20527. See **SUPPLEMENTARY INFORMATION** for other information about submissions.

FOR FURTHER INFORMATION CONTACT: Anthony Terrell, Office of Acquisitions, Overseas Private Investment Corporation, 1100 New York Ave. NW, Washington, DC 20527, 202–357–3960; *anthony.terrell@opic.gov.*

SUPPLEMENTARY INFORMATION: The Overseas Private Investment Corporation (OPIC) currently has contracts that are considered over-age, as the period of performance or final delivery date of these actions have expired and the standard time allowed for contract file closeout has elapsed. OPIC developed procedures that would enable the Agency to closeout these elapsed actions in an efficient and cost-effective manner. These procedures required the Agency to identify those expired contracts that could more easily be closed out based on certain criteria.

The identified contracts not only pose a significant burden to various acquisition and financial systems, but they also impede OPIC's ongoing efforts to strengthen and modernize its financial management practices. One of these modernization practices involves transitioning to a new contract writing system, which involves the conversion of financial data for all OPIC contract actions that are active. The procedures OPIC developed to significantly reduce the number of expired contracts with unliquidated funds will enable OPIC to expeditiously close these actions. OPIC developed the procedures using risk-based management principles by first identifying and classifying open, expired contracts as low-risk based on the following criteria: (i) The contract has a period of performance that expired prior to Sept. 30, 2016; (ii) the contract expired and the additional time allowed for contract file closeout under FAR 4.804–1(a) has elapsed; and (iii) the contract had no invoice or payment activity within the past 12 months.

Notwithstanding OPIC's intention to expeditiously closeout the actions

identified at the aforementioned list, contractors' rights are protected under 41 U.S.C. 7101–7109, which establishes procedures for filing claims against Federal Government contracts. Normal contract file retention requirements will apply after closeouts under FAR 4.805.

OPIC seeks to facilitate the closeout of these actions, as required under Federal Acquisition Regulation (FAR) 4.804–1(a), by requesting all OPIC contractors with contracts identified on this list submit any outstanding invoices.

LIST OF IDENTIFIED CONTRACTS FOR CLOSEOUT

PO No.	Vendor name
OPIC–07–C–0053	OFFICE MOVERS, INC.
OPIC–07–C–0058	BREWOOD CORP.
OPIC–07–D–0010/T03	GENERAL DYNAMICS INFORMATION TECHNOLOGY, INC.
OPIC–08–C–0003	KAPLAN AND STRATTON.
OPIC–08–C–0035	PACE GLOBAL ENERGY SERVICES.
OPIC–08–C–0053	ROLLING GREENS.
OPIC–08–D–0001/T09	GRA, INC.
OPIC–08–D–0004/T03	KELLY, ANDERSON & ASSOCIATES, INC.
OPIC–08–D–0004/T04	KELLY, ANDERSON & ASSOCIATES, INC.
OPIC–08–D–0005/T06	SENSA SOLUTIONS INC.
OPIC–09–C–0005	ALLEN & OVERY LLP.
OPIC–09–C–0006	HILLS STERN MORLEY.
OPIC–09–C–0011	AZIZ, FUAD AND RAJA SHEHADEH LAW OFFICE.
OPIC–09–C–0015	YIGAL ARNON AND CO.
OPIC–09–C–0019	ZACARIAS AND ASSOCIATES INC.
OPIC–09–C–0044	DEWEY AND LEBOEUF LLP.
OPIC–09–C–0046	STEPTOE & JOHNSON, L.L.P.
OPIC–09–C–0048	AMERICAN OFFICE EQUIPMENT COMPANY, INC.
OPIC–09–D–0002/OP–02	DELPHOS INTERNATIONAL, LTD.
OPIC–09–D–0002/T02	DELPHOS INTERNATIONAL, LTD.
OPIC–09–D–0002/T03	DELPHOS INTERNATIONAL, LTD.
OPIC–09–D–0002/T04	DELPHOS INTERNATIONAL, LTD.
OPIC–09–D–0002/T05	DELPHOS INTERNATIONAL, LTD.
OPIC–09–D–0008/T01	BIRD, ROGER.
OPIC–09–D–0009/T01	PROJECT FINANCE ADVISOR LLC.
OPIC–09–D–0009/T02	PROJECT FINANCE ADVISOR LLC.
OPIC–09–D–0009/T03	PROJECT FINANCE ADVISOR LLC.
OPIC–09–M–0022	C O P E INC.
OPIC–10–A–0004/T02	ENVIRONMENTAL RESOURCES MANAGEMENT INC.
OPIC–10–A–0004/T03	ENVIRONMENTAL RESOURCES MANAGEMENT INC.
OPIC–10–A–0009/T01	SRI INTERNATIONAL.
OPIC–10–A–0011	BRACEWELL & GIULIANI LLP.
OPIC–10–A–0011/T02	BRACEWELL & GIULIANI LLP.
OPIC–10–A–0014/T02	MFM CONFERENCE INTERPRETATION LLC.
OPIC–10–C–0002	DEWEY AND LEBOEUF LLP.
OPIC–10–C–0003	VERITE INC.
OPIC–10–C–0008	MFM CONFERENCE INTERPRETATION LLC.
OPIC–10–C–0011	IRAQ LAW ALLIANCE, PLLC.
OPIC–10–C–0012	BRACEWELL & GIULIANI LLP.
OPIC–10–C–0017	JUAN DUMAS.
OPIC–10–C–0021	STEPTOE & JOHNSON, L.L.P.
OPIC–10–C–0023	HURST K. GROVES.
OPIC–10–C–0024	WALTON, THOMAS E.
OPIC–10–C–0025	R. M. THORNTON, INC.
OPIC–10–C–0026	WILSON INTERNATIONAL LAW, L.L.C.
OPIC–10–C–0030	ALI SHARIF ZU'BU LAW OFFICE.
OPIC–10–C–0031	BINGHAM MCCUTCHEN LLP.
OPIC–10–C–0034	DEWEY AND LEBOEUF LLP.
OPIC–10–C–0035	BAKER AND MCKENZIE V.O.S. ADVOKATNI KANCELAR.
OPIC–10–C–0038	ASSEGAF HAMZAH & PARTNERS.
OPIC–10–C–0045	HEMSLEY FRASER GROUP, INC.
OPIC–10–F–0003	DOD SUPPLY ACTIVITY.
OPIC–10–M–0025	FRONTIERMEDEX, INC.
OPIC–10–M–0032	EMPRESA MINERA MANQUIRI S.A.
OPIC–10–M–0039	IRON MOUNTAIN INFORMATION MANAGEMENT, LLC.
OPIC–10–M–0059	NATIONAL MAILING SYSTEMS INC.
OPIC–10–M–0077	NES ASSOCIATES, LLC.
OPIC–10–M–0082	DIRECTV, INC.
OPIC–10–M–0090	AZ/JH REIT (DC) LP.
OPIC–11–A–0001/T02	RENAE GRIFFIN & ASSOCIATES, INC.
OPIC–11–A–0002/T01	LINDER & ASSOCIATES, INC.
OPIC–11–A–0006/OP–04	WHITEFORD, TAYLOR & PRESTON L.L.P.
OPIC–11–A–0006/OP–05	WHITEFORD, TAYLOR & PRESTON L.L.P.
OPIC–11–A–0007/T01	CROSS–CULTURAL CONSULTING SERVICES, P.L.L.C.
OPIC–11–A–0008/T01	ENVIRON HOLDINGS, INC.
OPIC–11–A–0012/T01	THINK ENERGY, INC.

LIST OF IDENTIFIED CONTRACTS FOR CLOSEOUT—Continued

PO No.	Vendor name
OPIC–11–A–0013/OP–02	HILLS STERN MORLEY.
OPIC–11–A–0013/OP–03	HILLS STERN MORLEY.
OPIC–11–A–0013/OP–12	HILLS STERN MORLEY.
OPIC–11–C–0002	FRISHBERG & PARTNERS, LTD.
OPIC–11–C–0003	SHEARMAN & STERLING LLP.
OPIC–11–C–0004	CAMBRIDGE ASSOCIATES LLC.
OPIC–11–C–0005	JUAN DUMAS.
OPIC–11–C–0013	FACTIVA, INC.
OPIC–11–C–0017	CAMBRIDGE ASSOCIATES LLC.
OPIC–11–C–0019	DEWEY AND LEBOEUF LLP.
OPIC–11–C–0023	WORLDBUSINESS CAPITAL, INC.
OPIC–11–C–0024	BERGER SINGERMAN, P.A.
OPIC–11–C–0025	PATRICIA LEON WOOLFSON.
OPIC–11–C–0026	U.S. BANK NATIONAL ASSOCIATION.
OPIC–11–C–0027	STEPTOE & JOHNSON, L.L.P.
OPIC–11–C–0028	INTERNATIONAL BUSINESS LEGAL ASSOCIATES (IBLAW).
OPIC–11–C–0029	TRANS USA, INC.
OPIC–11–C–0034	HILLS STERN MORLEY.
OPIC–11–C–0035	MORRISON AND FOERSTER LLP.
OPIC–11–C–0040	TRITON FEDERAL SOLUTIONS, INC.
OPIC–11–C–0041	SNR DENTON US LLP.
OPIC–11–C–0042	STEPTOE & JOHNSON, L.L.P.
OPIC–11–C–0043	NORTON ROSE FULBRIGHT US LLP.
OPIC–11–C–0045	COMBYTE U S A.
OPIC–11–C–0047	HILLS STERN MORLEY.
OPIC–11–C–0048	STOICA & ASOCIATII S C A.
OPIC–11–C–0052	PAVILION ALTERNATIVES GROUP LTD.
OPIC–11–C–0054	ALI SHARIF ZU'BU LAW OFFICE.
OPIC–11–C–0055	BENTSI ENCHILL LETSA AND ANKOMAH.
OPIC–11–C–0058	BONN SCHMITT STEICHEN.
OPIC–11–C–0059	AL KAMEL LAW.
OPIC–11–C–0060	REI SYSTEMS, INC.
OPIC–11–C–0062	NORTON ROSE FULBRIGHT US LLP.
OPIC–11–C–0063	GREENGATE, LLC.
OPIC–11–C–0066	GENESIS SECURITY SYSTEMS, LLC.
OPIC–11–C–0067	SUMMIT CONSULTING LLC.
OPIC–11–M–0009	CANON SOLUTIONS AMERICA, INC.
OPIC–11–M–0024	VERIZON BUSINESS NETWORK SERVICES INC.
OPIC–11–M–0056	HOGAN LOVELLS US LLP.
OPIC–11–M–0074	BUSINESS WIRE, INC.
OPIC–11–M–0096	U.S. BANK NATIONAL ASSOCIATION.
OPIC–11–M–0097	WORLDBUSINESS CAPITAL, INC.
OPIC–12–A–0002/T01	KEYPOINT GOVERNMENT SOLUTIONS, INC.
OPIC–12–C–0002	ALLEN & OVERY LLP.
OPIC–12–C–0003	ALLENS ARTHUR ROBINSON.
OPIC–12–C–0004	DEBEVOISE & PLIMPTON LLP.
OPIC–12–C–0008	IRAQ LAW ALLIANCE, PLLC.
OPIC–12–C–0010	PARSONS KINGHORN & HARRIS PC.
OPIC–12–C–0011	GARDINER & THEOBALD EOOD.
OPIC–12–C–0012	FRANKLIN PARK ASSOCIATES, LLC.
OPIC–12–C–0013	DLA PIPER GEORGIA LP.
OPIC–12–C–0016	HCI VALUATION SERVICES.
OPIC–12–C–0017	SATCHU & ZHOUAND FZE.
OPIC–12–C–0020	CARAG ZABALLERO SAN PABLO CALICA & ABIERA.
OPIC–12–C–0023	ZACARIAS AND ASSOCIATES INC.
OPIC–12–C–0024	ALLEN & OVERY LLP.
OPIC–12–C–0025	DEBEVOISE & PLIMPTON LLP.
OPIC–12–C–0026	GARDINER & THEOBALD EOOD.
OPIC–12–C–0027	BINGHAM MCCUTCHEN LLP.
OPIC–12–C–0029	ALLEN & OVERY LLP.
OPIC–12–C–0032	ALLEN & OVERY LLP.
OPIC–12–C–0034	HUDICOURT–WOOLLEY.
OPIC–12–C–0037	TAVERNI, LINDA.
OPIC–12–C–0038	ALLEN & OVERY LLP.
OPIC–12–C–0039	BYENKYA KIHIKA AND COMPANY ADVOCATES.
OPIC–12–C–0040	HILLS STERN MORLEY.
OPIC–12–C–0041	ALLEN & OVERY LLP.
OPIC–12–C–0042	PROJECT FINANCE ADVISOR LLC.
OPIC–12–C–0043	GOMEZ PINZON ZULETA ABODGADOS.
OPIC–12–C–0044	DLA PIPER GEORGIA LP.
OPIC–12–C–0046	OGIER.
OPIC–12–C–0047	WORLDBUSINESS CAPITAL, INC.

LIST OF IDENTIFIED CONTRACTS FOR CLOSEOUT—Continued

PO No.	Vendor name
OPIC–12–C–0050	TAVERNI, LINDA.
OPIC–12–C–0054	ANDREY GORODISSKY AND PARTNERS.
OPIC–12–C–0056	ANDREY GORODISSKY AND PARTNERS.
OPIC–12–C–0061	HARNEY WESTWOOD AND RIEGELS.
OPIC–12–F–0002	KORN/FERRY INTERNATIONAL.
OPIC–12–M–0011	PBME JORDAN OFFICE.
OPIC–12–M–0013	GENESIS SECURITY SYSTEMS, LLC.
OPIC–12–M–0031	WALTON, THOMAS E.
OPIC–12–M–0051	WORLDBUSINESS CAPITAL, INC.
OPIC–12–M–0067	STEPTOE & JOHNSON, L.L.P.
OPIC–12–M–0069	GARDINER & THEOBALD EOOD.
OPIC–12–M–0095	GLOBAL RECOVERY GROUP, LLC.
OPIC–13–A–0006/OP–02	WOMBLE BOND DICKINSON (US) LLP.
OPIC–13–A–0006/OP–04	WOMBLE BOND DICKINSON (US) LLP.
OPIC–13–A–0006/OP–06	WOMBLE BOND DICKINSON (US) LLP.
OPIC–13–A–0009/OP–01	PAVILION ALTERNATIVES GROUP LTD.
OPIC–13–A–0009/OP–02	PAVILION ALTERNATIVES GROUP LTD.
OPIC–13–A–0009/OP–04	PAVILION ALTERNATIVES GROUP LTD.
OPIC–13–A–0010/OP–01	FRANKLIN PARK ASSOCIATES, LLC.
OPIC–13–A–0014/T01	IMPRINT CAPITAL ADVISORS LLC.
OPIC–13–A–0015/OP–01	TORREYCOVE CAPITAL PARTNERS LLC.
OPIC–13–C–0002	ALLEN & OVERY LLP.
OPIC–13–C–0003	INTERNATIONAL BUSINESS LEGAL ASSOCIATES (IBLAW).
OPIC–13–C–0004	PENSION CONSULTING ALLIANCE, INC.
OPIC–13–C–0006	RODNER, MARTINEZ AND ASOCIADOS.
OPIC–13–C–0007	BREEN & ASSOCIATES LLC.
OPIC–13–C–0010	CMS RUI PENA & ARNAUT.
OPIC–13–C–0011	TOZZINI FREIRE TEIXEIRA E SILVA.
OPIC–13–C–0012	KHAZANA CAPITAL LIMITED.
OPIC–13–C–0013	UPWELLING CAPITAL GROUP LLC.
OPIC–13–C–0017	ORRICK, HERRINGTON & SUTCLIFFE LLP.
OPIC–13–C–0019	BRUCHOU, FERNANDEZ MADERO & LOMBARDI.
OPIC–13–C–0021	GALINDO, ARIAS & LOPEZ.
OPIC–13–C–0022	MAYER BROWN LLP.
OPIC–13–C–0023	EDIZEN CORPORATION.
OPIC–13–C–0024	URSA NAVIGATION SOLUTIONS, INC.
OPIC–13–C–0026	ELLENOFF GROSSMAN & SCHOLE LLP.
OPIC–13–C–0027	PINILLA, GONZALEZ & PRIETO.
OPIC–13–C–0028	MFM CONFERENCE INTERPRETATION LLC.
OPIC–13–C–0033	TRILEGAL.
OPIC–13–C–0036	ELLENOFF GROSSMAN & SCHOLE LLP.
OPIC–13–C–0038	PAUL HASTINGS LLP.
OPIC–13–C–0039	FTI CONSULTING, INC.
OPIC–13–C–0040	CREEL, GARCIA–CUELLAR Y MUGGENBURG, S.C.
OPIC–13–M–0003	OMNIDIGITAL STUDIO, INC.
OPIC–13–M–0005	GLOBAL RECOVERY GROUP, LLC.
OPIC–13–M–0008	GLOBAL RECOVERY GROUP, LLC.
OPIC–13–M–0016	AZ/JH REIT (DC) LP.
OPIC–13–M–0026	AZ/JH REIT (DC) LP.
OPIC–13–M–0029	BERNE UNION.
OPIC–13–M–0036	WESTLAND ENTERPRISES, INC.
OPIC–13–M–0037	SIEMENS INDUSTRY INC.
OPIC–13–M–0045	iPROMOTEu.
OPIC–13–M–0057	TRANSPERFECT TRANSLATIONS INTERNATIONAL INC.
OPIC–13–M–0060	GESTION SUPPLEANCE RECHERCHES INTERMEDIATION.
OPIC–13–M–0061	MINADEV CONSULTING.
OPIC–13–M–0067	AZ/JH REIT (DC) LP.
OPIC–13–M–0073	HOPPMANN COMMUNICATIONS CORPORATION.
OPIC–13–M–0075	O'KEEFE, JOSEPH.
OPIC–13–M–0078	SWEETLAND REALTY AND DEVELOPMENT INC.
OPIC–13–M–0083	ACHES FINANZAS, S.C.
OPIC–14–A–0001/OP–01	ELLENOFF GROSSMAN & SCHOLE LLP.
OPIC–14–C–0009	NORTON ROSE FULBRIGHT US LLP.
OPIC–14–C–0012	NORTON ROSE FULBRIGHT US LLP.
OPIC–14–C–0013	ERNST & YOUNG LLP.
OPIC–14–C–0014	AMARCHAND AND MANGALDAS AND SURESH A SHROFF AND CO.
OPIC–14–C–0015	AFGHANISTAN LAWYERS INTERNATIONAL.
OPIC–14–C–0021	JEFFERSON CONSULTING GROUP, LLC.
OPIC–14–C–0022	ORRICK, HERRINGTON & SUTCLIFFE LLP.
OPIC–14–C–0025	DOYLE PRINTING AND OFFSET CO., INC.
OPIC–14–C–0028	STEPTOE & JOHNSON, L.L.P.
OPIC–14–C–0029	NORTON ROSE FULBRIGHT US LLP.

LIST OF IDENTIFIED CONTRACTS FOR CLOSEOUT—Continued

PO No.	Vendor name
OPIC–14–C–0035	UNITED LAW OFFICE STANKOVIC & PARTNERS.
OPIC–14–M–0002	SCHULZE GLOBAL INVESTMENTS LIMITED.
OPIC–14–M–0005	CHATHAM FINANCIAL CORP.
OPIC–14–M–0006	LUNATUS MARKETING & CONSULTING FZCO.
OPIC–14–M–0011	NEOPOST, INC.
OPIC–14–M–0015	TRANSPERFECT TRANSLATIONS INTERNATIONAL INC.
OPIC–14–M–0016	OGIER.
OPIC–14–M–0024	BERNE UNION.
OPIC–14–M–0025	WALTON, THOMAS E.
OPIC–14–M–0026	LUX SCIENTIAE, INCORPORATED.
OPIC–14–M–0028	GLOBAL RECOVERY GROUP, LLC.
OPIC–14–M–0030	HEWLETT-PACKARD COMPANY.
OPIC–14–M–0034	AMERICAN COUNCIL ON RENEWABLE ENERGY.
OPIC–14–M–0041	HALLOWANGER, HELENA G.
OPIC–14–M–0047	SWEETLAND REALTY AND DEVELOPMENT INC.
OPIC–14–M–0050	KNIGHT PIESOLD AND CO.
OPIC–14–M–0051	iPROMOTEu.
OPIC–14–M–0064	CENTER FOR CREATIVE LEADERSHIP.
OPIC–14–M–0066	iPROMOTEu.
OPIC–14–M–0067	HERITAGE PRINTING & GRAPHICS.
OPIC–14–M–0068	NOMADIC DISPLAY CAPITOL INC.
OPIC–14–M–0070	URSA NAVIGATION SOLUTIONS, INC.
OPIC–14–M–0075	DOCUMENT & DATA SOLLUTIONS.
OPIC–14–M–0077	GREENLIGHT PLANET INDIA PVT. LTD.
OPIC–14–M–0079	CATHERINE E BLUE.
OPIC–14–M–0082	WORLDBUSINESS CAPITAL, INC.
OPIC–15–C–0002	D.C. CENTRAL KITCHEN, INC, (THE).
OPIC–15–C–0003	SHEARMAN & STERLING LLP.
OPIC–15–C–0011	TURCAN CAZAC.
OPIC–15–C–0037	GRAHAM STAFFING SERVICES INC.
OPIC–15–C–0040	HOPPMANN COMMUNICATIONS CORPORATION.
OPIC–15–F–0003	TRAINING RESOURCES GROUP INC.
OPIC–15–F–0008	GREENGATE, LLC.
OPIC–15–M–0005	ISOMURA, DAIRO.
OPIC–15–M–0025	APPLEBY SERVICES (BERMUDA) LTD.
OPIC–15–M–0027	ARLEX CONSULTING SERVICES.
OPIC–15–M–0028	WINDOWS CATERING CO INC.
OPIC–15–M–0031	FITCH 7CITY LEARNING, INC.
OPIC–15–M–0035	THOMSON REUTERS GRC INC.
OPIC–15–M–1000	FMO ENTREPRENEURIAL DEVELOPMENT BANK.
OPIC–16–D–0001	PAVILION ALTERNATIVES GROUP LTD.
OPIC–16–D–0002	DALBERG CONSULTING-U.S., LLC.
OPIC–16–D–0003	MEKETA INVESTMENT GROUP, INC.
OPIC–16–D–0004	TORREYCOVE CAPITAL PARTNERS LLC.
OPIC–16–D–0005	FRANKLIN PARK ASSOCIATES, LLC.
OPIC–16–D–0006	RISCURA SOLUTIONS (UK) LIMITED.
OPIC–16–D–0007	SUMMIT STRATEGIES.
OPIC–16–D–0008	STEPSTONE GLOBAL.
OPIC–16–P–0008	HCP CONSULTING SERVICES, L.P.
OPIC–16–P–0026	EEM INC.
OPIC–16–P–0056	PETER TROPPER LLC.

Dated: March 11, 2019.

Nichole Skoyles,

Administrative Counsel, Department of Legal Affairs.

[FR Doc. 2019–04711 Filed 3–13–19; 8:45 am]

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POSTAL REGULATORY COMMISSION

[Docket Nos. MC2019–78 and CP2019–84; MC2019–79 and CP2019–85; MC2019–80 and CP2019–86; MC2019–81 and CP2019–87; MC2019–82 and CP2019–88; MC2019–83 and CP2019–89; MC2019–84 and CP2019–90; MC2019–85 and CP2019–91; MC2019–86 and CP2019–92; MC2019–87 and CP2019–93; MC2019–88 and CP2019–94]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 18, 2019, March 19, 2019, and March 20, 2019.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact

the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION: The March 18, 2019 comment due date applies to Docket Nos. MC2019–78 and CP2019–84; MC2019–79 and CP2019–85; MC2019–80 and CP2019–86; MC2019–81 and CP2019–87; MC2019–82 and CP2019–88.

The March 19, 2019 comment due date applies to Docket Nos. MC2019–83 and CP2019–89; MC2019–84 and CP2019–90; MC2019–85 and CP2019–91; MC2019–86 and CP2019–92; MC2019–87 and CP2019–93.

The March 20, 2019 comment due date applies to Docket Nos. MC2019–88 and CP2019–94.

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I. Introduction
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I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.301.[1]

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2019–78 and CP2019–84; *Filing Title:* USPS Request to Add Priority Mail Express Contract 70 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Christopher C. Mohr; *Comments Due:* March 18, 2019.

2. *Docket No(s).:* MC2019–79 and CP2019–85; *Filing Title:* USPS Request to Add Priority Mail Express & Priority Mail Contract 86 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Christopher C. Mohr; *Comments Due:* March 18, 2019.

3. *Docket No(s).:* MC2019–80 and CP2019–86; *Filing Title:* USPS Request to Add Priority Mail Contract 506 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Christopher C. Mohr; *Comments Due:* March 18, 2019.

4. *Docket No(s).:* MC2019–81 and CP2019–87; *Filing Title:* USPS Request to Add Priority Mail Contract 507 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Kenneth R. Moeller; *Comments Due:* March 18, 2019.

5. *Docket No(s).:* MC2019–82 and CP2019–88; *Filing Title:* USPS Request to Add Priority Mail Contract 508 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Kenneth R. Moeller; *Comments Due:* March 18, 2019.

6. *Docket No(s).:* MC2019–83 and CP2019–89; *Filing Title:* USPS Request to Add Priority Mail Contract 509 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Lyudmila Y. Bzhilyanskaya; *Comments Due:* March 19, 2019.

7. *Docket No(s).:* MC2019–84 and CP2019–90; *Filing Title:* USPS Request to Add Priority Mail Contract 510 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Lyudmila Y. Bzhilyanskaya; *Comments Due:* March 19, 2019.

8. *Docket No(s).:* MC2019–85 and CP2019–91; *Filing Title:* USPS Request to Add Priority Mail Contract 511 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Jennaca D. Upperman; *Comments Due:* March 19, 2019.

9. *Docket No(s).:* MC2019–86 and CP2019–92; *Filing Title:* USPS Request to Add Priority Mail Contract 512 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Jennaca D. Upperman; *Comments Due:* March 19, 2019.

10. *Docket No(s).:* MC2019–87 and CP2019–93; *Filing Title:* USPS Request to Add Priority Mail Contract 513 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Gregory Stanton; *Comments Due:* March 19, 2019.

11. *Docket No(s).:* MC2019–88 and CP2019–94; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & First-Class Package Service Contract 51 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 8, 2019; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5*; Public Representative:* Gregory Stanton; *Comments Due:* March 20, 2019.

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

This Notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2019–04725 Filed 3–13–19; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–85278; File No. SR–CboeBZX–2018–044]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Disapproving a Proposed Rule Change, as Modified by Amendment No. 1, To Amend BZX Rule 14.11(c) (Index Fund Shares)

March 8, 2019.

I. Introduction

On June 21, 2018, Cboe BZX Exchange, Inc. (''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend BZX Rule 14.11(c) to permit either the portfolio holdings of a series of Index Fund Shares or the index underlying a series of Index Fund Shares to satisfy the listing standards under BZX Rules 14.11(c)(3), (4), and (5). The proposed rule change was published for comment in the **Federal Register** on July 11, 2018.[3] On August 23, 2018, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.[5] On September 28, 2018, the Exchange filed Amendment No. 1 to the proposed rule change, which amended and replaced the proposed rule change as originally filed.[6] On October 5, 2018, the Commission published notice of Amendment No. 1 and instituted proceedings pursuant to Section 19(b)(2)(B) of the Act[7] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[8] On December 21, 2018, pursuant to Section 19(b)(2) of the Act,[9] the Commission designated a longer period within which to issue an order approving or disapproving the proposed rule change, as modified by Amendment No. 1.[10] The Commission has received one comment letter on the proposed rule change from the Exchange.[11] This order disapproves the proposed rule change, as modified by Amendment No. 1.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 1[12]

BZX Rule 14.11(c) sets forth the listing standards for Index Fund Shares. Currently, the Exchange determines whether a series of Index Fund Shares meets the initial and continued listing standards under BZX Rules 14.11(c)(3), (4), and (5) by assessing the underlying index. The Exchange now proposes to permit either the portfolio holdings of a series of Index Fund Shares or the index underlying a series of Index Fund Shares to satisfy the initial and continued listing standards under BZX Rules 14.11(c)(3), (4), and (5). As a result, the proposal would allow the Exchange to generically list a series of Index Fund Shares where the generic listing standards are satisfied by either its portfolio holdings or its underlying index.

The Exchange also proposes to amend BZX Rules 14.11(c)(1)(C),[13] 14.11(c)(8),[14] and 14.11(c)(9)(B)(i)(b)[15] to eliminate certain references to the term portfolio such that the amended provisions would refer only to the underlying index.[16] As proposed, all other references to ''index or portfolio'' or ''portfolio or index'' in BZX Rule 14.11(c) would mean the index underlying a series of Index Fund Shares or the portfolio holdings of a series of Index Fund Shares.

The Exchange represents that it has in place surveillance procedures that are adequate to properly monitor trading in Index Fund Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws.[17] In addition, the Exchange states that it does not believe that the proposal will result in any meaningful additional costs associated with regulatory review, but to the extent that it does, the Exchange either already has or will dedicate sufficient additional resources to perform such reviews.[18]

III. Discussion

Under Section 19(b)(2)(C) of the Act, the Commission shall approve a proposed rule change of a self-regulatory organization if the Commission finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to such organization.[19] The Commission shall disapprove a proposed rule change if it does not make such a finding.[20] Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization that proposed the rule change.''[21]

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 83594 (July 5, 2018), 83 FR 32158.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 83919, 83 FR 44083 (August 29, 2018).

[6] Amendment No. 1 is available at: *https://www.sec.gov/comments/sr-cboebzx-2018-044/srcboebzx2018044-4468884-175849.pdf.*

[7] 15 U.S.C. 78s(b)(2)(B).

[8] *See* Securities Exchange Act Release No. 84378, 83 FR 51745 (October 12, 2018) (''Order Instituting Proceedings'').

[9] 15 U.S.C. 78s(b)(2).

[10] *See* Securities Exchange Act Release No. 84948, 83 FR 67785 (December 31, 2018).

[11] *See* letter from Kyle Murray, Assistant General Counsel, Cboe Global Markets, Inc. to Brent J. Fields, Secretary, Commission, dated November 16, 2018 (''Exchange Letter'').

[12] For a full description of the proposal, *see* Amendment No. 1, *supra* note 6.

[13] BZX Rule 14.11(c)(1)(C) currently defines the term ''Reporting Authority'' to mean, in part, the official source for calculating and reporting information relating to a series of Index Fund Shares, including, but not limited to, any current index ''or portfolio'' value. The Exchange proposes to delete the term ''or portfolio'' from this provision.

[14] BZX Rule 14.11(c)(8) currently provides, in part, that the Exchange may list and trade Index Fund Shares based on one or more foreign or domestic indexes ''or portfolios'' and that each issue of Index Fund Shares based on each particular index ''or portfolio, or combination thereof,'' shall be designated as a separate series and shall be identified by a unique symbol. The Exchange proposes to delete the terms ''or portfolios'' and ''or portfolio, or combination thereof,'' from this provision.

[15] BZX Rule 14.11(c)(9)(B)(i)(b) currently provides, in part, that the Exchange will consider the suspension of trading in and will initiate delisting proceedings for a series of Index Fund Shares if the value of the index ''or portfolio'' of securities on which the series of Index Fund Shares is based is no longer calculated or available, or an interruption to the dissemination of the value of the index ''or portfolio'' of securities persists past the trading day in which it occurred, or the index ''or portfolio'' on which a series of Index Fund Shares is based is replaced with a new index ''or portfolio'' unless certain conditions are met. The Exchange proposes to delete the terms ''or portfolio'' from this provision.

[16] According to the Exchange, in these provisions, the term ''index or portfolio'' currently refers to the index underlying a series of Index Fund Shares and is not intended to refer to the portfolio holdings of a series of Index Fund Shares. *See* Amendment No. 1, *supra* note 6, at 11 and Exchange Letter, *supra* note 11, at 6.

[17] *See* Amendment No. 1, *supra* note 6, at 12.

[18] *See* Amendment No. 1, *supra* note 6, at 10 and Exchange Letter, *supra* note 11, at 6.

[19] 15 U.S.C. 78s(b)(2)(C)(i).

[20] 15 U.S.C. 78s(b)(2)(C)(ii).

[21] 17 CFR 201.700(b)(3).

The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding, and any failure of a self-regulatory organization to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[22]

For the reasons discussed below, the Commission is disapproving the proposed rule change, as modified by Amendment No. 1, because the information before the Commission is insufficient to support a finding that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange. Specifically, the Commission concludes that it does not have sufficient information to determine that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act, in particular the requirement that a national securities exchange's rules be designed to prevent fraudulent and manipulative acts and practices.[23]

As discussed above, the Exchange currently determines whether a series of Index Fund Shares meets the generic listing standards in BZX Rules 14.11(c)(3), (4), and (5) by assessing the underlying index.[24] The proposal would allow the Exchange to assess either the underlying index or the portfolio holdings in determining whether a series of Index Fund Shares meets the generic listing standards.[25]

The Exchange makes several arguments in support of its proposal. First, the Exchange asserts that its proposal would accomplish the policy goals underlying the listing standards for Index Fund Shares.[26] The Exchange asserts that, after a series of Index Fund Shares is listed on the Exchange, both the index constituents and the portfolio holdings are equally viable for evaluating whether the shares are susceptible to manipulation.[27] According to the Exchange, the portfolio holdings are arguably a better means for making this determination than the underlying index because the portfolio holdings reflect the actual assets held by a series of Index Fund Shares, whereas the index constituents are just the assets that the series is designed to track.[28]

Under the proposal, if the index underlying a series of Index Fund Shares fails to meet the generic listing standards, the Exchange could still generically list and trade this product as long as the portfolio is constructed to comply with the generic listing standards. The Exchange acknowledges that allowing the portfolio holdings to satisfy the generic listing standards could raise concerns that a series of Index Fund Shares may potentially be based on an index that does not meet the generic listing standards and therefore may be susceptible to manipulation.[29]

The Exchange has not demonstrated how it would be consistent with the Act for the Exchange to generically list and trade a series of Index Fund Shares that tracks an index that may be susceptible to manipulation. Index Fund Shares are designed to track the performance of an index.[30] If the portfolio meets the generic listing standards but the index does not (*i.e.,* a scenario that is not currently permissible, but would be permissible under the proposal), and the performance of the portfolio tracks the performance of the manipulated index, the Exchange did not discuss whether the effects of the index manipulation might be reflected in the price of the Index Fund Shares. The Exchange also did not explain why the potential (if any) for the effects of the index manipulation to be reflected in the price of the Index Fund Shares should not be a concern under Section 6(b)(5) of the Act, which requires that the rules of the Exchange be designed to prevent fraudulent and manipulative acts and practices. As a result, based on the information before the Commission, the Commission is unable to determine that the proposal is consistent with Section 6(b)(5) of the Act.

While the Exchange acknowledges that allowing the portfolio holdings to satisfy the generic listing standards could raise concerns that a series of Index Fund Shares may potentially be based on an index that does not meet the generic listing standards and therefore may be susceptible to manipulation, the Exchange argues that, currently, a series of Index Fund Shares overlying an index that meets the generic listing standards may have portfolio holdings that could theoretically be susceptible to manipulation because the portfolio holdings do not meet the generic listing standards.[31] According to the Exchange, if the current rule is consistent with the Act, then the inverse (*i.e.,* the proposal) would also be consistent with the Act.[32]

The Exchange did not discuss the possible effects of index manipulation or portfolio manipulation on the price of Index Fund Shares, and correspondingly did not demonstrate that the possible consequences of an index manipulation would be the same as, or no worse than, the possible consequences of a portfolio manipulation. The Commission cannot determine whether the proposal is designed to prevent fraudulent and manipulative acts and practices simply based on the Exchange's assertion that the current rule is consistent with the Act.

To support its proposal, the Exchange also compares Index Fund Shares to Managed Fund Shares, and notes that the generic listing standards for Managed Fund Shares only apply to the portfolio holdings.[33] The Exchange acknowledges the distinction between Index Fund Shares and Managed Fund Shares, which is that Index Fund Shares are designed to track the performance of an index whereas Managed Fund Shares are not.[34] However, in comparing Index Fund Shares to Managed Fund Shares, the Exchange did not address the potential consequences of an index manipulation (as discussed above) that

[22] *See id.*

[23] 15 U.S.C. 78f(b)(5).

[24] *See supra* Section II.

[25] *See id.* The generic listing standards for Index Fund Shares impose quantitative requirements on the components of the underlying index (including, for example, market value requirements, trading volume requirements, and concentration limitations) that are designed to help ensure that the underlying index is not susceptible to manipulation.

[26] *See* Amendment No. 1, *supra* note 6, at 6 and Exchange Letter, *supra* note 11, at 4.

[27] *See* Amendment No. 1, *supra* note 6, at 5 and Exchange Letter, *supra* note 11, at 2. The Exchange states that its generic listing standards began applying on both an initial and continuous basis in January 2018. *See* Amendment No. 1, *supra* note 6, at 5. The proposal would provide the Exchange with the flexibility to choose to apply the generic listing standards to either the portfolio holdings or the underlying index (both at the time of initial listing and at any time thereafter), even though the Exchange acknowledges that for initial listing, the underlying index constitutes a better means for determining whether a series of Index Fund Shares would be susceptible to manipulation, because the underlying index constituents are much more fully developed and less theoretical than the portfolio of a yet to be launched fund or a sample portfolio, respectively. *See* Amendment No. 1, *supra* note 6, at 5 and Exchange Letter, *supra* note 11, at 2.

[28] *See* Amendment No. 1, *supra* note 6, at 6 and Exchange Letter, *supra* note 11, at 4.

[29] *See* Amendment No. 1, *supra* note 6, at 9 and Exchange Letter, *supra* note 11, at 3.

[30] *See* Amendment No. 1, *supra* note 6, at 8 and Exchange Letter, *supra* note 11, at 5.

[31] *See* Amendment No. 1, *supra* note 6, at 9 and Exchange Letter, *supra* note 11, at 3.

[32] *See* Amendment No. 1, *supra* note 6, at 9 and Exchange Letter, *supra* note 11, at 3.

[33] *See* Amendment No. 1, *supra* note 6, at 8 and Exchange Letter, *supra* note 11, at 5–6.

[34] *See* Amendment No. 1, *supra* note 6, at 8 and Exchange Letter, *supra* note 11, at 5.

is associated with Index Fund Shares but not Managed Fund Shares. Therefore, based on the information before the Commission, the Commission is unable to determine that the proposal is consistent with Section 6(b)(5) of the Act.

In support of its proposal, the Exchange also argues that any series of Index Fund Shares listed on the Exchange must meet all requirements applicable under the Investment Company Act of 1940, including Rule 35d–1,[35] which according to the Exchange provides assurance that there is significant overlap between the portfolio holdings and the underlying index.[36]

The Exchange did not explain the extent to which generically listed Index Fund Shares would have names that are governed by Rule 35d–1 or why the Exchange believes any overlap that would result from compliance with that rule would be sufficient to satisfy the relevant standard under the Exchange Act.

The Exchange also did not discuss any other specific requirements that would assure a significant overlap between the portfolio holdings and the underlying index for all current and future generically listed Index Fund Shares. Therefore, based on the information before the Commission, the Commission is unable to determine whether the portfolio composition for all of the Exchange's generically listed Index Fund Shares would necessarily have a significant overlap with the index composition, such that application of the generic listing standards to the portfolio holdings would assure that the index also meets or only narrowly misses the generic listing standards.

Finally, in support of its proposal, the Exchange asserts that the index methodology for an index underlying a series of Index Fund Shares is out of the control of the issuers of the products, and that it is problematic to require an issuer to ensure that the underlying index meets listing standards on an ongoing basis.[37] According to the Exchange, the proposal would provide issuers of Index Fund Shares with a greater degree of control over whether their products meet their ongoing listing obligations.[38]

The Commission believes that the Exchange has not demonstrated why issuers' control over a fund's portfolio composition would be responsive to the potential index manipulation issue discussed above. In particular, if the portfolio meets the generic listing standards (because the issuer has control over the portfolio composition and can construct the portfolio to meet the generic listing standards) but the index does not, and the performance of the portfolio tracks the performance of the manipulated index, the Exchange did not discuss whether the effects of the index manipulation might be reflected in the price of the Index Fund Shares, and why the potential (if any) for the effects of the index manipulation to be reflected in the price of the Index Fund Shares should not be a concern under Section 6(b)(5) of the Act.

For the reasons discussed above, the Commission concludes that the record before it does not provide a basis to conclude that the Exchange has met its burden under the Act and the Commission's Rules of Practice to demonstrate that its proposed rule change is consistent with Section 6(b)(5) of the Act.[39]

IV. Conclusion

For the reasons set forth above, the Commission does not find, pursuant to Section 19(b)(2) of the Act,[40] that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, with Section 6(b)(5) of the Act.[41]

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[42] that the proposed rule change, as modified by Amendment No. 1 (SR–CboeBZX–2018–044), is disapproved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[43]

Eduardo A. Aleman,

Deputy Secretary.

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[35] 17 CFR 270.35d–1.

[36] *See* Amendment No. 1, *supra* note 6, at 9–10 and Exchange Letter, *supra* note 11, at 3–4.

[37] *See* Amendment No. 1, *supra* note 6, at 7 and Exchange Letter, *supra* note 11, at 4–5.

[38] *See* Amendment No. 1, *supra* note 6, at 7 and Exchange Letter, *supra* note 11, at 5. In disapproving the proposal, the Commission has considered the proposal's impact on efficiency, competition, and capital formation, *see* 15 U.S.C. 78c(f), and the Exchange's assertion that its proposal would enhance competition among market participants and create greater investor confidence in exchange-traded products generally because there will be a greater degree of certainty that Index Fund Shares will not be subject to regulatory action or delisting. *See* Amendment No. 1, *supra* note 6, at 10–11 and Exchange Letter, *supra* note 11, at 6. The Exchange did not provide any information to support its assertion that the proposal would enhance competition and did not provide any information to support its assertion that the proposal would create greater investor confidence other than the proposal would provide a greater degree of certainty that Index Fund Shares would not be subject to regulatory action or delisting. But even if this proposal has the potential to enhance competition and create greater investor confidence, for the reasons discussed throughout, the Commission must disapprove the proposed rule change in light of its inability, on the current record, to find that it is consistent with the Act.

[39] The Order Instituting Proceedings sought comment on several specific issues, including the issue of manipulation of the underlying index. For the reasons discussed above, the Commission does not find that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and therefore the Commission does not believe it is necessary to address the other issues raised in the Order Instituting Proceedings.

[40] 15 U.S.C. 78s(b)(2).

[41] 15 U.S.C. 78f(b)(5).

[42] 15 U.S.C. 78s(b)(2).

[43] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–85274; File No. SR–NYSE–2019–08]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rules 7.16, 7.18, 7.31, 7.34, 7.37, and 7.38

March 8, 2019.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on February 22, 2019, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rules 7.16 (Short Sales), 7.18 (Halts), 7.31 (Orders and Modifiers), 7.34 (Trading Sessions), 7.37 (Orders Execution and Routing), and 7.38 (Odd and Mixed Lots). The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rules 7.16 (Short Sales), 7.18 (Halts), 7.31 (Orders and Modifiers), 7.34 (Trading Sessions), 7.37 (Order Execution and Routing), and 7.38 (Odd and Mixed Lots). The proposed rule changes are intended to provide additional specificity in the Exchange's rules, streamline order processing when a security is halted or paused, and reduce operational complexity when transitioning to continuous trading.

Rule 7.16 (Short Sales)

Rule 7.16 establishes requirements relating to short sales. Rule 7.16(f)(5) sets forth how short sale orders are processed during a Short Sale Period, which is defined in Rule 7.16(f)(4). More specifically, Rule 7.16(f)(5)(B) provides how the Exchange processes sell short Priority 1 and Priority 3 Orders during a Short Sale Period.[4] The current rule provides that such orders, which are not displayed, are re-priced at a Permitted Price[5] and are continuously re-priced at a Permitted Price as the national best bid moves both up and down. Accordingly, under the current rule, during a Short Sale Period, orders ranked Priority 1—Market Orders, are processed in the same manner as orders ranked Priority 3—Non-Display Orders.

With this proposed rule change, the Exchange proposes to extend the functionality currently applicable to how sell short Market Orders on its affiliated exchanges, NYSE Arca, Inc. (''NYSE Arca'') and NYSE American LLC (''NYSE American'') function during an auction to how sell short Market Orders would be processed on the Exchange during continuous trading, *i.e.,* that during a Short Sale Period, sell short Market Orders would be converted into display orders and would be ranked and allocated as a displayed order.[6] To effect this change, the Exchange proposes to delete references to ''Priority 1 Orders'' and ''Market Orders'' in current Rule 7.16(f)(5)(B) and add new Rule 7.16(f)(5)(C) that would be applicable only to Market Orders. Orders ranked Priority 3—Non-Display Orders would continue to be processed in the same manner as they are today under Rule 7.16(f)(5)(B).

Proposed new Rule 7.16(f)(5)(C) would provide that, during a Short Sale Period, a sell short Market Order would be ranked Priority 2—Display Orders and would be subject to Trading Collars specified in Rule 7.31(a)(1)(B)(i).[7]

As discussed below, when a sell short Market Order is ranked as Priority 2—Display Orders, it would be assigned a limit price of one MPV above $0.00. The Exchange believes that applying Limit Order Price Protection when such orders are ranked as Priority 2—Display Orders would result in all such orders being rejected as being priced too far away from the NBBO.[8] Accordingly, to ensure that there is a mechanism available to prevent orders from causing significant price dislocation during a Sell Short Period, the Exchange proposes that such orders would continue to be subject to Trading Collars, which are applicable to Market Orders, rather than to Limit Order Price Protection.

To address what would happen when a Short Sale Period is triggered when there is a resting Market Order on the Exchange Book, proposed Rule 7.16(f)(5)(C) would rule further provide that if a Short Sale Period is triggered when an order ranked Priority 1—Market Orders is resting on the Exchange Book, such resting order would be converted to an order ranked Priority 2—Display Orders. This could happen if there is an unexecuted Market Order that is undisplayed on the Exchange Book pursuant to Rule 7.31(a)(1)(A). In such case, the resting order would be converted to an order ranked Priority 2—Display Orders and would be ranked and allocated for all purposes as a displayed order. If the Short Sale Period ends intraday, such order would be converted back to an order ranked Priority 1—Market Orders.

While a sell short Market Order would be ranked and allocated as Priority 2—Display Orders during a Short Sale Period, not all functionality applicable to displayed orders would be applicable to such Market Orders. As proposed, when ranked as Priority 2—Display Orders, such order would be (1) assigned a limit price of one MPV above $0.00; (2) assigned a working and (during Core Trading Hours) a display price that is the higher of the Permitted Price or one MPV above the lower Trading Collar as determined under Rule 7.31(a)(1)(B)(i); and (3) cancelled if the Permitted Price is or becomes lower than the Lower Price Band, as provided in Rule 7.11(a)(5).

The Exchange believes that assigning a Market Order with a limit price equal to one MPV above $0.00 would provide for a limit price for such order while it is functioning as an order ranked Priority 2—Display Orders. However, as noted above, such limit price would not be used for purposes of Limit Order Price Protection. Rather, the Exchange proposes to continue applying the Trading Collars applicable to Market Orders even if such order converts to displayed interest. Next, the Exchange believes that assigning such order a working and display price (during Core Trading Hours) that is the higher of the Permitted Price or one MPV above the lower Trading Collar is consistent both with how sell short Priority 2—Display Orders are displayed and priced during a Short Sale Period and with the proposal that Trading Collars would continue to be applicable to such orders. Not displaying such orders until Core Trading Hours is also consistent with the continued behavior that such Market Orders are not eligible to trade until the

[4] Pursuant to Rule 7.36(e)(1), an order ranked ''Priority 1—Market Orders,'' which is referred to in Rule 7.16(f)(5)(B) as a ''Priority 1 Order'' refers to unexecuted Market Orders. Pursuant to Rule 7.31(a)(1)(A), a Market Order may be held undisplayed on the Exchange Book. Pursuant to Rule 7.36(e)(3), an order ranked ''Priority 3—Non-Display Orders,'' which is referred to in Rule 7.16(f)(5)(B) as a ''Priority 3 Order'' refers to non-marketable Limit Orders for which the working price is not displayed, including the reserve interest of Reserve Orders.

[5] The Permitted Price is one minimum price variation above the current NBB. *See* Rule 7.16(f)(5)(A).

[6] *See* Commentary .01(a) to NYSE Arca Rule 7.35–E and Commentary .01(a) to NYSE American Rule 7.35E, which both provide that for purposes of pricing an auction and ranking orders for allocation in an auction, sell short Market Orders that are adjusted to a Permitted Price would be processed as Limit Orders ranked Priority 2—Display Orders.

[7] During Core Trading Hours, the Trading Collar is based on a price that is a specified percentage away from the consolidated last sale price and is continuously updated based on market activity. If there is no consolidated last sale price on the same trading day, the Exchange uses the last Official Closing Price for the security. *See* Rule 7.31(a)(1)(B)(i).

[8] Pursuant to Rule 7.31(a)(2)(B), a Limit Order to buy (sell) is subject to Limit Order Price Protection and will be rejected if it is priced at or above (below) the greater of $0.15 or a specified percentage away from the NBO (NBB).

Core Trading Session. Finally, the Exchange proposes to cancel such order if the Permitted Price (*i.e.,* the displayed price of the order) is or becomes lower than the Lower Price Band, which is consistent with how Market Orders are processed pursuant to Rule 7.11(a)(5)(A)(i) if they cannot be traded or routed at prices at or within the Price Bands. In other words, if the Permitted Price would be a price at or below the Lower Price Band, the Exchange proposes to cancel such order rather than repricing it once again to the Lower Price Band, even though the Lower Price Band would be at a price higher than the Permitted Price. Thus, no short sale order would be executed (effected) at or below the NBB during a Short Sale Period.

With the adoption of proposed Rule 7.16(f)(5)(C), the Exchange further proposes to re-number each of current sub-paragraphs (C)–(H) of Rule 7.16(f)(5) as (D)–(I) without making any substantive change to those rules.

The Exchange proposes to make a related change to Rule 7.37. Pursuant to current Rule 7.37(b), all orders ranked Priority 1—Market Orders are allocated first on time, and such allocation is agnostic to whether such order was entered by a Floor Broker Participant or Book Participant.[9] Accordingly, when the Exchange is not in a Short Sale Period, short sale Market Orders entered by a Floor Broker Participant are not eligible for a parity allocation. By contrast, Priority 2—Display Orders are allocated on parity by Participant.

The Exchange believes that when a short sale Market Order is converted to an order ranked Priority 2—Display Orders during a Short Sale Period, it should have the same relative priority with a short sale Market Order entered by the Book Participant as it would have when the Exchange is not in a Short Sale Period. Because orders ranked Priority 2—Display Orders are allocated on parity by Participant, to effect this continuity of relative priority, the Exchange proposes to add Commentary .01 to Rule 7.37 to provide that when, during a Short Sale Period, a short sale Market Order entered by a Floor Broker Participant is ranked as Priority 2—Display Orders pursuant to proposed Rule 7.16(f)(5)(C), such order would be included in the Book Participant for purposes of an allocation under Rule 7.37(b). The Exchange believes that this proposed rule is consistent with how Market Orders are allocated when the Exchange is not in a Short Sale Period, *i.e.,* short sale Market Orders from a Floor Broker Participant are not distinguished from orders entered by the Book Participant.

Rule 7.18, Halts

Rule 7.18(b) states that the Exchange does not conduct Trading Halt Auctions in UTP Securities and sets forth how the Exchange processes new and existing orders in UTP Securities during a UTP Regulatory Halt.[10] Rule 7.18(b)(1) states that during a UTP Regulatory Halt the Exchange will cancel any unexecuted portion of Market Orders and orders not eligible to trade in the current trading session on the Exchange Book.[11] The Exchange proposes to amend this Rule to further provide that orders that are not displayed would also be cancelled during a UTP Regulatory Halt. To reflect this change, the Exchange proposes to amend Rule 7.18(b)(1) to provide that Non-Displayed Limit Orders,[12] Non-Displayed Primary Pegged Orders,[13] Mid-Point Liquidity (''MPL'') Orders,[14] and Last Sale Peg Orders [15] would also be canceled during a UTP Regulatory Halt. The Exchange believes that cancelling these non-displayed orders during a UTP Regulatory Halt would streamline order processing once trading resumes.

Rule 7.31, Orders and Modifiers

The Exchange proposes to make a number of changes to Rule 7.31, each of which are designed to streamline order processing.

Rule 7.31(a)(2)(C) currently describes how the Exchange re-prices resting orders under specified circumstances. Specifically, if a BB (BO) that is locked or crossed by an Away Market PBO (PBB) is cancelled, executed or routed and the next best-priced resting Limit Order(s) on the Exchange Book that would become the new BB (BO) would have a display price that would lock or cross the PBO (PBB), such Limit Order(s) to buy (sell) will be assigned a display price one MPV below (above) the PBO (PBB) and a working price equal to the PBO (PBB). Such Limit Orders are re-priced when the PBBO is updated, including if the Exchange receives a Day ISO that would result in at least a round lot being displayed as the new BBO.

The Exchange proposes to amend this text to provide that the arrival of any-sized Day ISO would result in the re-pricing of such resting orders. The arrival of a Day ISO of any size provides the Exchange with notice that the member organization that has entered such order has met the requirement under Rule 7.31(e)(3)(A)(ii) to simultaneously route one or more additional Limit Orders to trade against the full displayed size of any protected bids (for sell orders) or protected offers (for buy orders) on Away Markets. Accordingly, the Exchange would adjust the PBBO based on the arrival of any-sized Day ISO. Because the PBBO would be adjusted based on the arrival of any-sized Day ISO, the Exchange believes it would no longer be necessary to wait for a round-lot sized Day ISO before repricing orders under Rule 7.31(a)(2)(C). Accordingly, the Exchange proposes to delete the following text in the second sentence of current Rule 7.31(a)(2)(C)—''and would result in at least a round lot being displayed as a new BB (BO)''—and the third and last sentence of current Rule 7.31(a)(2)(C).

Rule 7.31(a)(2)(C) currently describes how the Exchange re-prices resting orders under specified circumstances. Specifically, if a BB (BO) that is locked or crossed by an Away Market PBO (PBB) is cancelled, executed or routed and the next best-priced resting Limit Order(s) on the Exchange Book that would become the new BB (BO) would have a display price that would lock or cross the PBO (PBB), such Limit Order(s) to buy (sell) will be assigned a display price one MPV below (above) the PBO (PBB) and a working price equal to the PBO (PBB). Such Limit Orders are re-priced when the PBBO is updated, including if the Exchange receives a Day ISO that would result in at least a round lot being displayed as the new BBO.

The Exchange proposes to amend this text to provide that the arrival of any-sized Day ISO would result in the re-pricing of such resting orders. The arrival of a Day ISO of any size provides the Exchange with notice that the ETP Holder that has entered such order has met the requirement under Rule 7.31(e)(3)(A)(ii) to simultaneously route one or more additional Limit Orders to trade against the full displayed size of any protected bids (for sell orders) or protected offers (for buy orders) on Away Markets. Accordingly, the Exchange would adjust the PBBO based on the arrival of any-sized Day ISO. Because the PBBO would be adjusted

[9] The term ''Participant'' is defined in Rule 7.36(a)(5) to mean, for purposes of a parity allocation, a Floor broker trading license (each, a ''Floor Broker Participant'') or orders collectively represented in the Exchange Book that have not been entered by a Floor broker (''Book Participant'').

[10] A ''UTP Regulatory Halt'' is defined in Rule 1.1 as a trade suspension, halt, or paused called by the UTP Listing Market in a UTP Security that requires all market centers to halt trading in that security. The terms UTP Security and UTP Listing Market are also defined in Rule 1.1.

[11] *See* Rule 1.1(i).

[12] *See* Rule 7.31(d)(2).

[13] *See* Rule 7.31(h)(4).

[14] *See* Rule 7.31(d)(3).

[15] *See* Rule 7.31(i)(4).

based on the arrival of any-sized Day ISO, the Exchange believes it would no longer be necessary to wait for a round-lot sized Day ISO before repricing orders under Rule 7.31(a)(2)(C). Accordingly, the Exchange proposes to delete the following text in the second sentence of current Rule 7.31(a)(2)(C)—''and would result in at least a round lot being displayed as a new BB (BO)''—and the third and last sentence of current Rule 7.31(a)(2)(C).

The Exchange also proposes to provide additional specificity in Rule 7.31(d)(4)(B) for D Orders [16] and Rule 7.31(h)(2)(B) for Primary Pegged Orders regarding how the display price and working price of such orders would be adjusted when the PBBO is locked or crossed.[17] Specifically, the Exchange proposes to specify that D Orders and Primary Pegged Orders would be re-priced whenever a Limit Order is re-priced pursuant to Rules 7.31(a)(2)(C). Re-pricing a D Order and Primary Pegged Order like a Limit Order pursuant to Rule 7.31(a)(2)(C) ensures that if the PBBO is locked or crossed, a resting D Order and Primary Pegged Order would not be re-priced to a locking or crossing price, for example, if the Exchange BBO changes.[18] To effect this change, the Exchange proposes to amend Rule 7.31(h)(2)(B) to specify that if a resting Limit Order on the Exchange Book is assigned a new display price and working price pursuant to Rules 7.31(a)(2)(C) and the PBBO is still locked or crossed, a resting Primary Pegged Order would also be assigned a new display price and working price pursuant to Rule 7.31E(a)(2)(C). The Exchange proposes similar text for proposed Rule 7.31(d)(4)(B)(i) relating to D Orders. The proposed text represents current functionality for Primary Pegged Orders and proposed functionality that will be available when D Orders are implemented on Pillar. The Exchange believes that this proposed rule change would provide clarity and transparency in Exchange rules of when a D Order and Primary Pegged Order would be re-priced consistent with Rule 7.31(a)(2)(C).

Rule 7.34, Trading Sessions

Rule 7.34(c)(1) describes orders entry during the Early Trading Session.[19] Rule 7.34(c)(1)(B) states that Limit Orders designated as IOC will be rejected if entered before the Early Trading Session begins. The Exchange proposes to amend this Rule to further provide that orders that are not displayed would also be rejected if entered before the Early Trading Session begins. To reflect this change, the Exchange proposes to amend Rule 7.34(c)(1)(B) to provide that Non-Displayed Limit Orders, MPL Orders, and Last Sale Peg Orders would also be rejected if entered before the Early Trading Session begins. Similar to how the Exchange proposes to cancel non-displayed orders during UTP Regulatory Halt, the Exchange believes that rejecting these non-displayed orders when the Exchange is not engaged in continuous trading would reduce operational complexity when the Exchange transitions to continuous trading. Member organizations seeking to enter theses order types may do so once the Early Trading Session begins. The Exchange also proposes to specify that Rule 7.34(c)(1)(B) applies to orders in UTP Securities as only UTP Securities are currently traded on the Exchange's Pillar platform.

Rule 7.38, Odd and Mixed Lots

The Exchange proposes to amend Rule 7.38 relating to Odd and Mixed Lots. Rule 7.38 sets forth requirements relating to odd lot and mixed lot trading on the Exchange. Rule 7.38(b) further provides that round lot, mixed lot, and odd lot orders are treated in the same manner on the Exchange, provided that the working price of an odd lot order is adjusted both on arrival and when resting on the Exchange Book based on the limit price of the order. Currently, if the limit price of an odd lot order to buy (sell) is at or below (above) the PBO (PBB), the order has a working price equal to the limit price. If the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB), the order has a working price equal to the PBO (PBB). The rule further provides that if the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB) and the PBBO is crossed, the order has a working price equal to the PBB (PBO).

Under the current rule, although the working price of an odd lot order is adjusted based on the PBBO, the display price of an odd lot order ranked Priority 2—Display Orders is not adjusted based on the PBBO. Additionally, the rule provides that an odd lot order ranked Priority 2—Display Orders will not be assigned a new working time if its working price is adjusted under the rule. If the display price of an odd lot order to buy (sell) is above (below) its working price, the order is ranked and allocated based on its display price. As a result, an odd lot bid or offer can be displayed on the Exchange's proprietary data feeds at a price that appears to cross the PBBO, even if such order would not be eligible to trade at that price.

The Exchange proposes to amend Rule 7.38(b) to provide that the display price of an odd lot order would be adjusted whenever the working price is adjusted. To effect this change, the Exchange proposes to amend current Rule 7.38(b)(1) to provide that the working and display price of an odd lot order would be adjusted both on arrival and when resting on the Exchange Book. The Exchange further proposes to break current Rule 7.38(b)(1) into subparagraphs (A)–(C) so that the rule provides how odd lot orders are ranked and executed under each of the instances provided in the current rule that are described above.

Proposed Rule 7.38(b)(1)(A) would provide that if the limit price of an odd lot order to buy (sell) is at or below (above) the PBO (PBB), the order would have a working price and display price equal to the limit price of the order. This proposed rule text does not change any functionality, but rather, provides greater specificity of what the display price would be when the limit price of an odd lot order is not through the PBBO.

Proposed Rule 7.38(b)(1)(B) would provide that if the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB), the order would have a working price and display price equal to the PBO (PBB) unless the order's instruction requires a display price to be different from the PBBO. This proposed rule text represents new functionality that the display price of an odd lot order would be adjusted at the same time as the working price is currently adjusted for such order. This proposed amendment does not change the price at which such odd-lot order would be eligible to trade, only the price at which it is displayed on the Exchange's proprietary data feeds. The proposed

[16] A D Order is also an order to buy (sell) with a working price that is pegged to the PBB (PBO), but includes the additional ability to exercise discretion up (down) to the limit price of the order. *See* Rule 7.31(d)(4).

[17] Pursuant to Rule 7.31(h)(2), a Primary Pegged Order is a displayed Pegged Order to buy (sell) with a working price that is pegged to the PBB (PBO), with no offset allowed.

[18] For example, if the PBBO is 10.00 × 10.02, and Exchange's BB is 10.00, a Primary Pegged Order to buy would peg to that 10.00. If next, an Away Market PBO is displayed at 9.98, crossing the Exchange BB, pursuant to Rule 7.31–E(h)(2)(B), the Primary Pegged Order would remain displayed at 10.00. If next, the 10.00 BB on the Exchange cancels, the Primary Pegged Order would need to reprice, but at that point, the PBBO is crossed because of the Away Market PBO of 9.98. In this scenario, the Primary Pegged Order would be repriced to 9.97 as provided for in Rule 7.31(a)(2)(C).

[19] The Early Trading Session begins at 7:00 a.m. Eastern Time and concludes at the commencement of the Core Trading Session. *See* Rule 7.34(a)(1). The Core Trading Session begins at 9:30 a.m. Eastern Time. *See* Rule 7.34(a)(2).

rule text includes that the display price would be adjusted to the contra-side PBBO unless the order's instruction requires a display price to be different from the PBBO to account for those order types that, by their terms, do not allow the display price to be equal to a contra-side PBBO. For example, a Non-Routable Limit Order does not have a display price equal to the contra-side PBBO.[20] Accordingly, if an odd lot order were to be a Non-Routable Limit Order, pursuant to that order's instructions, it would have a display price different from the contra-side PBBO.

Proposed Rule 7.38(b)(1)(C) would address what the display price of an odd lot order would be if the PBBO is locked or crossed. The Exchange proposes to expand the current rule text to include locked markets and add that both the display price and working price would be adjusted to the same-side PBBO if the PBBO is locked or crossed. Accordingly, as proposed, if the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB) and the PBBO is locked or crossed, the order would have a working price and display price equal to the PBB (PBO). The proposed rule would further provide that the working price and the display price of such odd lot order would not be adjusted again until the PBBO unlocks or uncrosses.

Additionally, the Exchange proposes to delete the last two sentences of current Rule 7.38(b)(1) regarding the display price of odd lot orders and their ranking given the changes proposed to the current rule regarding the display price of an odd lot order render this text moot. By deleting this rule text, the general rules governing when a working time is assigned to an order, as specified in Rule 7.36(f)(2), would be applicable to odd lot orders.

* * * * *

Because of the technology changes associated with this proposed rule change, the Exchange will announce the implementation date of this proposed rule change by Trader Update. The Exchange anticipates that the implementation date will be in the second quarter of 2019.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[21] in general, and furthers the objectives of Section 6(b)(5),[22] in particular, because 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 mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest because it would provide additional specificity in the Exchange's rules, streamline order processing when a security is halted or paused, and reduce operational complexity when transitioning to continuous trading.

Rules 7.16, Short Sales, and 7.37, Order Execution and Routing. The Exchange believes that the proposed processing of sell short Market Orders during a Short Sale Period, as proposed in Rule 7.16(f)(5)(C), would remove impediments to and perfect the mechanism of a fair and orderly market because it would use a method of processing of sell short Market Orders that is already in place on auctions on NYSE Arca and NYSE American. As described in Commentary .01(a) to NYSE Arca Rule 7.35–E and Commentary .01(a) to NYSE American Rule 7.35E, during a Short Sale Period, sell short Market Orders are currently processed as Limit Orders ranked Priority 2—Display Orders. The Exchange believes that it would remove impediments to and perfect the mechanism of a free and open market and a national market system to apply this functionality to how sell short Market Orders are processed during continuous trading. The Exchange further believes that because Market Orders would be assigned a limit price of one MPV above $0.00, it would remove impediments to and perfect the mechanism of a free and open market for sell short Market Orders that have been converted to an order ranked Priority 2—Display Orders to continue to be subject to Trading Collars and be cancelled if the Permitted Price is equal to or below the Lower Price Band. The Exchange believes that the proposed changes will provide clarity on the short sale order handling procedures employed by the Exchange so that such orders are handled by the Exchange consistent with Regulation SHO. The Exchange also believes that the proposed functionality related to the processing of short sale orders will assist member organization in executing or displaying their orders consistent with Regulation SHO. The Exchange further believes that the proposed amendment to Rule 7.37 to process a short sale Market Order entered by a Floor Broker Participant that has been ranked as Priority 2—Display Orders as part of the Book Participant for purposes of a parity allocation would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would maintain continuity of the relative priority of sell short Market Orders entered by both a Floor Broker Participant and the Book Participant in the absence of a Short Sale Period.

Rule 7.18, Halts. The proposed change to Rule 7.18(b) to cancel certain non-displayed orders in UTP Securities during a UTP Regulatory Halt promotes just and equitable principles of trade and removes impediments to, and perfects the mechanism of, a free and open market and a national market system because it would reduce the operational complexity of processing these orders following a halt or pause.

Rule 7.31, Orders and Modifiers. The Exchange believes that the proposed amendment to Rule 7.31(a)(2)(C) would remove impediments to and perfect the mechanism of a free and open market and a national market system by providing specificity regarding when resting orders would be re-priced due to the arrival of a Day ISO. Specifically, as proposed, because any-sized Day ISO would result in a new PBBO, it is not necessary for an arriving Day ISO to result in a round lot or more being displayed as a new BBO before resting orders would be re-priced under Rule 7.31(a)(2)(C). The Exchange therefore believes that this proposed change would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would promote the display of orders at their limit price without locking or crossing the PBBO.

Amending Rules 7.31(d)(4)(B) and 7.31(h)(2)(B) to describe when resting D Orders and Primary Pegged Orders would be re-priced pursuant to Rule 7.31(a)(2)(C) removes impediments to, and perfects the mechanism of, a free and open market and a national market system because it does not propose new functionality, but rather provides additional specificity in the Exchange's rules regarding the operation of D Orders and Primary Pegged Orders such that it prevents a resting D Order and Primary Pegged Order from being re-priced to peg to a locked or crossed market. This change does not alter the operation of Primary Pegged Orders. Rather, it would further clarify the Exchange's rules regarding when a Primary Pegged Order would be re-priced to avoid pegging to a locked or crossed PBBO. Proposed subparagraph (i) to Rule 7.31(d)(4)(B) would provide that D Orders would be re-priced in a similar manner as Primary Pegged Orders.

[20] *See* Rule 7.31(e)(1).

[21] 15 U.S.C. 78f(b).

[22] 15 U.S.C. 78f(b)(5).

Rule 7.34, Trading Sessions. The proposed changes to Rule 7.34(c)(1)(B) promote just and equitable principles of trade and remove impediments to, and perfect the mechanism of, a free and open market and a national market system because rejecting Non-Displayed Limit Orders, MPL Orders, and Last Sale Peg Orders entered before the Early Trading Session begins would reduce operational complexity when the Exchange transitions to continuous trading. It would also streamline order processing when the Exchange begins continuous trading. Member organizations seeking to enter theses order types may do so once the Early Trading Session begins. Amending Rule 7.34(c)(1)(B) to specify that it applies to UTP Securities clarifies the rule's application as only UTP Securities are currently traded on the Exchange's Pillar platform.

Rule 7.38, Odd and Mixed Lots. The Exchange believes that the proposed processing of odd lot orders would remove impediments to and perfect the mechanism of a fair and orderly market because the proposed change would align the working price and display price of odd lot orders. The proposed change would not alter the price at which an odd lot order would be eligible to trade, but rather, would provide greater transparency regarding what price an odd lot order would trade by aligning the display price of such order with its working price. The Exchange believes that this proposed rule change would further remove impediments to and perfect the mechanism of a free and open market and a national market system by reducing the potential for an odd lot order to appear on the Exchange's proprietary data feeds as though it is locking or crossing the PBBO. The Exchange further believes the proposed rule change, which proposes to assign a display price that is equal to the working price for odd lot orders, would remove impediments to and perfect the mechanism of a fair and orderly market because it would promote transparency in the ranking and execution of such orders. Additionally, the Exchange believes the proposed change to how the working time of an odd lot order would be adjusted would remove impediments to and perfect the mechanism of a free and open market by aligning the processing of odd lot orders with the standard manner by which the working time is assigned to an order, as provided for in Rule 7.36(f)(2).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to Rules 7.18, 7.31, and 7.34 are designed to provide additional specificity to the Exchange's rules, reduce operational complexity during a UTP Regulatory Halt, and streamline order processing when trading resumes. The proposed changes to Rules 7.16, 7.31, and 7.38 are also designed to provide additional specificity to the Exchange's rules and reduce operational complexity by (i) aligning the display price of an odd lot order with its working price, (ii) converting sell short Market Orders to displayed interest, (iii) clarifying that D Orders and Primary Pegged Orders would not be re-priced to a locked or crossed PBBO, and (iv) promoting transparency in the ranking and execution of odd lot orders. These proposed changes should, therefore, promote competition by enhancing the Exchange's rules to provide greater specificity to market participants and improving the efficiency of the Exchange's order handling processes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [23] and Rule 19b–4(f)(6) thereunder.[24] Because the 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 prior to 30 days from the date on which it was filed, 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 Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

At any time within 60 days of the filing of such 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 under Section 19(b)(2)(B) [25] of the Act 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–NYSE–2019–08 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 SR–NYSE–2019–08. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10 a.m. and 3 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

[23] 15 U.S.C. 78s(b)(3)(A)(iii).

[24] 17 CFR 240.19b–4(f)(6).

[25] 15 U.S.C. 78s(b)(2)(B).

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–NYSE–2019–08 and should be submitted on or before April 4, 2019.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[26]

Eduardo A. Aleman,

Deputy Secretary.

[FR Doc. 2019–04689 Filed 3–13–19; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–482, OMB Control No. 3235–0540]

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Extension:
Rule 17a–25

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''PRA''), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 17a–25 (17 CFR 204.17a–25) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et. seq.*).

Paragraph (a)(1) of Rule 17a–25 requires registered broker-dealers to electronically submit securities transaction information, including identifiers for prime brokerage arrangements, average price accounts, and depository institutions, in a standardized format when requested by the Commission staff. In addition, Paragraph (c) of Rule 17a–25 requires broker-dealers to submit, and keep current, contact person information for electronic blue sheets (''EBS'') requests. The Commission uses the information for enforcement inquiries or investigations and trading reconstructions, as well as for inspections and examinations.

The Commission estimates that it sends approximately 13,493 electronic blue sheet requests per year to clearing broker-dealers that in turn submit an average 528,551 responses.[1] It is estimated that each broker-dealer that responds electronically will take 8 minutes, and each broker-dealer that responds manually will take 1½ hours to prepare and submit the securities trading data requested by the Commission. The annual aggregate hour burden for electronic and manual response firms is estimated to be 34,577 (253,705 × 8 ÷ 60 = 33,827 hours) + (500 × 1.5 = 750 hours), respectively.[2]

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: Charles Riddle, Acting Director/Chief Information Office, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

Dated: March 11, 2019.

Eduardo A. Aleman,

Deputy Secretary.

[FR Doc. 2019–04729 Filed 3–13–19; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–85272; File No. SR–NYSEAMER–2019–04]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rules 7.16E, 7.18E, 7.31E, 7.34E, 7.35E, and 7.38E

March 8, 2019.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on February 22, 2019, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rules 7.16E (Short Sales), 7.18E (Halts), 7.31E (Orders and Modifiers), 7.34E (Trading Sessions), 7.35E (Auctions), and 7.38E (Odd and Mixed Lots). The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[26] 17 CFR 200.30–3(a)(12).

[1] A single EBS request has a unique number assigned to each request (*e.g.,* ''0900001''). However, the number of broker-dealer responses generated from one EBS request can range from one to several thousand. EBS requests are sent directly to clearing firms, as the clearing firm is the repository for trading data for securities transactions information provided by it and correspondent firms. Clearing brokers respond for themselves and other firms they clear for. There were 528,551 responses during the 25 month period for an average of 21,142 responses per month or an average of 253,705 annual responses.

[2] Few respondents submit manual EBS responses. The small percentage of respondents that submit manual responses do so by hand, via email, spreadsheet, disk, or other electronic media. Thus, the number of manual submissions (approximately 500 per year) has minimal effect on the total annual burden hours.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rules 7.16E (Short Sales), 7.18E (Halts), 7.31E (Orders and Modifiers), 7.34E (Trading Sessions), 7.35E (Auctions), and 7.38E (Odd and Mixed Lots). The proposed rule changes are intended to provide additional specificity in the Exchange's rules, streamline order processing when a security is halted or paused, and reduce operational complexity when transitioning to continuous trading.

Rule 7.16E, Short Sales

Rule 7.16E(f) sets forth how the Exchange handles short sale orders when the provisions of paragraph (b)(1) of Rule 201 of Regulation SHO are in effect (''Short Sale Period'').[4] The Exchange proposes to make two changes to Rule 7.16E. First, the Exchange proposes to amend how sell short Market Orders would be processed during a Short Sale Period. Second, the Exchange proposes to amend how sell short orders in Auction-Eligible Orders would be priced before an auction during a Short Sale Period.

With respect to the processing of Market Orders, Rule 7.16E(f)(5) sets forth how short sale orders are processed during a Short Sale Period, which is defined in Rule 7.16E(f)(4). More specifically, Rule 7.16E(f)(5)(B) provides how the Exchange processes sell short Priority 1 and Priority 3 Orders during a Short Sale Period.[5] The current rule provides that such orders, which are not displayed, are re-priced at a Permitted Price[6] and are continuously re-priced at a Permitted Price as the national best bid moves both up and down. Accordingly, under the current rule, during a Short Sale Period, orders ranked Priority 1—Market Orders, are processed in the same manner as orders ranked Priority 3—Non-Display Orders.

The Exchange proposes to change how sell short Market Orders during a Short Sale Period are processed during continuous trading to conform to how such orders are processed for an auction. As provided for in Commentary .01(a) to Rule 7.35E, for purposes of pricing an auction and ranking orders for allocation in an auction, sell short Market Orders that are adjusted to a Permitted Price are processed as Limit Orders ranked Priority 2—Display Orders.[7] With this proposed rule change, the Exchange proposes to extend the functionality currently applicable to sell short Market Orders during an auction to how sell short Market Orders would be processed during continuous trading, *i.e.,* that during a Short Sale Period, sell short Market Orders would be converted into display orders and would be ranked and allocated as a displayed order. To effect this change, the Exchange proposes to delete references to ''Priority 1 Orders'' and ''Market Orders'' in current Rule 7.16E(f)(5)(B) and add new Rule 7.16E(f)(5)(C) that would be applicable only to Market Orders. Orders ranked Priority 3—Non-Display Orders would continue to be processed in the same manner as they are today under Rule 7.16E(f)(5)(B).

Proposed new Rule 7.16E(f)(5)(C) would provide that, during a Short Sale Period, a sell short Market Order would be ranked Priority 2—Display Orders and would be subject to Trading Collars specified in Rule 7.31E(a)(1)(B)(i).[8]

As discussed below, when a sell short Market Order is ranked as Priority 2—Display Orders, it would be assigned a limit price of one MPV above $0.00. The Exchange believes that applying Limit Order Price Protection when such orders are ranked as Priority 2—Display Orders would result in all such orders being rejected as being priced too far away from the NBBO.[9] Accordingly, to ensure that there is a mechanism available to prevent such orders from causing significant price dislocation during a Sell Short Period, the Exchange proposes that such orders would continue to be subject to Trading Collars, which are applicable to Market Orders, rather than to Limit Order Price Protection.

To address what would happen when a Short Sale Period is triggered when there is a resting Market Order on the Exchange Book, proposed Rule 7.16E(f)(5)(C) would further provide that if a Short Sale Period is triggered when an order ranked Priority 1—Market Orders is resting on the Exchange Book, such resting order would be converted to an order ranked Priority 2—Display Orders. This could happen if there is an unexecuted Market Order that is undisplayed on the Exchange Book pursuant to Rule 7.31E(a)(1)(A). In such case, the resting order would be converted to an order ranked Priority 2—Display Orders and would be ranked and allocated for all purposes as a displayed order. If the Short Sale Period ends intraday, such order would be converted back to an order ranked Priority 1—Market Orders.

While a sell short Market Order would be ranked and allocated as Priority 2—Display Orders during a Short Sale Period, not all functionality applicable to displayed orders would be applicable to such Market Orders. As proposed, when ranked as Priority 2—Display Orders, such order would be (1) assigned a limit price of one MPV above $0.00; (2) assigned a working and (during Core Trading Hours) a display price that is the higher of the Permitted Price or one MPV above the lower Trading Collar as determined under Rule 7.31E(a)(1)(B)(i); and (3) cancelled if the Permitted Price is or becomes lower than the Lower Price Band, as provided in Rule 7.11E(a)(5).

The Exchange believes that assigning a Market Order with a limit price equal to one MPV above $0.00 would provide for a limit price for such order while it is functioning as an order ranked Priority 2—Display Orders. However, as noted above, such limit price would not be used for purposes of Limit Order Price Protection. Rather, the Exchange proposes to continue applying the Trading Collars applicable to Market Orders even if such order converts to displayed interest. Next, the Exchange believes that assigning such order a working and display price (during Core Trading Hours) that is the higher of the Permitted Price or one MPV above the lower Trading Collar is consistent both with how sell short Priority 2—Display Orders are displayed and priced during a Short Sale Period and with the proposal that Trading Collars would continue to be applicable to such orders. Not displaying such orders until Core Trading Hours is also consistent with the continued behavior that such Market Orders are not eligible to trade until the

[4] 17 CFR 242.201(b)(1).

[5] Pursuant to Rule 7.36E(e)(1), an order ranked ''Priority 1—Market Orders,'' which is referred to in Rule 7.16E(f)(5)(B) as a ''Priority 1 Order'' refers to unexecuted Market Orders. Pursuant to Rule 7.31E(a)(1)(A), a Market Order may be held undisplayed on the Exchange Book. Pursuant to Rule 7.36E(e)(3), an order ranked ''Priority 3—Non-Display Orders,'' which is referred to in Rule 7.16E(f)(5)(B) as a ''Priority 3 Order'' refers to non-marketable Limit Orders for which the working price is not displayed, including the reserve interest of Reserve Orders.

[6] The Permitted Price is one minimum price variation above the current NBB. *See* Rule 7.16E(f)(5)(A).

[7] *See* Commentary .01(a) to Rule 7.35E.

[8] During Core Trading Hours, the Trading Collar is based on a price that is a specified percentage away from the consolidated last sale price and is continuously updated based on market activity. If there is no consolidated last sale price on the same trading day, the Exchange uses the last Official Closing Price for the security. *See* Rule 7.31E(a)(1)(B)(i).

[9] Pursuant to Rule 7.31E(a)(2)(B), a Limit Order to buy (sell) is subject to Limit Order Price Protection and will be rejected if it is priced at or above (below) the greater of $0.15 or a specified percentage away from the NBO (NBB).

Core Trading Session. Finally, the Exchange proposes to cancel such order if the Permitted Price (*i.e.,* the displayed price of the order) is or becomes lower than the Lower Price Band, which is consistent with how Market Orders are processed pursuant to Rule 7.11E(a)(5)(A)(i) if they cannot be traded or routed at prices at or within the Price Bands. In other words, if the Permitted Price would be a price at or below the Lower Price Band, the Exchange proposes to cancel such order rather than re-pricing it once again to the Lower Price Band, even though the Lower Price Band would be at a price higher than the Permitted Price. Thus, no short sale order would be executed (effected) at or below the NBB during a Short Sale Period.

With the adoption of proposed Rule 7.16E(f)(5)(C), the Exchange further proposes to re-number each of current sub-paragraphs (C)–(I) of Rule 7.16E(f)(5) as (D)–(J) without making any substantive change to those rules.

With respect to short sale orders and how they are priced during an auction, Rule 7.16E(f)(6) states that during a Short Sale Period, a short sale order will be executed and displayed without regard to price if, at the time of initial display of the short sale order, the order was at a price above the then current National Best Bid (''NBB'').[10] Consistent with this Rule, if a short sale order is eligible to be displayed at that price pursuant to Rule 7.16E(f)(6), it would remain at its previously displayed price for participation in an opening, reopening or closing auction. Otherwise, short sale orders that are unable to remain at their previously displayed price pursuant to Rule 7.16E(f)(6) are priced to a Permitted Price as required by Rule 7.16E(f)(5).

The Exchange proposes to change this behavior and no longer apply the exception permitted under Rule 7.16E(f)(6) to short sale orders when they participate in an auction. Accordingly, during a Short Sale Period, the Exchange proposes to adjust the price of all short sale orders to a Permitted Price prior to an auction during a Short Sale Period, even if such orders were eligible to remain at their previously displayed price pursuant to Rule 7.16E(f)(6). Short sale orders not executed in an auction would remain at a Permitted Price for the duration of the Short Sale Period.

To effect this change, new subparagraph (8) to Rule 7.16E(f) would provide that notwithstanding subparagraph (6) of Rule 7.16E(f), with respect to the execution of short sale orders in a covered security in any auction during the Short Sale Period, the Exchange would adjust the working price and display price of such short sale orders in a covered security to a Permitted Price before such auction. Subparagraph (8) to Rule 7.16E(f) would further provide that if such a short sale order is not executed in the applicable auction and is eligible to trade, it will be priced consistent with paragraph (f)(5)(A) of Rule 7.16E. In other words, after the auction, it would not revert back to a previously-displayed price pursuant to Rule 7.16E(f)(6). The Exchange believes that the proposed rule change would streamline order processing by adjusting the price of all short sale orders to a Permitted Price. The proposal is also consistent with the treatment of short sale orders on the Exchange's affiliate, which also re-prices all short sale orders in advance of an auction.[11]

With this proposed change, there may be circumstances when a short sale order displayed at a price other than a Permitted Price pursuant to Rule 7.16E(f)(6) may lose the opportunity to participate in an auction when it re-priced to a Permitted Price for the auction. For example, currently, if a short sale order is displayed at $9.99 pursuant to current Rule 7.16E(f)(6), the Permitted Price at the time of the auction is $10.01 (*i.e.,* the NBB crosses the Exchange's displayed offer of $9.99), and the auction is priced at $10.00, that sell short order would be eligible to participate in the auction.[12] However, under the proposed new behavior, that sell short order would be re-priced to $10.01 and would not be eligible to participate in the auction at $10.00. Based on the Exchange's review of existing trading data, the Exchange believes that this would be an extremely rare event and would have a de minimis impact on the overall execution of short sale orders in auctions at the Exchange.

The Exchange also proposes to make a related change to Commentary .01(b) to Rule 7.35E. That Commentary provides that short sale orders that are included in Auction Imbalance Information, but are not eligible for continuous trading before the applicable auction, will be adjusted to a Permitted Price as the NBB moves both up and down. For example, for the Auction Imbalance Information for the Closing Auction, sell short MOC and LOC Orders, which are not eligible for continuous trading, are continually adjusted to a Permitted Price. With the proposed change to Rule 7.16E, all short sale orders would be participating in an auction at a Permitted Price. Accordingly, the Exchange proposes to amend this Commentary to remove the clause ''but are not eligible for continuous trading before the applicable auction.'' With this proposed change, the Auction Imbalance Information would reflect the Permitted Price at which a short sale order would participate in an auction.

Rule 7.18E, Halts

Rule 7.18E(b) states that the Exchange does not conduct Trading Halt Auctions in UTP Securities and sets forth how the Exchange processes new and existing orders in UTP securities during a UTP Regulatory Halt.[13] Rule 7.18E(b)(1) states that during a UTP Regulatory Halt the Exchange will cancel any unexecuted portion of Market Orders and orders not eligible to trade in the current trading session on the Exchange Book. The Exchange proposes to amend this Rule to further provide that orders that are not displayed would also be cancelled during a UTP Regulatory Halt. To reflect this change, the Exchange proposes to amend Rule 7.18E(b)(1) to provide that Non-Displayed Limit Orders,[14] Mid-Point Liquidity (''MPL'') Orders,[15] Tracking Orders,[16] and Pegged Orders [17] would also be canceled during a UTP Regulatory Halt. The Exchange believes that cancelling these non-displayed orders during a UTP Regulatory Halt would streamline order processing once trading resumes.

Rule 7.18E(c) sets forth how the Exchange processes new and existing orders in Exchange-listed securities

[10] *See also* 17 CFR 242.201(b)(1)(iii)(A).

[11] New York Stock Exchange LLC (''NYSE'') Rule 440B(h) provides that with respect to the execution of short sale orders in a covered security in any single-priced opening, re-opening or closing transaction during the Short Sale Period, the NYSE will re-price short sale orders in a covered security as follows: (1) Opening—one minimum price increment above the national best bid at 9:30 a.m.; (2) Re-opening following a halt or pause in trading—one minimum price increment above the last published Exchange bid prior to such halt or pause in trading; and (3) Closing—one minimum price increment above the last published Exchange bid prior to the close. The Exchange is not proposing to re-price short sale orders to a price other than the Permitted Price. Unlike NYSE Rule 440B(h), proposed Rule 7.16E(f)(8) uses the term ''auction'' in place of ''single-priced opening, re-opening or closing transaction'' for consistency with Rule 7.35E.

[12] Pursuant to Rule 7.35E(a)(6), orders are ranked for purposes of allocation in an auction and not all orders are guaranteed to participate.

[13] A ''UTP Regulatory Halt'' is defined in Rule 1.1E as a trade suspension, halt, or paused called by the UTP Listing Market in a UTP Security that requires all market centers to halt trading in that security. The terms UTP Security and UTP Listing Market are also defined in Rule 1.1E.

[14] *See* Rule 7.31E(d)(2).

[15] *See* Rule 7.31E(d)(3).

[16] *See* Rule 7.31E(d)(4).

[17] *See* Rule 7.31E(h).

during a halt or pause. Currently, during such a halt or pause, unexecuted Market Orders are cancelled and all other resting orders, including non-displayed orders, are maintained at their last working price and display price. The Exchange proposes to amend how orders in Exchange-listed securities are processed during a halt or pause based on whether orders are eligible to participate in the Trading Halt Auction.

First, the Exchange proposes to cancel the unexecuted portion of non-displayed orders that are not eligible to participate in a Trading Halt Auction. To effect this change, the Exchange proposes to amend Rule 7.18E(c)(1) to provide that any unexecuted portion of Non-Displayed Limit Orders, MPL Orders, Tracking Orders, and Market Pegged Orders in an Exchange-listed security would be cancelled during a halt or pause. This proposed change is consistent with the above proposal regarding how non-displayed orders for UTP Securities during a UTP Regulatory Halt would be processed under Rule 7.18E(b)(1). The Exchange proposes to make this change for Exchange-listed securities as well because such order types are not eligible to participate in an auction.

Second, because Market Orders are eligible to participate in a Trading Halt Auction, the Exchange proposes to add new subparagraph (c)(2) to Rule 7.18E [18] to provide that the unexecuted quantity of a Market Order would be retained.[19] The Exchange also proposes to delete reference to Market Orders in Rule 7.18E(c)(1).

Third, the Exchange proposes to amend Rule 7.18E(c)(3) to provide that it would re-price all other resting orders on the Exchange Book to their limit price. This proposed change would not alter how those orders would be ranked for purposes of a Trading Halt Auction, which is based on their limit price.[20]

Rule 7.18E(c)(4), which would be renumbered as Rule 7.18E(c)(5), currently provides that incoming Limit Orders designated as IOC, Cross Orders, Tracking Orders, Market Pegged Orders [sic], and Discretionary Pegged Orders [sic], and Retail Orders [sic] entered during a halt or pause are rejected. The Exchange proposes to make a related change to proposed Rule 7.18E(c)(5) to provide that incoming Non-Displayed Limit Orders and MPL Orders entered during a halt or pause would also be rejected.

Because such non-displayed orders would be cancelled during a halt or pause, the Exchange proposes to amend Rule 7.18E(c)(5) further to no longer provide that a request to cancel and replace a Tracking Order or Pegged Order is treated as a cancellation without replacing the order. This text in current Rule 7.18E(c)(4) is no longer necessary because incoming Tracking Orders and Pegged Orders would be rejected and any unexecuted portion of such orders resting on the Exchange Book would be cancelled during a halt or pause.

The Exchange believes these proposed changes to Rules 7.18E(c) relating to non-displayed orders are reasonable because none of these order types are eligible to participate in a Trading Halt Auction either by definition or by their operation.[21] Rejecting or cancelling these orders resting on the Exchange Book during a halt or pause would reduce operational complexity and ease order processing once the Trading Halt Auction occurs and the Exchange transitions to continuous trading.

Rule 7.31E, Orders and Modifiers

As described above, Rule 7.31E(a)(2)(B) sets forth Limit Order Protection for Limit Orders and currently provides that a Limit Order entered before the Core Trading Session that becomes eligible to trade in the Core Trading Session will become subject to Limit Order Price Protection after the Core Opening Auction. With this functionality, orders not yet eligible to trade will not be rejected on arrival, but rather will be evaluated for Limit Order Price Protection when they become eligible to trade.

The Exchange proposes a change to whether Limit Order Price Protection would be applied to Limit Orders in Auction-Eligible Securities entered during a halt or pause. As proposed, a Limit Order in an Auction-Eligible Security entered during a trading halt or pause, *i.e.,* a period when the Exchange is not open for trading in such securities, would not be subject to Limit Order Price Protection. With this proposed change, similar to current functionality, Limit Orders in Auction-Eligible Securities would continue to not be subject to Limit Order Protection on arrival. The first opportunity for an order entered during a period when there is no trading in such security on the Exchange, *i.e.,* during a trading halt or pause, would be the single-priced transaction of a Trading Halt Auction. In such case, the Limit Order would be traded in such auction at the price of the auction and not at the limit price. Accordingly, the Exchange does not believe that Limit Order Price Protection would be necessary for such orders.

To reflect this change, the Exchange proposes to amend Rule 7.31E(a)(2)(B) to provide that a Limit Order in an Auction-Eligible Security entered during a trading halt or pause would not be subject to Limit Order Price Protection.

Rule 7.34E, Trading Sessions

Rule 7.34E(c)(1) describes orders entry during the Early Trading Session.[22] The Exchange proposes to add new subparagraph (F) to Rule 7.34E(c)(1) to provide that the following non-displayed orders would be rejected if entered before the Auction Processing Period for the Early Trading Session concludes: Non-Displayed Limit Orders, MPL Orders, and Tracking Orders. Similar to how the Exchange proposes to cancel non-displayed orders during halt or pause, the Exchange believes that rejecting these non-displayed orders when the Exchange is not engaged in continuous trading would reduce operational complexity when the Exchange transitions to continuous trading. ETP Holders seeking to enter theses order types may do so once the Early Trading Session begins.

Rule 7.35E, Auctions

Rule 7.35E(h), Transition to Continuous Trading. Rule 7.35E(h) sets forth how the Exchange transitions to continuous trading following an auction, if there is no matched volume and an auction is not conducted, or when transitioning from one trading session to another. Rule 7.35E(h)(2)(A) provides that during the transition to continuous trading, an order instruction (as defined in Rule 7.35E(g)) received during the Auction Imbalance Freeze, the transition to continuous trading, or the Auction Processing Period would be processed in time sequence with the processing of orders as specified in Rules 7.35E(h)(3)(A) or (B) if it relates to

[18] The Exchange proposes to renumber the subparagraphs in Rule 7.18E(c) to account for the addition new subparagraph (c)(2).

[19] The quantity of a Market Order to buy (sell) not traded or routed will remain undisplayed on the Exchange Book at a working price of the NBO (NBB) and be eligible to trade with incoming sell (buy) orders at that price. *See* Rule 7.31E(a)(1)(A).

[20] *See* Rule 7.35E(a)(6)(A) (Limit Orders, LOO Orders, and LOC orders will be ranked based on their limit price and not the price at which they would participate in the auction).

[21] Non-Displayed Limit Orders, MPL Orders, Pegged Orders, and Tracking Orders are by definition ineligible to participate in auctions. *See* Rule 7.31E(b)(2), (d)(3), (d)(4), and (h), respectively. Tracking Orders are to only execute against orders that are in the process of being routing away and not against contra-side interest in an auction. *See* Rule 7.31E(d)(4).

[22] The Early Trading Session begins at 7:00 a.m. Eastern Time and concludes at the commencement of the Core Trading Session. *See* Rule 7.34E(a)(1). The Core Trading Session begins at 9:30 a.m. Eastern Time. *See* Rule 7.34E(a)(2).

an order that was received before the Auction Processing Period. The Exchange proposes to amend Rule 7.35E(h)(2)(A) to further provide that the processing of order instructions described in that sentence would also apply to orders that have already transitioned to continuous trading. This proposed rule text represents current functionality and is intended to promote clarity and transparency in Exchange rules of when an order instruction would be applied to an order.

The Exchange proposes to make a corollary amendment to Rule 7.35E(h)(2)(B) to provide that this subparagraph of the Rule would apply only to an order instruction for an order that has not yet transitioned to continuous trading. The Exchange also proposes to make a clarifying amendment to add the word ''either'' before the phrase ''the Auction Processing Period or the transition to continuous trading.''

Rule 7.35E(h)(3) sets forth how orders are processed when transitioning to continuous trading from a prior trading session or following an auction.

The Exchange proposes to amend Rule 7.35E(h)(3)(A)(ii) to remove the term ''fully-executed'' from before the reference to ''display quantity.'' The Exchange has amended its Reserve Order functionality and specifically the circumstances when a Reserve Order would be replenished, and the reference to ''fully-executed'' is now moot.[23]

Rule 7.35E(h)(3)(B) provides that unexecuted orders that (1) were not eligible to trade in the prior trading session, (2) for a Trading Halt Auction, were received during a halt or pause, or (3) were received during the Auction Processing Period will be assigned a new working time at the end of the Auction Processing Period in time sequence relative to one another based on original entry time and will be processed in time sequence. The Exchange proposes to amend Rule 7.35E(h)(3)(B) to remove references to orders received during a halt or pause under (2) above.[24] As noted above, the Exchange will be reducing the number of orders that would be accepted during a halt or pause. Orders not eligible to participate in a Trading Halt Auction would no longer be resting or accepted during a halt or pause, and therefore, there would no longer be a need to assign a working time for such securities. In addition, orders in Exchange-listed securities that are accepted during a halt or pause are eligible to participate in the Trading Halt Auction, and therefore, the working time for such orders is the original entry time, as provided for in Rule 7.36E(f)(1). The Exchange believes it is reasonable for new orders received during a halt or pause to be processed as provided for in Rule 7.36E(f)(1) as this is the default processing for assigning a working time.

Rule 7.38E, Odd and Mixed Lots

The Exchange proposes to amend Rule 7.38E relating to Odd and Mixed Lots. Rule 7.38E sets forth requirements relating to odd lot and mixed lot trading on the Exchange. Rule 7.38E(b) further provides that round lot, mixed lot, and odd lot orders are treated in the same manner on the Exchange, provided that the working price of an odd lot order is adjusted both on arrival and when resting on the Exchange Book based on the limit price of the order. Currently, if the limit price of an odd lot order to buy (sell) is at or below (above) the PBO (PBB), the order has a working price equal to the limit price. If the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB), the order has a working price equal to the PBO (PBB). The rule further provides that if the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB) and the PBBO is crossed, the order has a working price equal to the PBB (PBO).

Under the current rule, although the working price of an odd lot order is adjusted based on the PBBO, the display price of an odd lot order ranked Priority 2—Display Orders is not adjusted based on the PBBO. Additionally, the rule provides that an odd lot order ranked Priority 2—Display Orders will not be assigned a new working time if its working price is adjusted under the rule. If the display price of an odd lot order to buy (sell) is above (below) its working price, the order is ranked and allocated based on its display price. As a result, an odd lot bid or offer can be displayed on the Exchange's proprietary data feeds at a price that appears to cross the PBBO, even if such order would not be eligible to trade at that price.

The Exchange proposes to amend Rule 7.38E(b) to provide that the display price of an odd lot order would be adjusted whenever the working price is adjusted. To effect this change, the Exchange proposes to amend current Rule 7.38E(b)(1) to provide that the working and display price of an odd lot order would be adjusted both on arrival and when resting on the Exchange Book. The Exchange further proposes to break current Rule 7.38E(b)(1) into subparagraphs (A)–(C) so that the rule provides how odd lot orders are ranked and executed under each of the instances provided in the current rule that are described above.

Proposed Rule 7.38E(b)(1)(A) would provide that if the limit price of an odd lot order to buy (sell) is at or below (above) the PBO (PBB), the order would have a working price and display price equal to the limit price of the order. This proposed rule text does not change any functionality, but rather, provides greater specificity of what the display price would be when the limit price of an odd lot order is not through the PBBO.

Proposed Rule 7.38E(b)(1)(B) would provide that if the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB), the order would have a working price and display price equal to the PBO (PBB) unless the order's instruction requires a display price to be different from the PBBO. This proposed rule text represents new functionality that the display price of an odd lot order would be adjusted at the same time as the working price is currently adjusted for such order. This proposed amendment does not change the price at which such odd lot order would be eligible to trade, only the price at which it is displayed on the Exchange's proprietary data feeds. The proposed rule text includes that the display price would be adjusted to the contra-side PBBO unless the order's instruction requires a display price to be different from the PBBO to account for those order types that, by their terms, do not allow the display price to be equal to a contra-side PBBO. For example, a Non-Routable Limit Order does not have a display price equal to the contra-side PBBO.[25] Accordingly, if an odd lot order were to be a Non-Routable Limit Order, pursuant to that order's instructions, it would have a display price different from the contra-side PBBO.

Proposed Rule 7.38E(b)(1)(C) would address what the display price of an odd lot order would be if the PBBO is locked or crossed. The Exchange proposes to expand the current rule text to include locked markets and add that both the display price and working price would be adjusted to the same-side PBBO if the PBBO is locked or crossed. Accordingly, as proposed, if the limit price of an odd lot order to buy (sell) is above (below) the PBO (PBB) and the PBBO is locked

[23] *See* Securities Exchange Act Release No. 83898 (August 22, 2018), 83 FR 43919 (August 28, 2018) (SR–NYSEAMER–2018–41) (amending Rule 7.31E(d)(1)(A) to state that the replenish quantity of a Reserve Order is either the minimum display size of the order or the remaining quantity of reserve interest if it is less than the minimum display quantity).

[24] To account for the deletion of paragraph (h)(3)(B)(2) of Rule 7.35E, paragraph (h)(3)(B)(3) would be renumbered as (h)(3)(B)(2) and paragraph (h)(3)(B)(4) would be renumbered as (h)(3)(B)(3).

[25] *See* Rule 7.31E(e)(1).

or crossed, the order would have a working price and display price equal to the PBB (PBO). The proposed rule would further provide that the working price and the display price of such odd lot order would not be adjusted again until the PBBO unlocks or uncrosses.

Additionally, the Exchange proposes to delete the last two sentences of current Rule 7.38E(b)(1) regarding the display price of odd lot orders and their ranking given the changes proposed to the current rule regarding the display price of an odd lot order render this text moot. By deleting this rule text, the general rules governing when a working time is assigned to an order, as specified in Rule 7.36E(f)(2), would be applicable to odd lot orders.

Because of the technology changes associated with this proposed rule change, the Exchange will announce the implementation date of this proposed rule change by Trader Update. The Exchange anticipates that the implementation date will be in the second quarter of 2019.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[26] in general, and furthers the objectives of Section 6(b)(5),[27] in particular, because 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 mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest because it would provide additional specificity in the Exchange's rules, streamline order processing when a security is halted or paused, and reduce operational complexity when transitioning to continuous trading.

Rule 7.16E, Short Sales. The Exchange believes that the proposed processing of sell short Market Orders during a Short Sale Period, as proposed in Rule 7.16E(f)(5)(C), would remove impediments to and perfect the mechanism of a fair and orderly market because it would standardize the processing of sell short Market Orders for both auctions and continuous trading. As described in Commentary .01(a) to Rule 7.35E, during a Short Sale Period, sell short Market Orders are currently processed as Limit Orders ranked Priority 2—Display Orders. The Exchange believes that it would remove impediments to and perfect the mechanism of a free and open market and a national market system to extend this functionality to how sell short Market Orders are processed during continuous trading. The Exchange further believes that because Market Orders would be assigned a limit price of one MPV above $0.00, it would remove impediments to and perfect the mechanism of a free and open market for sell short Market Orders that have been converted to an order ranked Priority 2—Display Orders to continue to be subject to Trading Collars and be cancelled if the Permitted Price is equal to or below the Lower Price Band. The Exchange believes that the proposed changes will provide clarity on the short sale order handling procedures employed by the Exchange so that such orders are handled by the Exchange consistent with Regulation SHO. The Exchange also believes that the proposed functionality related to the processing of short sale orders will assist ETP Holders in executing or displaying their orders consistent with Regulation SHO.

The proposed change to adopt new subparagraph (8) to Rule 7.16E(f) and to make a related change to Commentary .01(b) to Rule 7.35E would promote just and equitable principles of trade and remove impediments to, and perfect the mechanism of a free and open market and a national market system because it would streamline order processing by adjusting the working and display price of all short sale orders to a Permitted Price ahead of an auction with any unexecuted portion of that short sale order remaining at a Permitted Price following the auction for the remainder of the Short Sale Period. The proposal would provide for consistent pricing of all short sale orders during a Short Sale Period, even though certain short sale orders would otherwise be permitted to remain at their previously displayed price pursuant to Rule 7.16E(f)(6). The Exchange believes that situations where the NBB would cross the price at which an auction is conducted are rare, and therefore the number of sell short orders that could lose an execution opportunity in such circumstances would be de minimis. The proposal is also consistent with the treatment of short sale orders on the Exchange's affiliate.[28]

Rule 7.18E, Halts. The proposed change to Rule 7.18E(b) to cancel certain non-displayed orders in UTP Securities during a halt or pause promotes just and equitable principles of trade and removes impediments to, and perfects the mechanism of, a free and open market and a national market system because it would reduce the operational complexity of processing these orders following a halt or pause.

The proposed changes to Rules 7.18E(c)(1) and (4) to cancel or reject various types of non-displayed orders in Exchange-listed securities during a halt or pause also promotes just and equitable principles of trade and removes impediments to, and perfect the mechanism of, a free and open market and a national market system because none of those orders are eligible to participate in a Trading Halt Auction and would reduce operational complexity when the Exchange transitions to continuous trading and orders are placed on the Exchange Book.

The proposed changes to Rule 7.18E(c)(1) and (2) to retain Market Orders in Exchange-listed securities during and halt or pause promotes just and equitable principles of trade because it would enable those Market Orders to participate in the Trading Halt Auction. ETP Holders that do not wish that their Market Order participate in a Trading Halt Auction may cancel their order while the security is halted or paused.

The proposed change to Rule 7.18E(c)(3) to provide that the Exchange would re-price orders resting in the Exchange Book during a halt or pause to their limit price fosters cooperation and coordination with persons engaged in facilitating transactions in securities because it would align the pricing of those orders with price at which they would be ranked for purposes of the Trading Halt Auction.[29]

Rule 7.31E, Orders and Modifiers. The proposed change to Rule 7.31E(a)(2)(B) to not subject a Limit Order in an Auction-Eligible Security entered during a halt or pause to Limit Order Price Protection removes impediments to, and perfects the mechanism of, a free and open market and a national market system because it is consistent with other provisions of Rule 7.31E(a)(2)(B) under which an order would not be subject to Limit Order Protection on arrival before they are eligible to trade. The first opportunity such order would have to trade would be a single-priced transaction of a Trading Halt Auction. In such case, the Limit Order would be traded in such auction at the price of the auction and not at the limit price. Accordingly, the Exchange does not believe that Limit Order Price Protection

[26] 15 U.S.C. 78f(b).

[27] 15 U.S.C. 78f(b)(5).

[28] *See supra* note 11.

[29] *See* Rule 7.35E(a)(6)(A) (Limit Orders, LOO Orders, and LOC orders will be ranked based on their limit price and not the price at which they would participate in the auction).

would be necessary for such orders. The proposal would also provide additional specificity in the Exchange's rules because Limit Orders are not eligible to trade during a halt or pause and, therefore, should not be subject to Limit Order Price Protection.

Rule 7.34E, Trading Sessions. The proposed changes to Rule 7.34E(c) promote just and equitable principles of trade and remove impediments to, and perfect the mechanism of, a free and open market and a national market system because rejecting Non-Displayed Limit Orders, MPL Orders, and Tracking Orders entered before the Auction Processing Period for the Early Open Auction concludes would reduce operational complexity when the Exchange transitions to continuous trading. It would also streamline order processing when the Exchange begins continuous trading by reducing the operational complexity of processing these orders following a halt or pause. ETP Holders seeking to enter theses order types may do so once the Early Trading Session begins.

Rule 7.35E, Auctions. The proposed changes to Rule 7.35E(h)(2) would remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it adds further specificity to the Exchange's rules regarding how order instruction (as defined in Rule 7.35E(g)) are processed before and after the order transitions to continuous trading. The proposed rule change does not alter the manner in which the Exchange processes order instructions. Rather, the proposal provides additional specificity within the Exchange's rules, thereby removing any ambiguity and avoiding potential investor confusion.

The proposed change to Rule 7.35E(h)(3)(A)(ii) perfects the mechanism of a free and open market and a national market system because it conforms the rule to a recent change to the description of Reserve Orders under Rule 7.31E(d)(1)(A) to specify that the replenish quantity of a Reserve Order may not be the full display quantity.[30]

The proposed change to Rule 7.35E(h)(3)(B) to process orders received during a halt or pause consistent with Rule 7.36E(f)(1) is consistent with the proposed changes, described above, limiting the orders that are accepted during a halt or pause to those order types that are eligible to participate in a Trading Halt Auction. The Exchange believes that it would remove impediments to and perfect the mechanism of a free and open market and a national market system to apply the default process for assigning a working time to such orders.

Rule 7.38E, Odd and Mixed Lots. The Exchange believes that the proposed processing of odd lot orders would remove impediments to and perfect the mechanism of a fair and orderly market because the proposed change would align the working price and display price of odd lot orders. The proposed change would not alter the price at which an odd lot order would be eligible to trade, but rather, would provide greater transparency regarding what price an odd lot order would trade by aligning the display price of such order with its working price. The Exchange believes that this proposed rule change would further remove impediments to and perfect the mechanism of a free and open market and a national market system by reducing the potential for an odd lot order to appear on the Exchange's proprietary data feeds as though it is locking or crossing the PBBO. The Exchange further believes the proposed rule change, which proposes to assign a display price that is equal to the working price for odd lot orders, would remove impediments to and perfect the mechanism of a fair and orderly market because it would promote transparency in the ranking and execution of such orders. Additionally, the Exchange believes the proposed change to how the working time of an odd lot order would be adjusted would remove impediments to and perfect the mechanism of a free and open market by aligning the processing of odd lot orders with the standard manner by which the working time is assigned to an order, as provided for in Rule 7.36E(f)(2).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to Rules 7.18E, 7.31E, 7.34E and 7.35E are designed to provide additional specificity to the Exchange's rules, reduce operational complexity during a halt or pause, and streamline order processing when transitioning to continuous trading following an auction. The proposed changes to Rules 7.16E and 7.38E are also designed to provide additional specificity to the Exchange's rules and reduce operational complexity by (i) aligning the display price of an odd lot order with its working price, (ii) converting sell short Market Orders to displayed interest and adjusting the working and display price of short sale orders prior to an auction to the Permitted Price, and (iii) promoting transparency in the ranking and execution of odd lot orders. These proposed changes should, therefore, promote competition by enhancing the Exchange's rules to provide greater specificity to market participants and improving the efficiency of the Exchange's order handling processes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[31] and Rule 19b–4(f)(6) thereunder.[32] Because the 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 prior to 30 days from the date on which it was filed, 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 Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

At any time within 60 days of the filing of such 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 under Section 19(b)(2)(B)[33] of the Act 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:

[30] *See supra* note 23.

[31] 15 U.S.C. 78s(b)(3)(A)(iii).

[32] 17 CFR 240.19b–4(f)(6).

[33] 15 U.S.C. 78s(b)(2)(B).

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–NYSEAMER–2019–04 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 SR–NYSEAMER–2019–04. 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–NYSEAMER–2019–04 and should be submitted on or before April 4, 2019.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Eduardo A. Aleman,

Deputy Secretary.

[FR Doc. 2019–04688 Filed 3–13–19; 8:45 am]

BILLING CODE 8011–01–P

[34] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15888 and #15889; Texas Disaster Number TX–00511]

Administrative Declaration of a Disaster for the State of Texas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Texas dated 03/06/2019.

Incident: Severe Storms and Floods.

Incident Period: 09/10/2018 through 11/02/2018.

DATES: Issued on 03/06/2019.

Physical Loan Application Deadline Date: 05/06/2019.

Economic Injury (EIDL) Loan Application Deadline Date: 12/06/2019.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Burnet, Llano, Travis, Walker.

Contiguous Counties:

Texas: Bastrop, Bell, Blanco, Caldwell, Gillespie, Grimes, Hays, Houston, Lampasas, Madison, Mason, Montgomery, San Jacinto, San Saba, Trinity, Williamson.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	4.000
Homeowners without Credit Available Elsewhere	2.000
Businesses with Credit Available Elsewhere	7.350
Businesses without Credit Available Elsewhere	3.675
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	3.675
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 15888 6 and for economic injury is 15889 0.

The State which received an EIDL Declaration # is Texas.

(Catalog of Federal Domestic Assistance Number 59008)

Dated: March 6, 2019.

Linda E. McMahon,

Administrator.

[FR Doc. 2019–04684 Filed 3–13–19; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice: 10707]

U.S. Department of State Advisory Committee on Private International Law (ACPIL): Public Meeting on Electronic Commerce—Identity Management

The Office of the Assistant Legal Adviser for Private International Law, Department of State, gives notice of a public meeting to discuss work by the United Nations Commission on International Trade Law (UNCITRAL) in the area of identity management. The public meeting will take place on Monday, April 2, 2019, from 9:30 a.m. until 12 p.m. EDT. This is not a meeting of the full Advisory Committee.

At its 2018 annual meeting, the Commission decided that UNCITRAL's Working Group IV should conduct work on legal issues relating to identity management and trust services, with a view to preparing a text aimed at facilitating cross-border recognition of identity management and trust services. Neither the Commission nor the Working Group have taken a decision concerning the form of any instrument to be developed. To facilitate the work of the Working Group, the UNCITRAL Secretariat has drafted ''Draft Provisions on the Cross-border Recognition of [Identity Management] and Trust Services'' (UN Doc. A/CN.9/*WG.IV/WP.157*), available at *https://undocs.org/en/A/CN.9/WG.IV/WP.157,* and ''Explanatory Remarks on the Draft Provisions on the Cross-border Recognition of Identity Management and Trust Services'' (UN Doc. A/CN.9/WG.IV/WP.158), available at *https://undocs.org/en/A/CN.9/WG.IV/WP.158.*

The purpose of the public meeting is to obtain the views of concerned stakeholders on the issues presented in

the Draft Provisions as well as the accompanying Explanatory Remarks. Participants in the public meeting should read the Secretariat's notes in advance of the meeting and should be prepared to discuss the issues presented within the notes. Those who cannot attend but wish to comment are welcome to do so by email to Michael Coffee at *coffeems@state.gov.*

Time and Place: The meeting will take place on April 2, 2019, from 9:30 a.m. until 12 p.m. EDT in Room 356, South Building, State Department Annex 4A, Washington, DC 20037. Participants should plan to arrive at the Navy Hill gate on the west side of 23rd Street NW, at the intersection of 23rd Street NW and D Street NW by 9:00 a.m. for visitor screening. If you are unable to attend the public meeting and would like to participate from a remote location, teleconferencing will be available.

Public Participation: This meeting is open to the public, subject to the capacity of the meeting room. Access to the building is strictly controlled. For pre-clearance purposes, those planning to attend should email *pil@state.gov* providing full name, date of birth, citizenship, driver's license or passport number, and email address. This information will greatly facilitate entry into the building. It is critical that participants provide such notification to the Department in advance of the meeting as the meeting room and building might change should extra space be needed to accommodate in-person participation. A member of the public needing reasonable accommodation should email *pil@state.gov* not later than March 25, 2019. Requests made after that date will be considered, but might not be able to be fulfilled. If you would like to participate by telephone, please email *pil@state.gov* to obtain the call-in number and other information.

Data from the public is 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://foia.state.gov/_docs/SORN/State-36.pdf* for additional information.

Michael S. Coffee,

Attorney-Adviser, Office of Private International Law, Office of the Legal Adviser, U.S. Department of State.

[FR Doc. 2019–04718 Filed 3–13–19; 8:45 am]

BILLING CODE 4710–08–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 33043 (Sub-No. 1)]

CSX Transportation, Inc.—Trackage Rights Exemption—Paducah & Louisville Railway, Inc.

CSX Transportation, Inc. (CSXT), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) to extend the term of its overhead trackage rights over a 24.0-mile line of the Paducah & Louisville Railway, Inc. (PAL) (the Line). The trackage rights are between just west of Madisonville, Ky., PAL milepost 146, and just east of Central City, Ky., PAL milepost 122, in Hopkins and Muhlenberg Counties, Ky.

CSXT states that the parties entered into an agreement as of August 19, 1996 (Agreement), in which PAL granted CSXT overhead trackage rights over the Line for a limited term. *See CSX Transp., Inc.—Trackage Rights Exemption—Paducah & Louisville Ry.,* FD 33043 (STB served Sept. 6, 1996). CSXT and PAL have entered Amendment No. 1, dated February 15, 2019, to amend Section 6 of the Agreement to extend the term of the trackage rights over the Line ''until terminated by mutual consent of the parties.'' [1] CSXT states that no other terms of the Agreement have been changed and that the extension of the term of the trackage rights over the Line will be pursuant to Amendment No. 1 and is not sought as a responsive application in a rail consolidation.

The transaction may be consummated on or after March 28, 2019, the effective date of the exemption (30 days after the verified notice was filed).

As a condition to this exemption, any employees affected by the extension of the term of trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.,* 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad,* 360 I.C.C. 653 (1980).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than March 21, 2019 (at least seven days before the exemption becomes effective).

An original and ten copies of all pleadings, referring to Docket No. FD 33043 (Sub-No. 1), must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

Board decisions and notices are available at *www.stb.gov.*

Decided: March 11, 2019.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2019–04728 Filed 3–13–19; 8:45 am]

BILLING CODE 4915–01–P

[1] A copy of the executed Amendment No. 1 was filed with the notice as Exhibit A.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2019–0159]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: B4UFLY Smartphone App

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves the B4UFLY smartphone app that provides situational awareness of flight restrictions—including locations of airports, restricted airspace, special use airspace, and temporary flight restrictions—based on a user's current or planned flight location. In order to maintain NAS safety in proximity to airports, authorization is now required from recreational Unmanned Aircraft System (UAS) pilots to operate in controlled airspace The data collected will assist the FAA with determining the best processes to authorize recreational UAS pilots and inform air

traffic control personnel of a UAS pilot's intended flight in order to assess whether the UAS may disrupt or endanger manned air traffic.

DATES: Written comments should be submitted by May 13, 2019.

ADDRESSES: Please send written comments:

By Electronic Docket: www.regulations.gov (Enter docket number into search field).

By mail: Jessica A. Orquina, 470 L'Enfant Plaza SW, Suite 7225, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Bonnie Reichert by email at: *bonnie.reichert@faa.gov;* phone: 405–875–6301.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120–0764.

Title: B4UFLY Smartphone App.

Form Numbers: There are no forms associated with this collection.

Type of Review: Renewal of an information collection.

Background: Public Law 112–95, Section 336 which requires model aircraft operators to notify the airport operator and air traffic control tower (if one is located at the airport) prior to operating within 5 miles of an airport. The FAA's B4UFLY smartphone app provides situational awareness of flight restrictions— including locations of airports, restricted airspace, special use airspaces, and temporary flight restrictions—based on a user's current or planned flight location. In order to maintain NAS safety in proximity to airports, air traffic control personnel would need certain basic information about a UAS operator's intended flight in order to assess whether the UAS may disrupt or endanger manned air traffic. The data collected will assist the FAA with determining the best processes to authorize recreational UAS pilots and inform air traffic control personnel of a UAS pilot's intended flight in order to assess whether the UAS may disrupt or endanger manned air traffic.

Respondents: Approximately 640,060 users.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: Approximately 2 minutes.

Estimated Total Annual Burden: Approximately 100 minutes for light usage per user. Approximately 5 hours per user for heavier usage.

Issued in Oklahoma City, OK, on March 6, 2019.

Bonnie Reichert,

Project Manager, UAS Program Office Division, Office of Information and Technology, Enterprise Program Management Services, AEM–210.

[FR Doc. 2019–04696 Filed 3–13–19; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

FAA's CORSIA Monitoring, Reporting & Verification Program

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of FAA's CORSIA Monitoring, Reporting, and Verification Program. This voluntary program will fulfill the responsibilities of the United States under the Chicago Convention to implement the ICAO Standards and Recommended Practices for the monitoring, reporting, and verification of CO_2 emissions from international flights pursuant to Annex 16, Volume IV—Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), of the Chicago Convention.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this program, contact Daniel Williams, Office of Environment and Energy, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267–7988; email *9-AWA-CORSIA@faa.gov.*

SUPPLEMENTARY INFORMATION: The CORSIA Monitoring, Reporting, and Verification (MRV) Program is a voluntary program for U.S. air carriers, commercial, and general aviation (*e.g.,* those who operate under 14 CFR parts 91, 121, and 135) operators (collectively referred hereinafter as ''operators'') to submit certain airplane CO_2 emissions data to the FAA to enable the United States to establish uniformity with the CORSIA Standards and Recommended Practices (SARPs). In June 2018, the International Civil Aviation Organization (ICAO) adopted SARPs to implement CORSIA in the form of Annex 16, Volume IV to the Convention on International Civil Aviation. The United States supported the decision to adopt the CORSIA SARPS based on the understanding that CORSIA is the exclusive market-based measure applying to international aviation, and that CORSIA will ensure fair and reciprocal commercial competition by avoiding a patchwork of country- or regionally-based regulatory measures that are inconsistently applied, bureaucratically costly, and economically damaging. Furthermore, continued U.S. support for CORSIA assumes a high level of participation by other countries, particularly by countries with significant aviation activity, as well as a final CORSIA package that is acceptable to, and implementable by, the United States.

Under CORSIA, all ICAO Member States whose airplane operators undertake international flights will need to develop a MRV system for CO_2 emissions from those international flights starting January 1, 2019. The requirement to monitor, report, and verify CO_2 emissions is independent from offsetting, and the data reported by the States will be used for the calculation of the CORSIA's baselines.

The FAA's CORSIA MRV Program is intended to be the United States' MRV system for monitoring, reporting, and verification of U.S. airplane operator CO_2 emissions from international flights. The offsetting of emissions under CORSIA, which may require rulemaking or other action, will be addressed at a future time.

An electronic version of the statement describing the CORSIA MRV Program is available on the FAA Office of Environment and Energy website at: *https://www.faa.gov/about/office_org/headquarters_offices/apl/research/environmental_policy/.*

Issued in Washington, DC, on March 7, 2019.

Kevin Welsh,

Executive Director, Office of Environment and Energy.

[FR Doc. 2019–04739 Filed 3–13–19; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0138]

Agency Information Collection Activity: Request for Details of Expenses

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before May 13, 2019.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy Kessinger, Veterans Benefits Administration (20M3), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0138'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Danny S. Green at (202) 421–1354.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: 38 U.S.C. 1522.

Title: Request for Details of Expenses, VA Form 21P–8049.

OMB Control Number: 2900–0138.

Type of Review: Revision of a currently approved collection.

Abstract: The Department of Veterans Affairs (VA), through its Veterans Benefits Administration (VBA), administers an integrated program of benefits and services established by law for veterans, service personnel, and their dependents and/or beneficiaries. 38 U.S.C. 1522 Net Worth Limitation provides that VBA will deny or discontinue payment of pension benefits if it is reasonable that some part of the corpus of the claimant's or beneficiary's estate be consumed for his or her maintenance. VA codified this requirement at 38 CFR 3.274.

VBA uses the information collected on this form as evidence of additional circumstances which may affect entitlement determinations pursuant to 38 U.S.C. 1522. The information is used as a counterbalance to a claimant's substantial estate and/or annual income.

Affected Public: Individuals and households.

Estimated Annual Burden: 5,700 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 22,800.

By direction of the Secretary.

Danny S. Green,

VA Interim Clearance Officer, Office of Quality, Privacy and Risk, Department of Veterans Affairs.

[FR Doc. 2019–04715 Filed 3–13–19; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0572]

Agency Information Collection Activity: Application for Benefits for Certain Children With Disabilities Born of Vietnam and Certain Korea Service Veterans

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before May 13, 2019.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0572'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Danny S. Green at (202) 421–1354.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: Public Law 104–13; 44 U.S.C. 3501–3521.

Title: Application for Benefits for Certain Children With Disabilities Born of Vietnam and Certain Korea Service Veterans (VA Form 21–0304).

OMB Control Number: 2900–0572.

Type of Review: Extension of a currently approved collection.

Abstract: VA Form 21–0304 is used to determine the monetary allowance for a child born with Spina Bifida or certain birth defects who is the natural child of a Vietnam and certain Korea service veterans. Without this information, VA would be unable to effectively administer 38 U.S.C. 1805 or 38 U.S.C. 1815. VA Form 21–0304 has been updated to include; a new standardized format with sectional formatting and additional signature sections for witnesses, alternate, and power of attorney signers. This is a non-substantive change and does not increase the burden estimate.

Affected Public: Individuals and households.

Estimated Annual Burden: 72 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 430.

By direction of the Secretary.

Danny S. Green,

Interim VA Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2019–04721 Filed 3–13–19; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

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Part II

Department of Commerce

National Oceanic and Atmospheric Administration

50 CFR Part 679

Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2019 and 2020 Harvest Specifications for Groundfish; Final Rule

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 180831813–9170–02]

RIN 0648–XG471

Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2019 and 2020 Harvest Specifications for Groundfish

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

ACTION: Final rule; harvest specifications and closures.

SUMMARY: NMFS announces final 2019 and 2020 harvest specifications, apportionments, and Pacific halibut prohibited species catch limits for the groundfish fishery of the Gulf of Alaska (GOA). This action is necessary to establish harvest limits for groundfish during the remainder of the 2019 and the start of the 2020 fishing years and to accomplish the goals and objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska. The 2019 harvest specifications supersede those previously set in the 2018 and 2019 harvest specifications, and the 2020 harvest specifications will be superseded in early 2020 when the final 2020 and 2021 harvest specifications are published. The intended effect of this action is to conserve and manage the groundfish resources in the GOA in accordance with the Magnuson-Stevens Fishery Conservation and Management Act.

DATES: Harvest specifications and closures are effective at 1200 hours, Alaska local time (A.l.t.), March 14, 2019, through 2400 hours, A.l.t., December 31, 2020.

ADDRESSES: Electronic copies of the Final Alaska Groundfish Harvest Specifications Environmental Impact Statement (EIS), Record of Decision (ROD), the annual Supplementary Information Reports (SIRs) to the EIS, and the Initial Regulatory Flexibility Analysis (IRFA) prepared for this action are available from *https://alaskafisheries.noaa.gov.* The 2018 Stock Assessment and Fishery Evaluation (SAFE) report for the groundfish resources of the GOA, dated November 2018, and SAFE reports for previous years are available from the North Pacific Fishery Management Council (Council) at 605 West 4th Avenue, Suite 306, Anchorage, AK 99510–2252, phone 907–271–2809, or from the Council's website at *https://www.npfmc.org.*

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the GOA groundfish fisheries in the exclusive economic zone of the GOA under the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The Council prepared the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* Regulations governing U.S. fisheries and implementing the FMP appear at 50 CFR parts 600, 679, and 680.

The FMP and its implementing regulations require that NMFS, after consultation with the Council, specify the total allowable catch (TAC) for each target species, the sum of which must be within the optimum yield (OY) range of 116,000 to 800,000 metric tons (mt) (50 CFR 679.20(a)(1)(i)(B)). Section 679.20(c)(1) further requires that NMFS publish and solicit public comment on proposed annual TACs and apportionments thereof, Pacific halibut prohibited species catch (PSC) limits, and seasonal allowances of pollock and Pacific cod. Upon consideration of public comment received under § 679.20(c)(1), NMFS must publish notice of final harvest specifications for up to two fishing years as annual TACs and apportionments, Pacific halibut PSC limits, and seasonal allowances of pollock and Pacific cod, per § 679.20(c)(3)(ii). The final harvest specifications set forth in Tables 1 through 30 of this rule reflect the outcome of this process, as required at § 679.20(c).

The proposed 2019 and 2020 harvest specifications for groundfish of the GOA and Pacific halibut PSC limits were published in the **Federal Register** on December 6, 2018 (83 FR 62794). Comments were invited and accepted through January 7, 2019. NMFS received five letters of comment on the proposed harvest specifications; the comments are summarized and responded to in the ''Comments and Responses'' section of this rule. In December 2018, NMFS consulted with the Council regarding the 2019 and 2020 harvest specifications. After considering public comment, as well as biological and socioeconomic data that were available at the Council's December 2018 meeting, NMFS is implementing the final 2019 and 2020 harvest specifications, as recommended by the Council. For 2019, the sum of the TAC amounts is 430,569 mt. For 2020, the sum of the TAC amounts is 408,534 mt.

Other Actions Affecting the 2019 and 2020 Harvest Specifications

Amendment 106: Reclassify Squid as an Ecosystem Species

On July 6, 2018, NMFS published the final rule to implement Amendment 106 to the FMP (83 FR 31460). This rule reclassified squid in the FMP as an ''Ecosystem Component'' species, which is a category of non-target species that are not in need of conservation and management. Accordingly, NMFS will no longer set an Overfishing Level (OFL), acceptable biological catch (ABC), and TAC for squid in the GOA groundfish harvest specifications, beginning with the proposed 2019 and 2020 harvest specifications. Amendment 106 prohibits directed fishing for squid, while maintaining recordkeeping and reporting requirements for squid. Amendment 106 also establishes a squid maximum retainable amount when directed fishing for groundfish species at 20 percent to discourage targeting squid species.

Rulemaking To Prohibit Directed Fishing for American Fisheries Act (AFA) and Crab Rationalization (CR) Program Sideboard Limits

On February 8, 2019, NMFS published a final rule (84 FR 2723) that modifies regulations for the AFA Program and CR Program participants subject to limits on the catch of specific species (sideboard limits) in the GOA. Sideboard limits are intended to prevent participants who benefit from receiving exclusive harvesting privileges in a particular fishery from shifting effort to other fisheries.

Specifically, the final rule primarily establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for AFA Program and CR Program sideboard limits through the GOA annual harvest specifications. The final rule streamlines and simplifies NMFS's management of applicable groundfish sideboard limits. Currently, NMFS calculates numerous AFA Program and CR Program sideboard limits as part of the annual GOA groundfish harvest specifications process and publishes these limits in the **Federal Register**. Concurrently, NMFS prohibits directed fishing for the majority of the groundfish sideboard limits because most limits are too small to support directed fishing. Rather than continue this annual process, the final rule revises regulations to prohibit

directed fishing in regulation for most AFA Program and CR Program groundfish sideboard limits. Once the final rule is effective (effective March 11, 2019), NMFS will no longer publish in the annual GOA harvest specifications the AFA Program and CR Program sideboard limit amounts for groundfish species subject to the final rule (contained in Tables 18, 19, 21, and 22 of this action), and those groundfish species subject to the final rule will be prohibited to directed fishing in regulation (84 FR 2723).

ABC and TAC Specifications

In December 2018, the Scientific and Statistical Committee (SSC), Advisory Panel (AP), and Council reviewed the most recent biological and harvest information about the condition of groundfish stocks in the GOA. The GOA Groundfish Plan Team compiled and presented this information in the 2018 SAFE report for the GOA groundfish fisheries, dated November 2018 (see **ADDRESSES**). The SAFE report contains a review of the latest scientific analyses and estimates of each species' biomass and other biological parameters, as well as summaries of the available information on the GOA ecosystem and the economic condition of the groundfish fisheries off Alaska. From these data and analyses, the Plan Team recommends an OFL and ABC for each species or species group. The 2018 SAFE report was made available for public review during the public comment period for the proposed harvest specifications.

In previous years, the greatest changes from the proposed to the final harvest specifications have been based on recent NMFS stock surveys, which provide updated estimates of stock biomass and spatial distribution, and changes to the models used for producing stock assessments. At the November 2018 Plan Team meeting, NMFS scientists presented updated and new survey results, changes to stock assessment models, and accompanying stock assessment estimates for groundfish species and species groups that are included in the 2018 SAFE report per the stock assessment schedule found in the 2018 SAFE report introduction. The SSC reviewed this information at the December 2018 Council meeting. Changes from the proposed to the final 2019 and 2020 harvest specifications are discussed below.

The final 2019 and 2020 OFLs, ABCs, and TACs are based on the best available biological and socioeconomic information, including projected biomass trends, information on assumed distribution of stock biomass, and revised methods used to calculate stock biomass. The FMP specifies the formulas, or tiers, to be used to compute OFLs and ABCs. The formulas applicable to a particular stock or stock complex are determined by the level of reliable information available to fisheries scientists. This information is categorized into a successive series of six tiers to define OFL and ABC amounts, with Tier 1 representing the highest level of information quality available and Tier 6 representing the lowest level of information quality available. The Plan Team used the FMP tier structure to calculate OFL and ABC amounts for each groundfish species. The SSC adopted the final 2019 and 2020 OFLs and ABCs recommended by the Plan Team for all groundfish species. The Council adopted the SSC's OFL and ABC recommendations and the AP's TAC recommendations. The final TAC recommendations are based on the ABCs as adjusted for other biological and socioeconomic considerations, including maintaining the sum of all TACs within the required OY range of 116,000 to 800,000 mt.

The Council recommended 2019 and 2020 TACs that are equal to ABCs for pollock in the Southeast Outside (SEO) District, sablefish, shallow-water flatfish in the Central GOA and the West Yakutat and SEO Districts, deep-water flatfish, rex sole, arrowtooth flounder in the Central GOA, flathead sole in the West Yakutat and SEO Districts, Pacific ocean perch, northern rockfish, shortraker rockfish, dusky rockfish, rougheye and blackspotted rockfish, demersal shelf rockfish, thornyhead rockfish, ''other rockfish,'' big skate, longnose skate, other skates, sculpins, sharks, and octopuses in the GOA. The Council recommended TACs for 2019 and 2020 that are less than the ABCs for pollock in the Western and Central GOA and the West Yakutat District, Pacific cod, shallow-water flatfish in the Western GOA, arrowtooth flounder in the Western GOA and the West Yakutat and SEO Districts, flathead sole in the Western and Central GOA, and Atka mackerel. The combined Western, Central, and West Yakutat pollock TACs and the GOA Pacific cod TACs are set to accommodate the State of Alaska's (State's) guideline harvest levels (GHLs) so that the ABCs for pollock and Pacific cod are not exceeded. The Western GOA shallow-water flatfish, Western GOA arrowtooth flounder, and Western GOA flathead sole TACs are set to allow for increased harvest opportunities for these target species while conserving the halibut PSC limit for use in other, more fully utilized fisheries. The Atka mackerel TAC is set to accommodate incidental catch amounts in other fisheries.

The final 2019 and 2020 harvest specifications approved by the Secretary of Commerce are unchanged from those recommended by the Council, with the exception of the 2019 pollock ABCs and TACs for the Central GOA, and are consistent with the preferred harvest strategy alternative in the EIS (see **ADDRESSES**).

Following the December Council meeting, NMFS identified an error in the calculation of the 2019 seasonal apportionment of pollock among the combined Western, Central, and West Yakutat Regulatory Areas (W/C/WYK) management areas. This error does not affect the determination of the OFL or ABC (annual catch limit) for the combined W/C/WYK management areas. This error affects the 2019 seasonal TAC apportionments for the A season for Statistical Areas 620 and 630 (*i.e.,* the Central GOA management area), and the total ABC and TAC for the Central GOA management area. NMFS brought these errors to the Council's attention at the February 2019 Council meeting, along with NMFS's intent to make these corrections to the 2019 seasonal TAC apportionments for pollock. The Council did not object to the corrections for 2019. During the next annual harvest specifications process, NMFS will revise the 2020 seasonal TAC apportionments for pollock, which will be based on the Council's recommendations at the December 2019 meeting for the 2020 and 2021 harvest specifications. Annually, NMFS makes an inseason adjustment to the next year's pollock specifications (*i.e.,* 2020) if necessary to ensure that the GOA pollock TAC for the upcoming year is the appropriate amount based on the best scientific information for pollock in the GOA.

NMFS finds that the Council's recommended OFLs, ABCs, and TACs are consistent with the biological condition of the groundfish stocks as described in the final 2018 SAFE report. This finding incorporates the corrections to the Council's recommendations for the pollock ABCs and TACs for the Central GOA management area. NMFS also finds that the Council's recommendations for OFLs, ABCs, and TACs are consistent with the biological condition of groundfish stocks as adjusted for other biological and socioeconomic considerations, including maintaining the total TAC within the OY range. NMFS reviewed the Council's recommended TACs and apportionments, and NMFS approves

these harvest specifications under 50 CFR 679.20(c)(3)(ii). The apportionment of TAC amounts among gear types and sectors, processing sectors, and seasons is discussed below.

Tables 1 and 2 list the final 2019 and 2020 OFLs, ABCs, TACs, and area apportionments of groundfish in the GOA. The 2019 harvest specifications set in this final action will supersede the 2019 harvest specifications previously set in the final 2018 and 2019 harvest specifications (83 FR 8768, March 1, 2018). The 2020 harvest specifications will be superseded in early 2020 when the final 2020 and 2021 harvest specifications are published. Pursuant to this final action, the 2019 harvest specifications therefore will apply for the remainder of the current year (2019), while the 2020 harvest specifications are projected only for the following year (2020) and will be superseded in early 2020 by the final 2020 and 2021 harvest specifications. Because this final action (published in early 2019) will be superseded in early 2020 by the publication of the final 2020 and 2021 harvest specifications, it is projected that this final action will implement the harvest specifications for the Gulf of Alaska for approximately one year.

Specification and Apportionment of TAC Amounts

NMFS's apportionment of groundfish species is based on the distribution of biomass among the regulatory areas over which NMFS manages the species. Additional regulations govern the apportionment of pollock, Pacific cod, and sablefish. Additional detail on the apportionment of pollock, Pacific cod, and sablefish are described below.

The ABC for the pollock stock in the combined W/C/WYK Regulatory Areas includes the amount for the GHL established by the State for the Prince William Sound (PWS) pollock fishery. The Plan Team, SSC, AP, and Council have recommended that the sum of all State water and Federal water pollock removals from the GOA not exceed ABC recommendations. For 2019 and 2020, the SSC recommended and the Council approved the W/C/WYK pollock ABC, including the amount to account for the State's PWS GHL. At the November 2018 Plan Team meeting, State fisheries managers recommended setting the PWS GHL at 2.5 percent of the annual W/C/WYK pollock ABC. For 2019, this yields a PWS pollock GHL of 3,396 mt, a decrease of 641 mt from the 2018 PWS GHL of 4,037 mt. For 2020, the PWS pollock GHL is 2,722 mt, a decrease of 1,315 mt from the 2018 PWS pollock GHL of 4,037 mt. After the GHL reductions, the 2019 and 2020 pollock ABCs for the combined W/C/WYK areas are then apportioned between four statistical areas (Areas 610, 620, 630, and 640) as both ABCs and TACs, as described below and detailed in Tables 1 and 2. The total ABCs and TACs for the four statistical areas, plus the State GHL, do not exceed the combined W/C/WYK ABC.

Apportionments of pollock to the W/C/WYK management areas are considered to be ''apportionments of annual catch limits (ACLs)'' rather than ''ABCs.'' This more accurately reflects that such apportionments address management, rather than biological or conservation, concerns. In addition, apportionments of the ACL in this manner allow NMFS to balance any transfer of TAC among Areas 610, 620, and 630 pursuant to § 679.20(a)(5)(iv)(B) to ensure that the combined W/C/WYK ACL, ABC, and TAC are not exceeded.

NMFS establishes pollock TACs in the Western (Area 610) and Central (Areas 620 and 630) Regulatory Areas and the West Yakutat (Area 640) and the SEO (Area 650) Districts of the GOA (see Tables 1 and 2). NMFS also establishes seasonal apportionments of the annual pollock TAC in the Western and Central Regulatory Areas of the GOA among Statistical Areas 610, 620, and 630. These apportionments are divided equally among each of the following four seasons: The A season (January 20 through March 10), the B season (March 10 through May 31), the C season (August 25 through October 1), and the D season (October 1 through November 1) (§§ 679.23(d)(2)(i) through (iv), and 679.20(a)(5)(iv)(A) and (B)). Additional detail is provided in this rule; Tables 3 and 4 list these amounts.

The 2019 and 2020 Pacific cod TACs are set to accommodate the State's GHL for Pacific cod in State waters in the Western and Central Regulatory Areas, as well as in PWS. The Plan Team, SSC, AP, and Council recommended that the sum of all State water and Federal water Pacific cod removals from the GOA not exceed ABC recommendations. Accordingly, the Council set the 2019 and 2020 Pacific cod TACs in the Western, Central, and Eastern Regulatory Areas to account for State GHLs. Therefore, the 2019 Pacific cod TACs are less than the ABCs by the following amounts: (1) Western GOA, 2,290 mt; (2) Central GOA, 1,917 mt; and (3) Eastern GOA, 425 mt. The 2020 Pacific cod TACs are less than the ABCs by the following amounts: (1) Western GOA, 2,909 mt; (2) Central GOA, 2,435 mt; and (3) Eastern GOA, 540 mt. These amounts reflect the State's 2019 and 2020 GHLs in these areas, which are 30 percent of the Western GOA ABC and 25 percent of the Eastern and Central GOA ABCs.

NMFS establishes seasonal apportionments of the annual Pacific cod TAC in the Western and Central Regulatory Areas. Sixty percent of the annual TAC is apportioned to the A season for hook-and-line, pot, and jig gear from January 1 through June 10, and for trawl gear from January 20 through June 10. Forty percent of the annual TAC is apportioned to the B season for jig gear from June 10 through December 31, for hook-and-line and pot gear from September 1 through December 31, and for trawl gear from September 1 through November 1 (§§ 679.23(d)(3) and 679.20(a)(12)). The Western and Central GOA Pacific cod TACs are allocated among various gear and operational sectors. The Pacific cod sector apportionments are discussed in detail in a subsequent section and in Tables 5 and 6 of this rule.

The Council's recommendation for sablefish area apportionments takes into account the prohibition on the use of trawl gear in the SEO District of the Eastern Regulatory Area (§ 679.7(b)(1)) and makes available five percent of the combined Eastern Regulatory Area TACs to vessels using trawl gear for use as incidental catch in other trawl groundfish fisheries in the WYK District (§ 679.20(a)(4)(i)). Tables 7 and 8 list the final 2019 and 2020 allocations of sablefish TAC to fixed gear and trawl gear in the GOA.

Changes From the Proposed 2019 and 2020 Harvest Specifications in the GOA

In October 2018, the Council's recommendations for the proposed 2019 and 2020 harvest specifications (83 FR 62794, December 6, 2018) were based largely on information contained in the final 2017 SAFE report for the GOA groundfish fisheries, dated November 2017. The final 2017 SAFE report for the GOA is available from the Council (see **ADDRESSES**). The Council proposed that the final OFLs, ABCs, and TACs established for the 2019 groundfish fisheries (83 FR 8768, March 1, 2018) be used for the proposed 2019 and 2020 harvest specifications (83 FR 62794, December 6, 2018), pending completion and review of the 2018 SAFE report at the Council's December 2018 meeting.

As described previously, the SSC recommended the final 2019 and 2020 OFLs and ABCs as recommended by the Plan Team. The Council adopted as its recommendations the SSC's OFL and ABC recommendations and the AP's TAC recommendations for 2019 and 2020.

The final 2019 ABCs are higher than the proposed 2019 ABCs published in the proposed 2019 and 2020 harvest specifications (83 FR 62794, December 6, 2018) for pollock, shallow-water flatfish, deep-water flatfish, rex sole, arrowtooth flounder, flathead sole, northern rockfish, dusky rockfish, rougheye/blackspotted rockfish, demersal shelf rockfish, other rockfish, and sharks. The final 2019 ABCs are lower than the proposed 2019 ABCs for sablefish, Pacific ocean perch, and thornyhead rockfish.

The final 2020 ABCs are higher than the proposed ABCs for pollock, Pacific cod, shallow-water flatfish, deep-water flatfish, rex sole, arrowtooth flounder, flathead sole, northern rockfish, dusky rockfish, demersal shelf rockfish, other rockfish, and sharks. The final 2020 ABCs are lower than the proposed 2020 ABCs for sablefish, Pacific ocean perch, rougheye/blackspotted rockfish, and thornyhead rockfish. For the remaining target species, the Council recommended the final 2019 and 2020 ABCs that are the same as the proposed 2019 and 2020 ABCs.

Additional information explaining the changes between the proposed and final ABCs is included in the final 2018 SAFE report, which was not available when the Council made its proposed ABC and TAC recommendations in October 2018. At that time, the most recent stock assessment information was contained in the final 2017 SAFE report. The final 2018 SAFE report contains the best and most recent scientific information on the condition of the groundfish stocks, as previously discussed in this preamble, and is available for review (see **ADDRESSES**). The Council considered the 2018 SAFE report in December 2018 when it made recommendations for the final 2019 and 2020 harvest specifications. In the GOA, the total final 2019 TAC amount is 430,569 mt, an increase of 15 percent from the total proposed 2019 TAC amount of 375,280 mt. The total final 2020 TAC amount is 408,534 mt, an increase of 9 percent from the total proposed 2020 TAC amount of 375,280 mt. Table 1a summarizes the difference between the proposed and final TACs.

Annual stock assessments incorporate a variety of new or revised inputs, such as survey data or catch information, as well as changes to the statistical models used to estimate a species' biomass and population trend. Changes to biomass and ABC estimates are primarily based on fishery catch updates to species' assessment models. Some species, such as pollock and sablefish, have additional surveys conducted on an annual basis, which resulted in additional data being available for the 2018 assessments for these stocks.

The changes from the proposed 2019 TACs to the final 2019 TACs are within a range of plus 143 percent or minus 29 percent, and the changes from the proposed 2020 TACs to the final 2020 TACs are within a range of plus 143 percent or minus 5 percent. Based on changes in the estimates of overall biomass in the stock assessment for 2019 and 2020, as compared to the estimates previously made for 2018 and 2019, the species or species group with the greatest TAC percentage increases are pollock, Pacific cod, arrowtooth flounder, northern rockfish, other rockfish, and sharks. Based on changes in the estimates of biomass, the species or species group with the greatest decreases in TACs is sablefish. For all other species and species groups, changes from the proposed 2019 TACs to the final 2019 TACs and changes from the proposed 2020 TACs to the final 2020 TACs are less than a 10 percent change (either increase or decrease). These TAC changes correspond to associated changes in the ABCs and TACs, as recommended by the SSC, AP, and Council.

Detailed information providing the basis for the changes described above is contained in the final 2018 SAFE report. The final TACs are based on the best scientific information available. These TACs are specified in compliance with the harvest strategy described in the proposed and final rules for the 2019 and 2020 harvest specifications.

TABLE 1a—COMPARISON OF PROPOSED AND FINAL 2019 AND 2020 GOA TOTAL ALLOWABLE CATCH LIMITS

[Values are rounded to the nearest metric ton and percentage]

Species	2019 and 2020 proposed TAC	2019 Final TAC	2019 Final minus 2019 proposed TAC	Percentage difference (%)	2020 Final TAC	2020 Final minus 2020 proposed TAC	Percentage difference (%)
Pollock	112,678	141,227	28,549	25	114,943	2,265	2
Pacific cod	12,368	12,368	0	0	15,709	3,341	27
Sablefish	16,194	11,571	−4,623	−29	15,462	−732	−5
Shallow-water flatfish	43,128	43,217	89	0	43,606	478	1
Deep-water flatfish	9,499	9,501	2	0	9,624	125	1
Rex sole	14,529	14,692	163	1	14,725	196	1
Arrowtooth flounder	76,300	99,295	22,995	30	96,875	20,575	27
Flathead sole	26,487	26,489	2	0	26,587	100	0
Pacific ocean perch	28,605	28,555	−50	0	27,652	−953	−3
Northern rockfish	3,347	4,528	1,181	35	4,269	922	28
Shortraker rockfish	863	863	0	0	863	0	0
Dusky rockfish	3,668	3,700	32	1	3,670	2	0
Rougheye/blackspotted rockfish	1,427	1,428	1	0	1,414	−13	−1
Demersal shelf rockfish	250	261	11	4	261	11	4
Thornyhead rockfish	2,038	2,016	−22	−1	2,016	−22	−1
Other rockfish	2,305	5,594	3,289	143	5,594	3,289	143
Atka mackerel	3,000	3,000	0	0	3,000	0	0
Big skate	2,848	2,848	0	0	2,848	0	0
Longnose skate	3,572	3,572	0	0	3,572	0	0
Other skates	1,384	1,384	0	0	1,384	0	0
Sculpins	5,301	5,301	0	0	5,301	0	0
Sharks	4,514	8,184	3,670	81	8,184	3,670	81
Squids	0	0	0	.....	0	0	.....
Octopuses	975	975	0	0	975	0	0

TABLE 1a—COMPARISON OF PROPOSED AND FINAL 2019 AND 2020 GOA TOTAL ALLOWABLE CATCH LIMITS—Continued

[Values are rounded to the nearest metric ton and percentage]

Species	2019 and 2020 proposed TAC	2019 Final TAC	2019 Final minus 2019 proposed TAC	Percentage difference (%)	2020 Final TAC	2020 Final minus 2020 proposed TAC	Percentage difference (%)
Total	375,280	430,569	55,289	15	408,534	33,254	9

The final 2019 and 2020 TAC recommendations for the GOA are within the OY range established for the GOA and do not exceed the ABC for any species or species group. Tables 1 and 2 list the final OFL, ABC, and TAC amounts for GOA groundfish for 2019 and 2020, respectively.

TABLE 1—FINAL 2019 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
Pollock [2]	Shumagin (610)	n/a	24,875	24,875
	Chirikof (620)	n/a	67,388	67,388
	Kodiak (630)	n/a	34,443	34,443
	WYK (640)	n/a	5,748	5,748
	W/C/WYK (subtotal) [2]	194,230	135,850	132,454
	SEO (650)	11,697	8,773	8,773
Pacific cod [3]	Total	205,927	144,623	141,227
	W	n/a	7,633	5,343
	C	n/a	7,667	5,750
	E	n/a	1,700	1,275
Sablefish [4]	Total	23,669	17,000	12,368
	W	n/a	1,581	1,581
	C	n/a	5,178	5,178
	WYK	n/a	1,828	1,828
	SEO	n/a	2,984	2,984
	E (WYK and SEO) (subtotal)	n/a	4,812	4,812
Shallow-water flatfish [5]	Total	25,227	11,571	11,571
	W	n/a	25,620	13,250
	C	n/a	25,731	25,731
	WYK	n/a	2,279	2,279
	SEO	n/a	1,957	1,957
Deep-water flatfish [6]	Total	68,309	55,587	43,217
	W	n/a	416	416
	C	n/a	3,443	3,443
	WYK	n/a	3,280	3,280
	SEO	n/a	2,362	2,362
Rex sole	Total	11,434	9,501	9,501
	W	n/a	2,951	2,951
	C	n/a	8,357	8,357
	WYK	n/a	1,657	1,657
	SEO	n/a	1,727	1,727
Arrowtooth flounder	Total	17,889	14,692	14,692
	W	n/a	35,994	14,500
	C	n/a	70,995	70,995
	WYK	n/a	15,911	6,900
	SEO	.....	22,941	6,900
Flathead sole	Total	174,598	145,841	99,295
	W	n/a	13,234	8,650
	C	n/a	20,238	15,400
	WYK	n/a	1,932	1,932
	SEO	n/a	406	406
Pacific ocean perch [7]	Total	44,865	21,109	15,400
	W	n/a	3,227	3,227
	C	n/a	19,646	19,646
	WYK	n/a	3,296	3,296

TABLE 1—FINAL 2019 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA—Continued

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
	W/C/WYK subtotal	31,113	26,169	26,169
	SEO	2,838	2,386	2,386
	Total	33,951	28,555	28,555
Northern rockfish [8]	W	n/a	1,190	1,190
	C	n/a	3,338	3,338
	E	n/a	1	
	Total	5,402	4,529	4,528
Shortraker rockfish [9]	W	n/a	44	44
	C	n/a	305	305
	E	n/a	514	514
	Total	1,151	863	863
Dusky rockfish [10]	W	n/a	781	781
	C	n/a	2,764	2,764
	WYK	n/a	95	95
	SEO	n/a	60	60
	Total	4,521	3,700	3,700
Rougheye and Blackspotted rockfish [11]	W	n/a	174	174
	C	n/a	550	550
	E	n/a	704	704
	Total	1,715	1,428	1,428
Demersal shelf rockfish [12]	SEO	411	261	261
Thornyhead rockfish	W	n/a	326	326
	C	n/a	911	911
	E	n/a	779	779
	Total	2,688	2,016	2,016
Other rockfish [13 14]	W and C	n/a	1,737	1,737
	WYK	n/a	368	368
	SEO	n/a	3,489	3,489
	Total	7,356	5,594	5,594
Atka mackerel	GW	6,200	4,700	3,000
Big skate [15]	W	n/a	504	504
	C	n/a	1,774	1,774
	E	n/a	570	570
	Total	3,797	2,848	2,848
Longnose skate [16]	W	n/a	149	149
	C	n/a	2,804	2,804
	E	n/a	619	619
	Total	4,763	3,572	3,572
Other skates [17]	GW	1,845	1,384	1,384
Sculpins	GW	6,958	5,301	5,301
Sharks	GW	10,913	8,184	8,184
Octopus	GW	1,300	975	975
Total		664,889	509,507	430,569

[1] Regulatory areas and districts are defined at § 679.2. (W = Western Gulf of Alaska; C = Central Gulf of Alaska; E = Eastern Gulf of Alaska; WYK = West Yakutat District; SEO = Southeast Outside District; GW = Gulf-wide).

[2] The total for the W/C/WYK Regulatory Areas pollock ABC is 135,850 mt. After deducting 2.5 percent (3,396 mt) of that ABC for the State's pollock GHL fishery, the remaining pollock ABC of 132,454 mt (for the W/C/WYK Regulatory Areas) is apportioned among four statistical areas (Areas 610, 620, 630, and 640). These apportionments are considered subarea ACLs, rather than ABCs, for specification and reapportionment purposes. The ACLs in Areas 610, 620, and 630 are further divided by season, as detailed in Table 3 (final 2019 seasonal biomass distribution of pollock in the Western and Central Regulatory Areas, area apportionments, and seasonal allowances). In the West Yakutat (Area 640) and Southeast Outside (Area 650) Districts of the Eastern Regulatory Area, pollock is not divided into seasonal allowances.

[3] The annual Pacific cod TAC is apportioned 60 percent to the A season and 40 percent to the B season in the Western and Central Regulatory Areas of the GOA. Pacific cod TAC in the Eastern Regulatory Area of the GOA is allocated 90 percent to vessels harvesting Pacific cod for processing by the inshore component and 10 percent to vessels harvesting Pacific cod for processing by the offshore component. Table 5 lists the final 2019 Pacific cod seasonal apportionments.

[4] Sablefish is allocated to trawl and fixed gear in 2019 and trawl gear in 2020. Table 7 lists the final 2019 allocations of sablefish TACs.

[5] "Shallow-water flatfish" means flatfish not including "deep-water flatfish," flathead sole, rex sole, or arrowtooth flounder.

[6] "Deep-water flatfish" means Dover sole, Greenland turbot, Kamchatka flounder, and deepsea sole.

[7] "Pacific ocean perch" means *Sebastes alutus.*

[8] "Northern rockfish" means *Sebastes polyspinis.* For management purposes, the 1 mt apportionment of ABC to the WYK District of the Eastern Gulf of Alaska has been included in the "other rockfish" species group.
[9] "Shortraker rockfish" means *Sebastes borealis.*
[10] "Dusky rockfish" means *Sebastes variabilis.*
[11] "Rougheye and blackspotted rockfish" means *Sebastes aleutianus* (rougheye) and *Sebastes melanostictus* (blackspotted).
[12] "Demersal shelf rockfish" means *Sebastes pinniger* (canary), *S. nebulosus* (china), *S. caurinus* (copper), *S. maliger* (quillback), *S. helvomaculatus* (rosethorn), *S. nigrocinctus* (tiger), and *S. ruberrimus* (yelloweye).
[13] "Other rockfish" means *Sebastes aurora* (aurora), *S. melanostomus* (blackgill), *S. paucispinis* (bocaccio), *S. goodei* (chilipepper), *S. crameri* (darkblotch), *S. elongatus* (greenstriped), *S. variegatus* (harlequin), *S. wilsoni* (pygmy), *S. babcocki* (redbanded), *S. proriger* (redstripe), *S. zacentrus* (sharpchin), *S. jordani* (shortbelly), *S. brevispinis* (silvergrey), *S. diploproa* (splitnose), *S. saxicola* (stripetail), *S. miniatus* (vermilion), *S. reedi* (yellowmouth), *S. entomelas* (widow), and *S. flavidus* (yellowtail). In the Eastern GOA only, other rockfish also includes northern rockfish, *S. polyspinis.*
[14] "Other rockfish" in the Western and Central Regulatory Areas and in the West Yakutat District means other rockfish and demersal shelf rockfish. The "other rockfish" species group in the SEO District only includes other rockfish.
[15] "Big skate" means *Raja binoculata.*
[16] "Longnose skate" means *Raja rhina.*
[17] "Other skates" means *Bathyraja and Raja* spp.

TABLE 2—FINAL 2020 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
Pollock [2]	Shumagin (610)	n/a	19,939	19,939
	Chirikof (620)	n/a	57,279	57,279
	Kodiak (630)	n/a	24,345	24,345
	WYK (640)	n/a	4,607	4,607
	W/C/WYK (subtotal) [2]	148,968	108,892	106,170
	SEO (650)	11,697	8,773	8,773
Pacific cod [3]	Total	160,665	117,665	114,943
	W	n/a	9,695	6,787
	C	n/a	9,738	7,304
	E	n/a	2,159	1,619
Sablefish [4]	Total	26,078	21,592	15,709
	W	n/a	2,105	2,105
	C	n/a	6,931	6,931
	WYK	n/a	2,433	2,433
	SEO	n/a	3,993	3,993
	E (WYK and SEO) (subtotal)	n/a	6,426	6,426
Shallow-water flatfish [5]	Total	34,872	15,462	15,462
	W	n/a	25,952	13,250
	C	n/a	26,065	26,065
	WYK	n/a	2,308	2,308
	SEO	n/a	1,983	1,983
Deep-water flatfish [6]	Total	69,167	56,308	43,606
	W	n/a	420	420
	C	n/a	3,488	3,488
	WYK	n/a	3,323	3,323
	SEO	n/a	2,393	2,393
Rex sole	Total	11,581	9,624	9,624
	W	n/a	2,956	2,956
	C	n/a	8,371	8,371
	WYK	n/a	1,664	1,664
	SEO	n/a	1,734	1,734
Arrowtooth flounder	Total	17,942	14,725	14,725
	W	n/a	34,765	14,500
	C	n/a	68,575	68,575
	WYK	n/a	15,368	6,900
	SEO	n/a	22,157	6,900
Flathead sole	Total	168,634	140,865	96,875
	W	n/a	13,771	8,650
	C	n/a	21,965	15,400
	WYK	n/a	2,097	2,097
	SEO	n/a	440	440
Pacific ocean perch [7]	Total	46,666	38,273	26,587
	W	n/a	3,125	3,125
	C	n/a	19,024	19,024
	WYK	n/a	3,192	3,192

TABLE 2—FINAL 2020 OFLS, ABCS, AND TACS OF GROUNDFISH FOR THE WESTERN/CENTRAL/WEST YAKUTAT, WESTERN, CENTRAL, EASTERN REGULATORY AREAS, THE WEST YAKUTAT AND SOUTHEAST OUTSIDE DISTRICTS OF THE EASTERN REGULATORY AREA, AND GULFWIDE DISTRICTS OF THE GULF OF ALASKA—Continued

[Values are rounded to the nearest metric ton]

Species	Area [1]	OFL	ABC	TAC
	W/C/WYK	30,128	25,341	25,341
	SEO	2,748	2,311	2,311
	Total	32,876	27,652	27,652
Northern rockfish [8]	W	n/a	1,122	1,122
	C	n/a	3,147	3,147
	E	n/a	1	0
	Total	5,093	4,270	4,269
Shortraker rockfish [9]	W	n/a	44	44
	C	n/a	305	305
	E	n/a	514	514
	Total	1,151	863	863
Dusky rockfish [10]	W	n/a	774	774
	C	n/a	2,742	2,742
	WYK	n/a	94	94
	SEO	n/a	60	60
	Total	4,484	3,670	3,670
Rougheye and Blackspotted rockfish [11]	W	n/a	172	172
	C	n/a	545	545
	E	n/a	697	697
	Total	1,699	1,414	1,414
Demersal shelf rockfish [12]	SEO	411	261	261
Thornyhead rockfish	W	n/a	326	326
	C	n/a	911	911
	E	n/a	779	779
	Total	2,688	2,016	2,016
Other rockfish [13 14]	W and C	n/a	1,737	1,737
	WYK	n/a	368	368
	SEO	n/a	3,489	3,489
	Total	7,356	5,594	5,594
Atka mackerel	GW	6,200	4,700	3,000
Big skate [15]	W	n/a	504	504
	C	n/a	1,774	1,774
	E	n/a	570	570
	Total	3,797	2,848	2,848
Longnose skate [16]	W	n/a	149	149
	C	n/a	2,804	2,804
	E	n/a	619	619
	Total	4,763	3,572	3,572
Other skates [17]	GW	1,845	1,384	1,384
Sculpins	GW	6,958	5,301	5,301
Sharks	GW	10,913	8,184	8,184
Octopus	GW	1,300	975	975
Total		627,049	487,218	408,534

[1] Regulatory areas and districts are defined at §679.2. (W = Western Gulf of Alaska; C = Central Gulf of Alaska; E = Eastern Gulf of Alaska; WYK = West Yakutat District; SEO = Southeast Outside District; GW = Gulf-wide).

[2] The total for the W/C/WYK Regulatory Areas pollock ABC is 108,892 mt. After deducting 2.5 percent (2,722 mt) of that ABC for the State's pollock GHL fishery, the remaining pollock ABC of 106,170 mt (for the W/C/WYK Regulatory Areas) is apportioned among four statistical areas (Areas 610, 620, 630, and 640). These apportionments are considered subarea ACLs, rather than ABCs, for specification and reapportionment purposes. The ACLs in Areas 610, 620, and 630 are further divided by season, as detailed in Table 4 (final 2020 seasonal biomass distribution of pollock in the Western and Central Regulatory Areas, area apportionments, and seasonal allowances). In the West Yakutat (Area 640) and Southeast Outside (Area 650) Districts of the Eastern Regulatory Area, pollock is not divided into seasonal allowances.

[3] The annual Pacific cod TAC is apportioned 60 percent to the A season and 40 percent to the B season in the Western and Central Regulatory Areas of the GOA. Pacific cod in the Eastern Regulatory Area of the GOA is allocated 90 percent to vessels harvesting Pacific cod for processing by the inshore component and 10 percent to vessels harvesting Pacific cod for processing by the offshore component. Table 6 lists the final 2020 Pacific cod seasonal apportionments.

[4] Sablefish is only allocated to trawl gear for 2020. Table 8 lists the final 2020 allocation of sablefish TACs to trawl gear.

[5] "Shallow-water flatfish" means flatfish not including "deep-water flatfish," flathead sole, rex sole, or arrowtooth flounder.

[6] "Deep-water flatfish" means Dover sole, Greenland turbot, Kamchatka flounder, and deepsea sole.

[7] "Pacific ocean perch" means *Sebastes alutus.*

[8] "Northern rockfish" means *Sebastes polyspinis.* For management purposes, the 1 mt apportionment of ABC to the WYK District of the Eastern Gulf of Alaska has been included in the "other rockfish" species group.
[9] "Shortraker rockfish" means *Sebastes borealis.*
[10] "Dusky rockfish" means *Sebastes variabilis.*
[11] "Rougheye and blackspotted rockfish" means *Sebastes aleutianus* (rougheye) and *Sebastes melanostictus* (blackspotted).
[12] "Demersal shelf rockfish" means *Sebastes pinniger* (canary), *S. nebulosus* (china), *S. caurinus* (copper), *S. maliger* (quillback), *S. helvomaculatus* (rosethorn), *S. nigrocinctus* (tiger), and *S. ruberrimus* (yelloweye).
[13] "Other rockfish" means *Sebastes aurora* (aurora), *S. melanostomus* (blackgill), *S. paucispinis* (bocaccio), *S. goodei* (chilipepper), *S. crameri* (darkblotch), *S. elongatus* (greenstriped), *S. variegatus* (harlequin), *S. wilsoni* (pygmy), *S. babcocki* (redbanded), *S. proriger* (redstripe), *S. zacentrus* (sharpchin), *S. jordani* (shortbelly), *S. brevispinis* (silvergrey), *S. diploproa* (splitnose), *S. saxicola* (stripetail), *S. miniatus* (vermilion), *S. reedi* (yellowmouth), *S. entomelas* (widow), and *S. flavidus* (yellowtail). In the Eastern GOA only, other rockfish also includes northern rockfish, *S. polyspinis.*
[14] "Other rockfish" in the Western and Central Regulatory Areas and in the West Yakutat District means other rockfish and demersal shelf rockfish. The "other rockfish" species group in the SEO District only includes other rockfish.
[15] "Big skate" means *Raja binoculata.*
[16] "Longnose skate" means *Raja rhina.*
[17] "Other skates" means *Bathyraja and Raja* spp.

Apportionment of Reserves

Section 679.20(b)(2) requires that NMFS set aside 20 percent of each TAC for pollock, Pacific cod, flatfish, sculpins, sharks, and octopuses in reserve for possible apportionment at a later date during the fishing year. For 2019 and 2020, NMFS proposed reapportionment of all the reserves in the proposed 2019 and 2020 harvest specifications published in the **Federal Register** on December 6, 2018 (83 FR 62794). NMFS did not receive any public comments on the proposed reapportionments. For the final 2019 and 2020 harvest specifications, NMFS reapportioned, as proposed, all the reserves for pollock, Pacific cod, flatfish, sculpins, sharks, and octopuses back into the original TAC limit from which the reserve was derived. This was done because NMFS expects, based on recent harvest patterns, that such reserves are not necessary and that the entire TAC for each of these species will be caught. The TACs listed in Tables 1 and 2 reflect reapportionments of reserve amounts to the original TAC limit for these species and species groups; *i.e.,* each final TAC for the above mentioned species or species groups contains the full TAC recommended by the Council.

Apportionments of Pollock TAC Among Seasons and Regulatory Areas, and Allocations for Processing by Inshore and Offshore Components

In the GOA, pollock is apportioned by season and area, and is further allocated for processing by inshore and offshore components. Pursuant to § 679.20(a)(5)(iv)(B), the annual pollock TAC specified for the Western and Central Regulatory Areas of the GOA is apportioned into four equal seasonal allowances of 25 percent. As established by § 679.23(d)(2)(i) through (iv), the A, B, C, and D season allowances are available from January 20 to March 10, March 10 to May 31, August 25 to October 1, and October 1 to November 1, respectively.

Pollock TACs in the Western and Central Regulatory Areas of the GOA are apportioned among Statistical Areas 610, 620, and 630 in proportion to the distribution of the pollock biomass, pursuant to § 679.20(a)(5)(iv)(A). In the A and B seasons, the apportionments previously were in proportion to the distribution of pollock biomass based on the four most recent NMFS winter surveys. In the C and D seasons, the apportionments were in proportion to the distribution of pollock biomass based on the four most recent NMFS summer surveys. For 2019 and 2020, the Council recommended, and NMFS approved, following the apportionment methodology that was used previously for the 2018 and 2019 harvest specifications. This methodology averages the winter and summer distribution of pollock in the Central Regulatory Area for the A season instead of using the distribution based on only the winter surveys. The average is intended to reflect the best available information about migration patterns, distribution of pollock, and the performance of the fishery in the area during the A season for the 2019 and 2020 fishing years. For the A season, the apportionment is based on an adjusted estimate of the relative distribution of pollock biomass of approximately 3 percent, 73 percent, and 24 percent in Statistical Areas 610, 620, and 630, respectively. For the B season, the apportionment is based on the relative distribution of pollock biomass of approximately 3 percent, 86 percent, and 11 percent in Statistical Areas 610, 620, and 630, respectively. For the C and D seasons, the apportionment is based on the relative distribution of pollock biomass of approximately 37 percent, 27 percent, and 37 percent in Statistical Areas 610, 620, and 630, respectively. The pollock chapter of the 2018 SAFE report (see **ADDRESSES**) contains a comprehensive description of the apportionment process and reasons for the minor changes from past apportionments.

Within any fishing year, the amount by which a seasonal allowance is underharvested or overharvested may be added to, or subtracted from, subsequent seasonal allowances for the Western and Central Regulatory Areas in a manner to be determined by the Regional Administrator (§ 679.20(a)(5)(iv)(B)). The rollover amount is limited to 20 percent of the subsequent seasonal TAC apportionment for the statistical area. Any unharvested pollock above the 20-percent limit could be further distributed to the other statistical areas, in proportion to the estimated biomass in the subsequent season in those statistical areas and in an amount no more than 20 percent of the seasonal TAC apportionment in those statistical areas (§ 679.20(a)(5)(iv)(B)). The pollock TACs in the WYK and the SEO Districts of 5,748 mt and 8,773 mt, respectively, in 2019, and 4,607 mt and 8,773 mt, respectively, in 2020, are not allocated by season.

Tables 3 and 4 list the final 2019 and 2020 seasonal biomass distribution of pollock in the Western and Central Regulatory Areas, area apportionments, and seasonal allowances. The amounts of pollock for processing by the inshore and offshore components are not shown. Section 679.20(a)(6)(i) requires the allocation of 100 percent of the pollock TAC in all regulatory areas and all seasonal allowances to vessels catching pollock for processing by the inshore component after subtraction of pollock amounts projected by the Regional Administrator to be caught by, or delivered to, the offshore component incidental to directed fishing for other groundfish species. Thus, the amount of pollock available for harvest by vessels harvesting pollock for processing by the offshore component is that amount that will be taken as incidental catch during directed fishing for groundfish species other than pollock, up to the maximum retainable amounts allowed by § 679.20(e) and (f). At this time, these incidental catch amounts of pollock are

unknown and will be determined during the fishing year during the course of fishing activities by the offshore component.

TABLE 3—FINAL 2019 DISTRIBUTION OF POLLOCK IN THE WESTERN AND CENTRAL REGULATORY AREAS OF THE GULF OF ALASKA; SEASONAL BIOMASS DISTRIBUTION; AREA APPORTIONMENTS; AND SEASONAL ALLOWANCES OF ANNUAL TAC

[Values are rounded to the nearest metric ton and percentages are rounded to the nearest 0.01]

Season [1]	Shumagin (Area 610)		Chirikof (Area 620)		Kodiak (Area 630)		Total [2]
A (Jan 20–Mar 10)	848	2.68%	23,236	73.35%	7,593	23.97%	31,677
B (Mar 10–May 31)	848	2.68%	27,306	86.20%	3,522	11.12%	31,677
C (Aug 25–Oct 1)	11,590	36.59%	8,423	26.59%	11,664	36.82%	31,677
D (Oct 1–Nov 1)	11,590	36.59%	8,423	26.59%	11,664	36.82%	31,677
Annual Total	24,875		67,388		34,443		126,706

[1] As established by § 679.23(d)(2)(i) through (iv), the A, B, C, and D season allowances are available from January 20 to March 10, March 10 to May 31, August 25 to October 1, and October 1 to November 1, respectively. The amounts of pollock for processing by the inshore and offshore components are not shown in this table.

[2] The WYK District and SEO District pollock TACs are not allocated by season and are not included in the total pollock TACs shown in this table.

TABLE 4—FINAL 2020 DISTRIBUTION OF POLLOCK IN THE WESTERN AND CENTRAL REGULATORY AREAS OF THE GULF OF ALASKA; SEASONAL BIOMASS DISTRIBUTION; AREA APPORTIONMENTS; AND SEASONAL ALLOWANCES OF ANNUAL TAC

[Values are rounded to the nearest metric ton and percentages are rounded to the nearest 0.01]

Season [1]	Shumagin (Area 610)		Chirikof (Area 620)		Kodiak (Area 630)		Total [2]
A (Jan 20–Mar 10)	680	2.68%	21,888	86.20%	2,823	11.12%	25,391
B (Mar 10–May 31)	680	2.68%	21,888	86.20%	2,823	11.12%	25,391
C (Aug 25–Oct 1)	9,290	36.59%	6,752	26.59%	9,349	36.82%	25,391
D (Oct 1–Nov 1)	9,290	36.59%	6,752	26.59%	9,349	36.82%	25,391
Annual Total	19,939		57,279		24,345		101,564

[1] As established by § 679.23(d)(2)(i) through (iv), the A, B, C, and D season allowances are available from January 20 to March 10, March 10 to May 31, August 25 to October 1, and October 1 to November 1, respectively. The amounts of pollock for processing by the inshore and offshore components are not shown in this table.

[2] The WYK District and SEO District pollock TACs are not allocated by season and are not included in the total pollock TACs shown in this table.

[3] Following the December 2018 Council meeting, NMFS identified an error in the calculation of the seasonal apportionment of pollock. This error affects the A season TAC apportionments for Statistical Areas 620 and 630 (*i.e.,* the Central GOA management area), and the annual total ABC and TAC for the Central GOA management area. NMFS corrects the 2019 seasonal TAC apportionments for pollock in the final 2019 and 2020 harvest specifications. During the next annual harvest specifications process, NMFS will revise the 2020 seasonal TAC apportionments for pollock, which will be based on the Council's recommendations at the December 2019 meeting for the 2020 and 2021 harvest specifications. Annually, NMFS makes an inseason adjustment to the next year's pollock specifications (*i.e.,* 2020) if necessary to ensure that the GOA pollock TAC for the upcoming year is the appropriate amount based on the best scientific information for pollock in the GOA.

Annual and Seasonal Apportionments of Pacific Cod TAC

Pursuant to § 679.20(a)(12)(i), NMFS seasonally allocates the 2019 and 2020 Pacific cod TACs in the Western and Central Regulatory Areas of the GOA among gear and operational sectors. NMFS also allocates the Pacific cod TACs annually between the inshore (90 percent) and offshore (10 percent) components in the Eastern Regulatory Area of the GOA (§ 679.20(a)(6)(ii)). In the Central GOA, the Pacific cod TAC is apportioned seasonally first to vessels using jig gear, and then among catcher vessels (CVs) less than 50 feet in length overall using hook-and-line gear, CVs equal to or greater than 50 feet in length overall using hook-and-line gear, catcher/processors (C/Ps) using hook-and-line gear, CVs using trawl gear, C/Ps using trawl gear, and vessels using pot gear (§ 679.20(a)(12)(i)(B)). In the Western GOA, the Pacific cod TAC is apportioned seasonally first to vessels using jig gear, and then among CVs using hook-and-line gear, C/Ps using hook-and-line gear, CVs using trawl gear, C/Ps using trawl gear, and vessels using pot gear (§ 679.20(a)(12)(i)(A)). The overall seasonal apportionments in the Western and Central GOA are 60 percent of the annual TAC to the A season and 40 percent of the annual TAC to the B season.

Under § 679.20(a)(12)(ii), any overage or underage of the Pacific cod allowance from the A season may be subtracted from, or added to, the subsequent B season allowance. In addition, any portion of the hook-and-line, trawl, pot, or jig sector allocations that is determined by NMFS as likely to go unharvested by a sector may be reallocated to other sectors for harvest during the remainder of the fishery year.

Pursuant to § 679.20(a)(12)(i)(A) and (B), a portion of the annual Pacific cod TACs in the Western and Central GOA will be allocated to vessels with a Federal fisheries permit that use jig gear before the TACs are apportioned among other non-jig sectors. In accordance with the FMP, the annual jig sector allocations may increase to up to 6 percent of the annual Western and Central GOA Pacific cod TACs, depending on the annual performance of the jig sector (see Table 1 of Amendment 83 to the FMP for a detailed discussion of the jig sector allocation process (76 FR 74670, December 1, 2011)). Jig sector allocation increases are established for a minimum of two years.

NMFS has evaluated the 2018 harvest performance of the jig sector in the Western and Central GOA, and is establishing the 2019 and 2020 Pacific cod apportionments to this sector as follows. For 2019 and 2020, NMFS allocates the jig sector 2.5 percent of the

annual Pacific cod TAC in the Western GOA. This is an increase from the 2018 jig sector allocation of 1.5 percent. The 2019 and 2020 allocations consist of a base allocation of 1.5 percent of the Western GOA Pacific cod TAC, and a 1.0 percent performance increase because in 2018 the jig sector harvested greater than 90 percent of its 2018 Pacific cod allocation.

For 2019 and 2020, NMFS allocates the jig sector 1.0 percent of the annual Pacific cod TAC in the Central GOA. This is the same percent as the 2018 jig sector allocation because in 2018 this sector harvested less than 90 percent of its 2018 Pacific cod allocation. The 2019 and 2020 allocations consist of a base allocation of 1.0 percent of the Central GOA Pacific cod TAC, and no additional performance increase in the Central GOA.

Tables 5 and 6 list the seasonal apportionments and allocations of the 2019 and 2020 Pacific cod TACs.

TABLE 5—FINAL 2019 SEASONAL APPORTIONMENTS AND ALLOCATION OF PACIFIC COD TOTAL ALLOWABLE CATCH (TAC) AMOUNTS IN THE GOA; ALLOCATIONS IN THE WESTERN GOA AND CENTRAL GOA SECTORS, AND THE EASTERN GOA INSHORE AND OFFSHORE PROCESSING COMPONENTS

[Values are rounded to the nearest metric ton]

Regulatory area and sector	Annual allocation (mt)	A Season		B Season	
		Sector percentage of annual non-jig TAC	Seasonal allowances (mt)	Sector percentage of annual non-jig TAC	Seasonal allowances (mt)
Western GOA:					
Jig (2.5% of TAC)	134	N/A	80	N/A	53
Hook-and-line CV	73	0.70	36	0.70	36
Hook-and-line C/P	1,031	10.90	568	8.90	464
Trawl CV	2,000	27.70	1,443	10.70	557
Trawl C/P	125	0.90	47	1.50	78
All Pot CV and Pot C/P	1,980	19.80	1,031	18.20	948
Total	5,343	60.00	3,206	40.00	2,137
Central GOA:					
Jig (1.0% of TAC)	58	N/A	35	N/A	23
Hook-and-line <50 CV	831	9.32	530	5.29	301
Hook-and-line ≥50 CV	382	5.61	319	1.10	62
Hook-and-line C/P	291	4.11	234	1.00	57
Trawl CV [1]	2,367	21.14	1,203	20.45	1,164
Trawl C/P	239	2.00	114	2.19	125
All Pot CV and Pot C/P	1,583	17.83	1,015	9.97	568
Total	5,750	60.00	3,450	40.00	2,300
Eastern GOA		Inshore (90% of Annual TAC)		Offshore (10% of Annual TAC)	
	1,275		1,148		127

[1] Trawl catcher vessels participating in Rockfish Program cooperatives receive 3.81 percent, or 219 mt, of the annual Central GOA TAC (see Table 28c to 50 CFR part 679), which is deducted from the Trawl CV B season allowance (see Table 12. Final 2019 Apportionments of Rockfish Secondary Species in the Central GOA and Table 28c to 50 CFR part 679).

TABLE 6—FINAL 2020 SEASONAL APPORTIONMENTS AND ALLOCATION OF PACIFIC COD TOTAL ALLOWABLE CATCH (TAC) AMOUNTS IN THE GOA; ALLOCATIONS IN THE WESTERN GOA AND CENTRAL GOA SECTORS, AND THE EASTERN GOA INSHORE AND OFFSHORE PROCESSING COMPONENTS

[Values are rounded to the nearest metric ton]

Regulatory area and sector	Annual allocation (mt)	A Season		B Season	
		Sector percentage of annual non-jig TAC	Seasonal allowances (mt)	Sector percentage of annual non-jig TAC	Seasonal allowances (mt)
Western GOA:					
Jig (2.5% of TAC)	170	N/A	102	N/A	68
Hook-and-line CV	93	0.70	46	0.70	46
Hook-and-line C/P	1,310	10.90	721	8.90	589
Trawl CV	2,541	27.70	1,833	10.70	708
Trawl C/P	159	0.90	60	1.50	99
All Pot CV and Pot C/P	2,514	19.80	1,310	18.20	1,204
Total	6,787	60.00	4,072	40.00	2,715
Central GOA:					
Jig (1.0% of TAC)	73	N/A	44	N/A	29

TABLE 6—FINAL 2020 SEASONAL APPORTIONMENTS AND ALLOCATION OF PACIFIC COD TOTAL ALLOWABLE CATCH (TAC) AMOUNTS IN THE GOA; ALLOCATIONS IN THE WESTERN GOA AND CENTRAL GOA SECTORS, AND THE EASTERN GOA INSHORE AND OFFSHORE PROCESSING COMPONENTS—Continued

[Values are rounded to the nearest metric ton]

Regulatory area and sector	Annual allocation (mt)	A Season		B Season	
		Sector percentage of annual non-jig TAC	Seasonal allowances (mt)	Sector percentage of annual non-jig TAC	Seasonal allowances (mt)
Hook-and-line <50 CV	1,056	9.32	674	5.29	382
Hook-and-line ≥50 CV	485	5.61	406	1.10	79
Hook-and-line C/P	369	4.11	297	1.00	72
Trawl CV [1]	3,007	21.14	1,528	20.45	1,479
Trawl C/P	304	2.00	145	2.19	159
All Pot CV and Pot C/P	2,010	17.83	1,289	9.97	721
Total	7,304	60.00	4,382	40.00	2,921
Eastern GOA		Inshore (90% of Annual TAC)		Offshore (10% of Annual TAC)	
	1,619		1,457		162

[1] Trawl catcher vessels participating in Rockfish Program cooperatives receive 3.81 percent, or 278 mt, of the annual Central GOA TAC (see Table 28c to 50 CFR part 679), which is deducted from the Trawl CV B season allowance (see Table 13. Final 2020 Apportionments of Rockfish Secondary Species in the Central GOA and Table 28c to 50 CFR part 679).

Allocations of the Sablefish TACs to Vessels Using Fixed and Trawl Gear

Section 679.20(a)(4)(i) and (ii) require allocations of sablefish TACs for each of the regulatory areas and districts to fixed and trawl gear. In the Western and Central Regulatory Areas, 80 percent of each TAC is allocated to fixed gear, and 20 percent of each TAC is allocated to trawl gear. In the Eastern Regulatory Area, 95 percent of the TAC is allocated to fixed gear, and 5 percent is allocated to trawl gear. The trawl gear allocation in the Eastern Regulatory Area may only be used to support incidental catch of sablefish using trawl gear while directed fishing for other target species (§ 679.20(a)(4)(i)).

In recognition of the prohibition against trawl gear in the SEO District of the Eastern Regulatory Area, the Council recommended and NMFS approves specifying for incidental catch the allocation of 5 percent of the combined Eastern Regulatory Area sablefish TAC to trawl gear in the WYK District. The remainder of the WYK sablefish TAC is allocated to vessels using fixed gear. NMFS allocates 100 percent of the sablefish TAC in the SEO District to vessels using fixed gear. This action results in a 2019 allocation of 241 mt to trawl gear and 1,587 mt to fixed gear in the WYK District, a 2019 allocation of 2,984 mt to fixed gear in the SEO District, and a 2020 allocation of 321 mt to trawl gear in the WYK District. Table 7 lists the allocations of the 2019 sablefish TACs to fixed and trawl gear. Table 8 lists the allocations of the 2020 sablefish TACs to trawl gear.

The Council recommended that a trawl sablefish TAC be established for two years so that retention of incidental catch of sablefish by trawl gear could commence in January in the second year of the groundfish harvest specifications. Both the 2019 and 2020 trawl allocations are specified in these final harvest specifications, in Tables 7 and 8, respectively.

The Council also recommended that the fixed gear sablefish TAC be established annually to ensure that this IFQ fishery is conducted concurrently with the halibut IFQ fishery and is based on the most recent survey information. Since there is an annual assessment for sablefish and since the final harvest specifications are expected to be published before the IFQ season begins on March 15, 2019, the Council recommended that the fixed gear sablefish TAC be set annually, rather than for two years, so that the best scientific information available could be considered in establishing the sablefish ABCs and TACs. Accordingly, Table 7 lists the 2019 fixed gear allocations, and the 2020 fixed gear allocations will be specified in the 2020 and 2021 harvest specifications.

With the exception of the trawl allocations that are provided to the Rockfish Program (see Table 28c to 50 CFR part 679), directed fishing for sablefish with trawl gear in the GOA is closed during the fishing year. Also, fishing for groundfish with trawl gear is prohibited prior to January 20 (§ 679.23(c)). Therefore, it is not likely that the sablefish allocation to trawl gear would be reached before the effective date of the final 2019 and 2020 harvest specifications.

TABLE 7—FINAL 2019 SABLEFISH TAC SPECIFICATIONS IN THE GULF OF ALASKA AND ALLOCATIONS TO FIXED AND TRAWL GEAR

[Values are rounded to the nearest metric ton]

Area/district	TAC	Fixed gear allocation	Trawl gear allocation
Western	1,581	1,265	316
Central [1]	5,178	4,142	1,036
West Yakutat [2]	1,828	1,587	241
Southeast Outside	2,984	2,984	0

TABLE 7—FINAL 2019 SABLEFISH TAC SPECIFICATIONS IN THE GULF OF ALASKA AND ALLOCATIONS TO FIXED AND TRAWL GEAR—Continued

[Values are rounded to the nearest metric ton]

Area/district	TAC	Fixed gear allocation	Trawl gear allocation
Total	11,571	9,978	1,593

[1] The trawl allocation of sablefish in the Central Regulatory Area is further apportioned to the Rockfish Program cooperatives (533 mt). See Table 12: Final 2019 Apportionments of Rockfish Secondary Species in the Central GOA. This results in 503 mt being available for the non-Rockfish Program trawl fisheries.

[2] The trawl allocation is based on allocating 5 percent of the combined Eastern Regulatory Area (West Yakutat and Southeast Outside Districts) sablefish TAC as incidental catch to trawl gear in the West Yakutat District.

TABLE 8—FINAL 2020 SABLEFISH TAC SPECIFICATIONS IN THE GULF OF ALASKA AND ALLOCATION TO TRAWL GEAR [1]

[Values are rounded to the nearest metric ton]

Area/district	TAC	Fixed gear allocation	Trawl gear allocation
Western	2,105	n/a	421
Central [2]	6,931	n/a	1,386
West Yakutat [3]	2,433	n/a	321
Southeast Outside	3,993	n/a	0
Total	15,462	n/a	2,129

[1] The Council recommended that the final 2020 harvest specifications for the fixed gear sablefish Individual Fishing Quota fisheries not be specified in the final 2019 and 2020 harvest specifications.

[2] The trawl allocation of sablefish in the Central Regulatory Area is further apportioned to the Rockfish Program cooperatives (713 mt). See Table 13: Final 2020 Apportionments of Rockfish Secondary Species in the Central GOA. This results in 673 mt being available for the non-Rockfish Program trawl fisheries.

[3] The trawl allocation is based on allocating 5 percent of the combined Eastern Regulatory Area (West Yakutat and Southeast Outside Districts) sablefish TAC as incidental catch to trawl gear in the West Yakutat District.

Allocations, Apportionments, and Sideboard Limits for the Rockfish Program

These final 2019 and 2020 harvest specifications for the GOA include the fishery cooperative allocations and sideboard limitations established by the Rockfish Program. Program participants are primarily trawl CVs and trawl C/Ps, with limited participation by vessels using longline gear. The Rockfish Program assigns quota share and cooperative quota to participants for primary species (Pacific ocean perch, northern rockfish, and dusky rockfish) and secondary species (Pacific cod, rougheye and blackspotted rockfish, sablefish, shortraker rockfish, and thornyhead rockfish), allows a participant holding a license limitation program (LLP) license with rockfish quota share to form a rockfish cooperative with other persons, and allows holders of C/P LLP licenses to opt out of the fishery. The Rockfish Program also has an entry level fishery for rockfish primary species for vessels using longline gear. Longline gear includes hook-and-line, jig, troll, and handline gear.

Under the Rockfish Program, rockfish primary species in the Central GOA are allocated to participants after deducting for incidental catch needs in other directed groundfish fisheries (§ 679.81(a)(2)). Participants in the Rockfish Program also receive a portion of the Central GOA TAC of specific secondary species. In addition to groundfish species, the Rockfish Program allocates a portion of the halibut PSC limit (191 mt) from the third season deep-water species fishery allowance for the GOA trawl fisheries to Rockfish Program participants (§ 679.81(d) and Table 28d to 50 CFR part 679). The Rockfish Program also establishes sideboard limits to restrict the ability of harvesters operating under the Rockfish Program to increase their participation in other, non-Rockfish Program fisheries. These restrictions and halibut PSC limits are discussed in a subsequent section in this rule titled ''Rockfish Program Groundfish Sideboard and Halibut PSC Limitations.''

Section 679.81(a)(2)(ii) and Table 28e to 50 CFR part 679 require allocations of 5 mt of Pacific ocean perch, 5 mt of northern rockfish, and 50 mt of dusky rockfish to the entry level longline fishery in 2019 and 2020. The allocation for the entry level longline fishery may increase incrementally each year if the catch exceeds 90 percent of the allocation of a species. The incremental increase in the allocation would continue each year until it reaches the maximum percent of the TAC for that species. In 2018, the catch of Pacific ocean perch, northern rockfish, and dusky rockfish did not attain the 90 percent threshold, and those allocations for 2019 remain the same as the 2018 allocations. The remainder of the TACs for the rockfish primary species would be allocated to the CV and C/P cooperatives (§ 679.81(a)(2)(iii)). Table 9 lists the allocations of the 2019 and 2020 TACs for each rockfish primary species to the entry level longline fishery, the potential incremental increases for future years, and the maximum percentages of the TACs assigned to the Rockfish Program that may be allocated to the rockfish entry level longline fishery.

TABLE 9—FINAL 2019 AND INITIAL 2020 ALLOCATIONS OF ROCKFISH PRIMARY SPECIES TO THE ENTRY LEVEL LONGLINE FISHERY IN THE CENTRAL GULF OF ALASKA

Rockfish primary species	2019 and 2020 allocations	Incremental increase in 2020 if >90% of 2019 allocation is harvested	Up to maximum percent of TAC:
Pacific ocean perch	5 metric tons	5 metric tons	1
Northern rockfish	5 metric tons	5 metric tons	2
Dusky rockfish	50 metric tons	20 metric tons	5

Section 679.81 requires allocations of rockfish primary species among various sectors of the Rockfish Program. Tables 10 and 11 list the final 2019 and 2020 allocations of rockfish primary species in the Central GOA to the entry level longline fishery, and rockfish CV and C/P cooperatives in the Rockfish Program. NMFS also is setting aside incidental catch amounts (ICAs) for other directed fisheries in the Central GOA of 3,000 mt of Pacific ocean perch, 300 mt of northern rockfish, and 250 mt of dusky rockfish. These amounts are based on recent average incidental catches in the Central GOA by other groundfish fisheries.

Allocations among vessels belonging to CV or C/P cooperatives are not included in these final harvest specifications. Rockfish Program applications for CV cooperatives and C/P cooperatives are not due to NMFS until March 1 of each calendar year; therefore, NMFS cannot calculate 2019 and 2020 allocations in conjunction with these final harvest specifications. NMFS will post the 2019 allocations on the Alaska Region website at *https://alaskafisheries.noaa.gov/fisheries/central-goa-rockfish-program* when they become available after March 1.

TABLE 10—FINAL 2019 ALLOCATIONS OF ROCKFISH PRIMARY SPECIES IN THE CENTRAL GULF OF ALASKA TO THE ENTRY LEVEL LONGLINE FISHERY AND ROCKFISH COOPERATIVES IN THE ROCKFISH PROGRAM

[Values are rounded to the nearest metric ton]

Rockfish primary species	Central GOA annual TAC	Incidental catch allowance	TAC minus ICA	Allocation to the entry level longline [1] fishery	Allocation to the rockfish cooperatives [2]
Pacific ocean perch	19,646	3,000	16,646	5	16,641
Northern rockfish	3,338	300	3,038	5	3,033
Dusky rockfish	2,764	250	2,514	50	2,464
Total	25,748	3,550	22,198	60	22,138

[1] Longline gear includes hook-and-line, jig, troll, and handline gear (50 CFR 679.2).
[2] Rockfish cooperatives include vessels in CV and C/P cooperatives (50 CFR 679.81).

TABLE 11—FINAL 2020 ALLOCATIONS OF ROCKFISH PRIMARY SPECIES IN THE CENTRAL GULF OF ALASKA TO THE ENTRY LEVEL LONGLINE FISHERY AND ROCKFISH COOPERATIVES IN THE ROCKFISH PROGRAM

[Values are rounded to the nearest metric ton]

Rockfish primary species	Central GOA annual TAC	Incidental catch allowance	TAC minus ICA	Allocation to the entry level longline [1] fishery	Allocation to the rockfish cooperatives [2]
Pacific ocean perch	19,024	3,000	16,024	5	16,019
Northern rockfish	3,147	300	2,847	5	2,842
Dusky rockfish	2,742	250	2,492	50	2,442
Total	24,913	3,550	21,363	60	21,303

[1] Longline gear includes hook-and-line, jig, troll, and handline gear (50 CFR 679.2).
[2] Rockfish cooperatives include vessels in CV and C/P cooperatives (50 CFR 679.81).

Section 679.81(c) and Table 28c to 50 CFR part 679 requires allocations of rockfish secondary species to CV and C/P cooperatives in the Central GOA. CV cooperatives receive allocations of Pacific cod, sablefish from the trawl gear allocation, and thornyhead rockfish. C/P cooperatives receive allocations of sablefish from the trawl gear allocation, rougheye and blackspotted rockfish, shortraker rockfish, and thornyhead rockfish. Tables 12 and 13 list the apportionments of the 2019 and 2020 TACs of rockfish secondary species in the Central GOA to CV and C/P cooperatives.

TABLE 12—FINAL 2019 APPORTIONMENTS OF ROCKFISH SECONDARY SPECIES IN THE CENTRAL GOA TO CATCHER VESSEL AND CATCHER/PROCESSOR COOPERATIVES

[Values are rounded to the nearest metric ton]

Rockfish secondary species	Central GOA annual TAC	Catcher vessel cooperatives		Catcher/processor cooperatives	
		Percentage of TAC	Apportionment (mt)	Percentage of TAC	Apportionment (mt)
Pacific cod	5,750	3.81	219	0.00	0
Sablefish	5,178	6.78	351	3.51	182
Shortraker rockfish	305	0.00	0	40.00	122
Rougheye/blackspotted rockfish	550	0.00	0	58.87	324
Thornyhead rockfish	911	7.84	71	26.50	241

TABLE 13—FINAL 2020 APPORTIONMENTS OF ROCKFISH SECONDARY SPECIES IN THE CENTRAL GOA TO CATCHER VESSEL AND CATCHER/PROCESSOR COOPERATIVES

[Values are rounded to the nearest metric ton]

Rockfish secondary species	Central GOA annual TAC	Catcher vessel cooperatives		Catcher/processor cooperatives	
		Percentage of TAC	Apportionment (mt)	Percentage of TAC	Apportionment (mt)
Pacific cod	7,304	3.81	278	0.00	0
Sablefish	6,931	6.78	470	3.51	243
Shortraker rockfish	305	0.00	0	40.00	122
Rougheye/blackspotted rockfish	545	0.00	0	58.87	321
Thornyhead rockfish	911	7.84	71	26.50	241

Halibut PSC Limits

Section 679.21(d) establishes annual halibut PSC limit apportionments to trawl gear and hook-and-line gear, and authorizes the establishment of apportionments for pot gear. In December 2018, the Council recommended halibut PSC limits of 1,706 mt for trawl gear, 257 mt for hook-and-line gear, and 9 mt for the DSR fishery in the SEO District for both 2019 and 2020.

The DSR fishery in the SEO District is defined at § 679.21(d)(2)(ii)(A). This fishery is apportioned 9 mt of the halibut PSC limit in recognition of its small-scale harvests of groundfish (§ 679.21(d)(2)(i)(A)). The separate halibut PSC limit for the DSR fishery is intended to prevent that fishery from being impacted from the halibut PSC incurred by other GOA fisheries. NMFS estimates low halibut bycatch in the DSR fishery because (1) the duration of the DSR fisheries and the gear soak times are short, (2) the DSR fishery occurs in the winter when there is less overlap in the distribution of DSR and halibut, and (3) the directed commercial DSR fishery has a low DSR TAC. The Alaska Department of Fish and Game sets the commercial GHL for the DSR fishery after deducting (1) estimates of DSR incidental catch in all fisheries (including halibut and subsistence); and (2) the allocation to the DSR sport fishery. Of the 250 mt TAC for DSR in 2018, 58 mt were available for directed fishing by the DSR commercial fishery, of which 26 mt were harvested (through December 17, 2018).

The FMP authorizes the Council to exempt specific gear from the halibut PSC limits. NMFS, after consultation with the Council, exempts pot gear, jig gear, and the sablefish IFQ hook-and-line gear fishery categories from the non-trawl halibut PSC limit for 2019 and 2020. The Council recommended, and NMFS approves, these exemptions because: (1) The pot gear fisheries have low annual halibut bycatch mortality, (2) IFQ program regulations prohibit discard of halibut if any halibut IFQ permit holder on board a catcher vessel holds unused halibut IFQ for that vessel category and the IFQ regulatory area in which the vessel is operating (§ 679.7(f)(11)), (3) some sablefish IFQ fishermen hold halibut IFQ permits and are therefore required to retain the halibut they catch while fishing sablefish IFQ, and (4) NMFS estimates negligible halibut mortality for the jig gear fisheries given the small amount of groundfish harvested by jig gear, the selective nature of jig gear, and the high survival rates of halibut caught and released with jig gear.

The best available information on estimated halibut bycatch consists of data collected by fisheries observers during 2018. The calculated halibut bycatch mortality through December 31, 2018, is 1,103 mt for trawl gear and 51 mt for hook-and-line gear for a total halibut mortality of 1,154 mt. This halibut mortality was calculated using groundfish and halibut catch data from the NMFS Alaska Region's catch accounting system. This accounting system contains historical and recent catch information compiled from each Alaska groundfish fishery.

Section 679.21(d)(4)(i) and (ii) authorizes NMFS to seasonally apportion the halibut PSC limits after consultation with the Council. The FMP and regulations require that the Council and NMFS consider the following information in seasonally apportioning halibut PSC limits: (1) Seasonal distribution of halibut; (2) seasonal distribution of target groundfish species relative to halibut distribution; (3) expected halibut bycatch needs on a seasonal basis relative to changes in halibut biomass and expected catch of target groundfish species; (4) expected bycatch rates on a seasonal basis; (5) expected changes in directed groundfish fishing seasons; (6) expected actual start of fishing effort; and (7) economic effects of establishing seasonal halibut allocations on segments of the target groundfish industry. The Council considered information from the 2018 SAFE report, NMFS catch data, State of Alaska catch data, IPHC stock assessment and mortality data, and

public testimony when apportioning the halibut PSC limits.

For 2019 and 2020, the Council increased the trawl halibut PSC apportionment in the first season to 519 mt, an increase of 50 mt. The trawl halibut PSC apportionment for the third season was reduced by 50 mt to 462 mt. The 50 mt of halibut PSC that was moved from the third season to the first season was apportioned to the deep-water species fishery, which increased to 135 mt. The trawl halibut PSC apportionment in the fourth season was apportioned between the shallow-water (53 mt) and deep-water (75 mt) species fisheries. The overall trawl halibut PSC limit (of 1,706 mt) is unchanged. In addition, the Council changed the end date of the third season halibut PSC apportionment to August 1 from September 1. The Council also changed the beginning date of the fourth season halibut PSC apportionment to August 1 from September 1.

The changes to the apportionment amounts and seasons are intended to better align halibut PSC use in the groundfish fisheries relative to expected halibut PSC needs on a seasonal basis and relative to changes in halibut biomass distribution and the expected catches of target groundfish species and corresponding halibut PSC rates. Also, the changes are intended to ensure that there is more consistent trawl fishing effort throughout the year, with fewer fishery closures due to the attainment of seasonal halibut PSC limits. These changes could result in increased efficiency for the trawl fleet and the GOA seafood processors dependent on groundfish caught by vessels using trawl gear. These changes are reflected in both Tables 14 and 15.

NMFS concurs with and implements the Council's recommendations listed in Table 14, which show the final 2019 and 2020 Pacific halibut PSC limits, allowances, and apportionments. These halibut PSC limits and seasons differ from those contained in the proposed 2019 and 2020 harvest specifications (83 FR 62794, December 6, 2018), for the reasons discussed above.

Section 679.21(d)(4)(iii) and (iv) specifies that any underages or overages of a seasonal apportionment of a halibut PSC limit will be added to or deducted from the next respective seasonal apportionment within the fishing year.

TABLE 14—FINAL 2019 AND 2020 PACIFIC HALIBUT PROHIBITED SPECIES CATCH (PSC) LIMITS, ALLOWANCES, AND APPORTIONMENTS

[Values are in metric tons]

Trawl gear			Hook-and-line gear [1]				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
January 20–April 1	30.4	519	January 1–June 10	86	221	January 1–December 31	9
April 1–July 1	20.0	341	June 10–September 1	2	5		
July 1–August 1	27.0	462	September 1–December 31.	12	31		
August 1–October 1	7.5	128					
October 1–December 31	15.0	256					
Total		1,706			257		9

[1] The Pacific halibut prohibited species catch (PSC) limit for hook-and-line gear is allocated to the demersal shelf rockfish (DSR) fishery in the SEO District and to the hook-and-line fisheries other than the DSR fishery. The hook-and-line sablefish IFQ fishery is exempt from halibut PSC limits, as are pot and jig gear for all groundfish fisheries. Note: Seasonal or sector apportionments may not total precisely due to rounding.

Section 679.21(d)(3)(ii) authorizes further apportionment of the trawl halibut PSC limit to trawl fishery categories listed in § 679.21(d)(3)(iii). The annual apportionments are based on each category's proportional share of the anticipated halibut bycatch mortality during the fishing year and optimization of the total amount of groundfish harvest under the halibut PSC limit. The fishery categories for the trawl halibut PSC limits are: (1) A deep-water species fishery, composed of sablefish, rockfish, deep-water flatfish, rex sole, and arrowtooth flounder; and (2) a shallow-water species fishery, composed of pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and ''other species'' (sculpins, sharks, and octopuses) (§ 679.21(d)(3)(iii)). Halibut mortality incurred while directed fishing for skates with trawl gear accrues towards the shallow-water species fishery halibut PSC limit (69 FR 26320, May 12, 2004).

NMFS will combine available trawl halibut PSC limit apportionments on May 15 during the second season deep-water and shallow-water species fisheries for use in either fishery from May 15 through June 30 (§ 679.21(d)(4)(iii)(D)). This is intended to maintain groundfish harvest while minimizing halibut bycatch by these sectors to the extent practicable. This provides the deep-water and shallow-water species trawl fisheries additional flexibility and the incentive to participate in fisheries at times of the year that may have lower halibut PSC rates relative to other times of the year.

Table 15 lists the final 2019 and 2020 apportionments of trawl halibut PSC limits between the trawl gear deep-water and shallow-water species fishery categories. As described above, the Council recommended, and NMFS implements, the changes to the amount of the halibut PSC apportionments between the deep-water and shallow-water species fisheries, along with changes to the season dates for the third and fourth seasons.

Table 28d to 50 CFR part 679 specifies the amount of the trawl halibut PSC limit that is assigned to the CV and C/P sectors that are participating in the Rockfish Program. This includes 117 mt of halibut PSC limit to the CV sector and 74 mt of halibut PSC limit to the C/P sector. These amounts are allocated from the trawl deep-water species fishery's halibut PSC third seasonal apportionment. After the combined CV and C/P halibut PSC limit allocation of 191 mt to the Rockfish Program, 150 mt remains for the trawl deep-water species fishery's halibut PSC third seasonal apportionment.

Section 679.21(d)(4)(iii)(B) limits the amount of the halibut PSC limit allocated to Rockfish Program participants that could be re-

apportioned to the general GOA trawl fisheries during the current fishing year to no more than 55 percent of the unused annual halibut PSC limit apportioned to Rockfish Program participants. The remainder of the unused Rockfish Program halibut PSC limit is unavailable for use by any person for the remainder of the fishing year (§ 679.21(d)(4)(iii)(C)).

TABLE 15—FINAL 2019 AND 2020 APPORTIONMENT OF TRAWL PACIFIC HALIBUT PROHIBITED SPECIES CATCH LIMITS BETWEEN THE TRAWL GEAR DEEP-WATER SPECIES FISHERY AND THE SHALLOW-WATER SPECIES FISHERY CATEGORIES

[Values are in metric tons]

Season	Shallow-water	Deep-water [1]	Total
January 20–April 1	384	135	519
April 1–July 1	85	256	341
July 1–August 1	121	341	462
August 1–October 1	53	75	128
Subtotal January 20–October 1	643	807	1,450
October 1–December 31 [2]	.....	.....	256
Total	.....	.....	1,706

[1] Vessels participating in cooperatives in the Central GOA Rockfish Program will receive 191 mt of the third season (July 1 through August 1) deep-water species fishery halibut PSC apportionment.

[2] There is no apportionment between trawl shallow-water and deep-water species fishery categories during the fifth season (October 1 through December 31).

Section 679.21(d)(2)(i)(B) requires that the ''other hook-and-line fishery'' halibut PSC limit apportionment to vessels using hook-and-line gear must be apportioned between CVs and C/Ps in accordance with § 679.21(d)(2)(iii) in conjunction with these harvest specifications. A comprehensive description and example of the calculations necessary to apportion the ''other hook-and-line fishery'' halibut PSC limit between the hook-and-line CV and C/P sectors were included in the proposed rule to implement Amendment 83 to the FMP (76 FR 44700, July 26, 2011) and are not repeated here.

Pursuant to § 679.21(d)(2)(iii), the hook-and-line halibut PSC limit for the ''other hook-and-line fishery'' is apportioned between the CV and C/P sectors in proportion to the total Western and Central GOA Pacific cod allocations, which vary annually based on the proportion of the Pacific cod biomass between the Western, Central, and Eastern GOA. Pacific cod is apportioned among these two management areas based on the percentage of overall biomass per area, as calculated in the 2018 Pacific cod stock assessment. Updated information in the final 2018 SAFE report describes this distributional calculation, which allocates ABC among regulatory areas on the basis of the three most recent stock surveys. For 2019 and 2020, the distribution of the total GOA Pacific cod ABC is 45 percent to the Western GOA, 45 percent to the Central GOA, and 10 percent to the Eastern GOA. Therefore, the calculations made in accordance with § 679.21(d)(2)(iii) incorporate the most recent information on GOA Pacific cod distribution with respect to establishing the annual halibut PSC limits for the CV and C/P hook-and-line sectors. The annual halibut PSC limits for both the CV and C/P sectors of the ''other hook-and-line fishery'' are divided into three seasonal apportionments, using seasonal percentages of 86 percent, 2 percent, and 12 percent.

For 2019 and 2020, NMFS apportions halibut PSC limits of 120 mt and 137 mt to the hook-and-line CV and hook-and-line C/P sectors, respectively. Table 16 lists the final 2019 and 2020 apportionments of halibut PSC limits between the hook-and-line CV and the hook-and-line C/P sectors of the ''other hook-and-line fishery.''

No later than November 1 of each year, NMFS will calculate the projected unused amount of halibut PSC limit by either of the CV or C/P hook-and-line sectors of the ''other hook-and-line fishery'' for the remainder of the year. The projected unused amount of halibut PSC limit is made available to the other hook-and-line sector for the remainder of that fishing year (§ 679.21(d)(2)(iii)(C)), if NMFS determines that an additional amount of halibut PSC is necessary for that sector to continue its directed fishing operations.

TABLE 16—FINAL 2019 AND 2020 APPORTIONMENTS OF THE ''OTHER HOOK-AND-LINE FISHERY'' ANNUAL HALIBUT PROHIBITED SPECIES CATCH ALLOWANCE BETWEEN THE HOOK-AND-LINE GEAR CATCHER VESSEL AND CATCHER/PROCESSOR SECTORS

[Values are in metric tons]

''Other than DSR'' allowance	Hook-and-line sector	Sector annual amount	Season	Seasonal percentage	Sector seasonal amount
257	Catcher Vessel	120	January 1–June 10	86	103
			June 10–September 1	2	2
			September 1–December 31	12	14
	Catcher/Processor	137	January 1–June 10	86	118
			June 10–September 1	2	3
			September 1–December 31	12	16

Estimates of Halibut Biomass and Stock Condition

The IPHC annually assesses the abundance and potential yield of the Pacific halibut stock using all available data from the commercial and sport fisheries, other removals, and scientific surveys. Additional information on the Pacific halibut stock assessment may be found in the IPHC's 2018 Pacific halibut stock assessment (December 2018), available on the IPHC website at *www.iphc.int.* The IPHC considered the 2018 Pacific halibut stock assessment at its January 2019 annual meeting when it set the 2019 commercial halibut fishery catch limits.

Halibut Discard Mortality Rates

To monitor halibut bycatch mortality allowances and apportionments, the Regional Administrator uses observed halibut incidental catch rates, halibut discard mortality rates (DMRs), and estimates of groundfish catch to project when a fishery's halibut bycatch mortality allowance or seasonal apportionment is reached. Halibut incidental catch rates are based on observers' estimates of halibut incidental catch in the groundfish fishery. DMRs are estimates of the proportion of incidentally caught halibut that do not survive after being returned to the sea. The cumulative halibut mortality that accrues to a particular halibut PSC limit is the product of a DMR multiplied by the estimated halibut PSC. DMRs are estimated using the best scientific information available in conjunction with the annual GOA stock assessment process. The DMR methodology and findings are included as an appendix to the annual GOA groundfish SAFE report.

In 2016, the DMR estimation methodology underwent revisions per the Council's directive. An interagency halibut working group (IPHC, Council, and NMFS staff) developed improved estimation methods that have undergone review by the GOA Plan Team, SSC, and the Council. A summary of the revised methodology is contained in the GOA proposed 2017 and 2018 harvest specifications (81 FR 87881, December 6, 2016), and the comprehensive discussion of the working group's statistical methodology is available from the Council (see **ADDRESSES**). The DMR working group's revised methodology is intended to improve estimation accuracy, transparency, and transferability in the methodology used for calculating DMRs. The working group will continue to consider improvements to the methodology used to calculate halibut mortality, including potential changes to the reference period (the period of data used for calculating the DMRs). Future DMRs, including the 2020 DMRs, may change based on additional years of observer sampling, which could provide more recent and accurate data and which could improve the accuracy of estimation and progress on methodology. The new methodology will continue to ensure that NMFS is using DMRs that more accurately reflect halibut mortality, which will inform the different sectors of their estimated halibut mortality and allow specific sectors to respond with methods that could reduce mortality and, eventually, the DMR for that sector.

At the December 2018 meeting, the SSC, AP, and the Council concurred with the revised DMR estimation methodology, and NMFS adopted for 2019 and 2020 the DMRs calculated under the revised methodology, which uses an updated 2-year reference period. The final 2019 and 2020 DMRs in this rule are unchanged from the DMRs in the proposed 2019 and 2020 harvest specifications (83 FR 62794, December 6, 2018). Table 17 lists these final 2019 and 2020 DMRs.

TABLE 17—FINAL 2019 AND 2020 HALIBUT DISCARD MORTALITY RATES FOR VESSELS FISHING IN THE GULF OF ALASKA

[Values are percent of halibut assumed to be dead]

Gear	Sector	Groundfish fishery	Halibut discard mortality rate (percent)
Pelagic trawl	Catcher vessel	All	100
	Catcher/processor	All	100
Non-pelagic trawl	Catcher vessel	Rockfish Program	49
	Catcher vessel	All others	67
	Mothership and catcher/processor	All	79
Hook-and-line	Catcher/processor	All	11
	Catcher vessel	All	21
Pot	Catcher vessel and catcher/processor	All	4

Chinook Salmon Prohibited Species Catch Limits

Amendment 93 to the FMP (77 FR 42629, July 20, 2012) established separate Chinook salmon PSC limits in the Western and Central GOA in the directed pollock trawl fishery. These limits require that NMFS close the pollock directed fishery in the Western and Central Regulatory Areas of the GOA if the applicable Chinook salmon PSC limit in that regulatory area is reached (§ 679.21(h)(8)). The annual Chinook salmon PSC limits in the pollock directed fishery of 6,684 salmon in the Western GOA and 18,316 salmon in the Central GOA are set at § 679.21(h)(2)(i) and (ii).

Amendment 97 to the FMP (79 FR 71350, December 2, 2014) established an initial annual PSC limit of 7,500 Chinook salmon for the trawl non-pollock groundfish fisheries in the Western and Central GOA. This limit is apportioned among three sectors directed fishing for groundfish species other than pollock: 3,600 Chinook salmon to trawl C/Ps; 1,200 Chinook salmon to trawl CVs participating in the Rockfish Program; and 2,700 Chinook salmon to trawl CVs not participating in the Rockfish Program (§ 679.21(h)(4)). NMFS will monitor the Chinook salmon PSC in the trawl non-pollock groundfish fisheries and close an applicable sector if it reaches its Chinook salmon PSC limit.

The Chinook salmon PSC limit for two sectors, trawl C/Ps and trawl CVs not participating in the Rockfish Program, may be increased in subsequent years based on the performance of these two sectors and their ability to minimize their use of their respective Chinook salmon PSC limits. If either or both of these two sectors limits its use of Chinook salmon PSC to a specified threshold amount in 2018 (3,120 for trawl C/Ps and 2,340 for Non-Rockfish Program trawl CVs), that

sector will receive an incremental increase to its 2019 Chinook salmon PSC limit (§ 679.21(h)(4)). In 2018, the trawl C/P sector did not exceed 3,120 Chinook salmon PSC; therefore, the 2019 trawl C/P sector Chinook salmon PSC limit will be 4,080 Chinook salmon. In 2018, the Non-Rockfish Program trawl CV sector did not exceed 2,340 Chinook salmon PSC; therefore, the 2019 Non-Rockfish Program trawl CV sector Chinook salmon PSC limit will be 3,060 Chinook salmon.

American Fisheries Act (AFA) Catcher/Processor and Catcher Vessel Groundfish Harvest and PSC Limits

Section 679.64 establishes groundfish harvesting and processing sideboard limitations on AFA C/Ps and CVs in the GOA. These sideboard limits are necessary to protect the interests of fishermen and processors who do not directly benefit from the AFA from those fishermen and processors who receive exclusive harvesting and processing privileges under the AFA. Section 679.7(k)(1)(ii) prohibits listed AFA C/Ps and C/Ps designated on a listed AFA C/P permit from harvesting any species of groundfish in the GOA. Additionally, § 679.7(k)(1)(iv) prohibits listed AFA C/Ps and C/Ps designated on a listed AFA C/P permit from processing any pollock harvested in a directed pollock fishery in the GOA and any groundfish harvested in Statistical Area 630 of the GOA.

AFA CVs that are less than 125 feet (38.1 meters) length overall, have annual landings of pollock in the Bering Sea and Aleutian Islands less than 5,100 mt, and have made at least 40 GOA groundfish landings from 1995 through 1997 are exempt from GOA CV groundfish sideboard limits under § 679.64(b)(2)(ii). Sideboard limits for non-exempt AFA CVs in the GOA are based on their traditional harvest levels of TAC in groundfish fisheries covered by the FMP. Section 679.64(b)(3)(iv) establishes the CV groundfish sideboard limitations in the GOA based on the aggregate retained catch of non-exempt AFA CVs of each sideboard species or species group from 1995 through 1997 divided by the sum of the TACs for that species or species group available to CVs over the same period.

As discussed earlier in this preamble, NMFS published a final rule (84 FR 2723, February 8, 2019) that establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for non-exempt AFA CV sideboards through the GOA annual harvest specifications. This applies to most, but not all, of the species and area apportionments listed in Table 18 and 19. Beginning with the 2020 and 2021 harvest specifications, NMFS will incorporate such changes into the specification and management of non-exempt AFA CV sideboard limits.

Tables 18 and 19 list the final 2019 and 2020 groundfish sideboard limits for non-exempt AFA CVs. NMFS will deduct all targeted or incidental catch of sideboard species made by non-exempt AFA CVs from the sideboard limits listed in Tables 18 and 19.

TABLE 18—FINAL 2019 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Apportionments by season/gear	Area/component	Ratio of 1995–1997 non-exempt AFA CV catch to 1995–1997 TAC	Final 2019 TACs	Final 2019 non-exempt AFA CV sideboard limit [3]
Pollock	A Season—January 20–March 10.	Shumagin (610)	0.6047	848	513
		Chirikof (620)	0.1167	23,236	2,712
		Kodiak (630)	0.2028	7,593	1,540
	B Season—March 10–May 31.	Shumagin (610)	0.6047	848	513
		Chirikof (620)	0.1167	27,306	3,187
		Kodiak (630)	0.2028	3,522	714
	C Season—August 25—October 1.	Shumagin (610)	0.6047	11,590	7,008
		Chirikof (620)	0.1167	8,423	983
		Kodiak (630)	0.2028	11,664	2,365
	D Season—October 1—November 1.	Shumagin (610)	0.6047	11,590	7,008
		Chirikof (620)	0.1167	8,423	983
		Kodiak (630)	0.2028	11,664	2,365
	Annual	WYK (640)	0.3495	5,748	2,009
		SEO (650)	0.3495	8,773	3,066
Pacific cod	A Season [1]—January 1–June 10.	W	0.1331	3,206	427
		C	0.0692	3,450	239
	B Season [2]—September 1–December 31.	W	0.1331	2,137	284
		C	0.0692	2,300	159
	Annual	E inshore	0.0079	1,148	9
		E offshore	0.0078	128	1
Sablefish	Annual, trawl gear	W	0.0000	316	0
		C	0.0642	1,036	67
		E	0.0433	241	10
Shallow-water flatfish	Annual	W	0.0156	13,250	207
		C	0.0587	25,731	1,510
		E	0.0126	4,236	53
Deep-water flatfish	Annual	W	0.0000	416	0
		C	0.0647	3,443	223
		E	0.0128	5,642	72
Rex sole	Annual	W	0.0007	2,951	2
		C	0.0384	8,357	321
		E	0.0029	3,384	10
Arrowtooth flounder	Annual	W	0.0021	14,500	30
		C	0.0280	70,995	1,988

TABLE 18—FINAL 2019 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUNDFISH SIDEBOARD LIMITS—Continued

[Values are rounded to the nearest metric ton]

Species	Apportionments by season/gear	Area/component	Ratio of 1995–1997 non-exempt AFA CV catch to 1995–1997 TAC	Final 2019 TACs	Final 2019 non-exempt AFA CV sideboard limit [3]
		E	0.0002	13,800	3
Flathead sole	Annual	W	0.0036	8,650	31
		C	0.0213	15,400	328
		E	0.0009	2,439	2
Pacific ocean perch	Annual	W	0.0023	3,227	7
		C	0.0748	19,646	1,470
		E	0.0466	5,682	265
Northern rockfish	Annual	W	0.0003	1,190	0
		C	0.0277	3,338	92
Shortraker rockfish	Annual	W	0.0000	44	0
		C	0.0218	305	7
		E	0.0110	514	6
Dusky rockfish	Annual	W	0.0001	781	0
		C	0.0000	2,764	0
		E	0.0067	155	1
Rougheye and blackspotted rockfish.	Annual	W	0.0000	174	0
		C	0.0237	550	13
		E	0.0124	704	9
Demersal shelf rockfish	Annual	SEO	0.0020	261	1
Thornyhead rockfish	Annual	W	0.0280	326	9
		C	0.0280	911	26
		E	0.0280	779	22
Other rockfish	Annual	C	0.1699	1,737	295
		E	0.0000	3,857	0
Atka mackerel	Annual	Gulfwide	0.0309	3,000	93
Big skates	Annual	W	0.0063	504	3
		C	0.0063	1,774	11
		E	0.0063	570	4
Longnose skates	Annual	W	0.0063	149	1
		C	0.0063	2,804	18
		E	0.0063	619	4
Other skates	Annual	Gulfwide	0.0063	1,384	9
Sculpins	Annual	Gulfwide	0.0063	5,301	33
Sharks	Annual	Gulfwide	0.0063	8,184	52
Octopuses	Annual	Gulfwide	0.0063	975	6

[1] The Pacific cod A season for trawl gear does not open until January 20.
[2] The Pacific cod B season for trawl gear closes November 1.
[3] On February 8, 2019, NMFS published a final rule (84 FR 2723) that modifies regulations for AFA Program and CR Program participants subject to sideboard limits in the GOA. The final rule establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for AFA Program and CR Program sideboard limits through the GOA annual harvest specifications. Once the final rule is effective (effective March 11, 2019), NMFS will no longer publish in the annual GOA harvest specifications the AFA Program and CR Program sideboard limit amounts for groundfish species subject to the final rule, and the groundfish species subject to the final rule will be prohibited to directed fishing in regulation (84 FR 2723).

TABLE 19—FINAL 2020 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Apportionments by season/gear	Area/component	Ratio of 1995–1997 non-exempt AFA CV catch to 1995–1997 TAC	Final 2020 TACs	Final 2020 non-exempt AFA CV sideboard limit [3]
Pollock	A Season—January 20–March 10.	Shumagin (610)	0.6047	680	411
		Chirikof (620)	0.1167	21,888	2,554
		Kodiak (630)	0.2028	2,823	573
	B Season—March 10–May 31.	Shumagin (610)	0.6047	680	411
		Chirikof (620)	0.1167	21,888	2,554
		Kodiak (630)	0.2028	2,823	573
	C Season—August 25—October 1.	Shumagin (610)	0.6047	9,290	5,617
		Chirikof (620)	0.1167	6,752	788
		Kodiak (630)	0.2028	9,349	1,896
	D Season—October 1—November 1.	Shumagin (610)	0.6047	9,290	5,617
		Chirikof (620)	0.1167	6,752	788

TABLE 19—FINAL 2020 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUNDFISH SIDEBOARD LIMITS—Continued

[Values are rounded to the nearest metric ton]

Species	Apportionments by season/ gear	Area/component	Ratio of 1995–1997 non-exempt AFA CV catch to 1995–1997 TAC	Final 2020 TACs	Final 2020 non-exempt AFA CV sideboard limit [3]
		Kodiak (630)	0.2028	9,349	1,896
	Annual	WYK (640)	0.3495	4,607	1,610
		SEO (650)	0.3495	8,773	3,066
Pacific cod	A Season [1]—January 1—June 10.	W	0.1331	4,072	542
		C	0.0692	4,382	303
	B Season [2]–September 1—December 31.	W	0.1331	2,715	361
		C	0.0692	2,921	202
	Annual	E inshore	0.0079	1,457	12
		E offshore	0.0078	162	1
Sablefish	Annual, trawl gear	W	0.0000	421	0
		C	0.0642	1,386	89
		E	0.0433	321	14
Shallow-water flatfish	Annual	W	0.0156	13,250	207
		C	0.0587	26,065	1,530
		E	0.0126	4,291	54
Deep-water flatfish	Annual	W	0.0000	420	0
		C	0.0647	3,488	226
		E	0.0128	5,716	73
Rex sole	Annual	W	0.0007	2,956	2
		C	0.0384	8,371	321
		E	0.0029	3,398	10
Arrowtooth flounder	Annual	W	0.0021	14,500	30
		C	0.0280	68,575	1,920
		E	0.0002	13,800	3
Flathead sole	Annual	W	0.0036	8,650	31
		C	0.0213	15,400	328
		E	0.0009	2,537	2
Pacific ocean perch	Annual	W	0.0023	3,125	7
		C	0.0748	19,024	1,423
		E	0.0466	5,503	256
Northern rockfish	Annual	W	0.0003	1,122	0
		C	0.0277	3,147	87
Shortraker rockfish	Annual	W	0.0000	44	0
		C	0.0218	305	7
		E	0.0110	514	6
Dusky rockfish	Annual	W	0.0001	774	0
		C	0.0000	2,742	0
		E	0.0067	154	1
Rougheye and blackspotted rockfish.	Annual	W	0.0000	172	0
		C	0.0237	545	13
		E	0.0124	697	9
Demersal shelf rockfish	Annual	SEO	0.0020	261	1
Thornyhead rockfish	Annual	W	0.0280	326	9
		C	0.0280	911	26
		E	0.0280	779	22
Other rockfish	Annual	W/C	0.1699	1,737	295
		E	0.0000	3,857	0
Atka mackerel	Annual	Gulfwide	0.0309	3,000	93
Big skates	Annual	W	0.0063	504	3
		C	0.0063	1,774	11
		E	0.0063	570	4
Longnose skates	Annual	W	0.0063	149	1
		C	0.0063	2,804	18
		E	0.0063	619	4
Other skates	Annual	Gulfwide	0.0063	1,384	9
Sculpins	Annual	Gulfwide	0.0063	5,301	33
Sharks	Annual	Gulfwide	0.0063	8,184	52
Octopuses	Annual	Gulfwide	0.0063	975	6

[1] The Pacific cod A season for trawl gear does not open until January 20.
[2] The Pacific cod B season for trawl gear closes November 1.

[3] On February 8, 2019, NMFS published a final rule (84 FR 2723) that modifies regulations for AFA Program and CR Program participants subject to sideboard limits in the GOA. The final rule establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for AFA Program and CR Program sideboard limits through the GOA annual harvest specifications. Once the final rule is effective (effective March 11, 2019), NMFS will no longer publish in the annual GOA harvest specifications the AFA Program and CR Program sideboard limit amounts for groundfish species subject to the final rule, and the groundfish species subject to the final rule will be prohibited to directed fishing in regulation (84 FR 2723).

Non-Exempt AFA Catcher Vessel Halibut PSC Limits

The halibut PSC sideboard limits for non-exempt AFA CVs in the GOA are based on the aggregate retained groundfish catch by non-exempt AFA CVs in each PSC target category from 1995 through 1997 divided by the retained catch of all vessels in that fishery from 1995 through 1997 (§ 679.64(b)(4)(ii)). Table 20 lists the final 2019 and 2020 non-exempt AFA CV halibut PSC limits for vessels using trawl gear in the GOA, respectively.

TABLE 20—FINAL 2019 AND 2020 NON-EXEMPT AFA CV HALIBUT PROHIBITED SPECIES CATCH (PSC) SIDEBOARD LIMITS FOR VESSELS USING TRAWL GEAR IN THE GOA

[Values are rounded to nearest metric ton]

Season	Season dates	Target fishery	Ratio of 1995–1997 non-exempt AFA CV retained catch to total retained catch	2019 and 2020 PSC limit	2019 and 2020 non-exempt AFA CV PSC limit
1	January 20–April 1	shallow-water	0.340	384	131
		deep-water	0.070	135	9
2	April 1–July 1	shallow-water	0.340	85	29
		deep-water	0.070	256	18
3	July 1–August 1	shallow-water	0.340	121	41
		deep-water	0.070	341	24
4	August 1–October 1	shallow-water	0.340	53	18
		deep-water	0.070	75	5
5	October 1–December 31	all targets	0.205	256	52
Annual		Total shallow-water			219
		Total deep-water			56
		Total, all season and categories		1,706	328

Non-AFA Crab Vessel Groundfish Harvest Limitations

Section 680.22 establishes groundfish catch limits for vessels with a history of participation in the Bering Sea snow crab fishery to prevent these vessels from using the increased flexibility provided by the Crab Rationalization Program to expand their level of participation in the GOA groundfish fisheries. Sideboard limits restrict these vessels' catch to their collective historical landings in each GOA groundfish fishery (except the fixed-gear sablefish fishery). Sideboard limits also apply to catch made using an LLP license derived from the history of a restricted vessel, even if that LLP license is used on another vessel.

The basis for these sideboard limits is described in detail in the final rules implementing the major provisions of the CR Program, including Amendments 18 and 19 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (Crab FMP) (70 FR 10174, March 2, 2005), Amendment 34 to the Crab FMP (76 FR 35772, June 20, 2011), Amendment 83 to the GOA FMP (76 FR 74670, December 1, 2011), and Amendment 45 to the Crab FMP (80 FR 28539, May 19, 2015).

As discussed earlier in this preamble, NMFS published a final rule (84 FR 2723, February 8, 2019) that establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for non-AFA crab vessel sideboards through the GOA annual harvest specifications. This will apply to most, but not all, of the species and area apportionments listed in Tables 21 and 22. Beginning with the 2020 and 2021 harvest specifications, NMFS will incorporate such changes into the specification and the management of non-AFA crab vessel sideboard limits.

Tables 21 and 22 list the final 2019 and 2020 groundfish sideboard limitations for non-AFA crab vessels. All targeted or incidental catch of sideboard species made by non-AFA crab vessels or associated LLP licenses will be deducted from these sideboard limits.

TABLE 21—FINAL 2019 GOA NON-AMERICAN FISHERIES ACT CRAB VESSEL GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Season/gear	Area/component/gear	Ratio of 1996–2000 non-AFA crab vessel catch to 1996–2000 total harvest	Final 2019 TACs	Final 2019 non-AFA crab vessel sideboard limit [3]
Pollock	A Season—January 20–March 10.	Shumagin (610)	0.0098	848	8
		Chirikof (620)	0.0031	23,236	72
		Kodiak (630)	0.0002	7,593	2
	B Season—March 10–May 31.	Shumagin (610)	0.0098	848	8
		Chirikof (620)	0.0031	27,306	85
		Kodiak (630)	0.0002	3,522	1
	C Season—August 25–October 1.	Shumagin (610)	0.0098	11,590	114
		Chirikof (620)	0.0031	8,423	26
		Kodiak (630)	0.0002	11,664	2
	D Season—October 1–November 1.	Shumagin (610)	0.0098	11,590	114
		Chirikof (620)	0.0031	8,423	26
		Kodiak (630)	0.0002	11,664	2
	Annual	WYK (640)	0.0000	5,748	0
		SEO (650)	0.0000	8,773	0
Pacific cod	A Season [1]—January 1–June 10.	WG Jig	0.0000	3,206	0
		WG Hook-and-line CV	0.0004	3,206	1
		WG Pot CV	0.0997	3,206	320
		WG Pot C/P	0.0078	3,206	25
		WG Trawl CV	0.0007	3,206	2
		CG Jig	0.0000	3,450	0
		CG Hook-and-line CV	0.0001	3,450	0
		CG Pot CV	0.0474	3,450	164
		CG Pot C/P	0.0136	3,450	47
		CG Trawl CV	0.0012	3,450	4
	B Season [2]—September 1–December 31.	WG Jig	0.0000	2,137	0
		WG Hook-and-line CV	0.0004	2,137	1
		WG Pot CV	0.0997	2,137	213
		WG Pot C/P	0.0078	2,137	17
		WG Trawl CV	0.0007	2,137	1
		CG Jig	0.0000	2,300	0
		CG Hook-and-line CV	0.0001	2,300	0
		CG Pot CV	0.0474	2,300	109
		CG Pot C/P	0.0136	2,300	31
		CG Trawl CV	0.0012	2,300	3
	Annual	EG inshore	0.0110	1,148	13
		EG offshore	0.0000	128	0
Sablefish	Annual, trawl gear	W	0.0000	316	0
		C	0.0000	1,036	0
		E	0.0000	241	0
Shallow-water flatfish	Annual	W	0.0059	13,250	78
		C	0.0001	25,731	3
		E	0.0000	4,236	0
Deep-water flatfish	Annual	W	0.0035	416	1
		C	0.0000	3,443	0
		E	0.0000	5,642	0
Rex sole	Annual	W	0.0000	2,951	0
		C	0.0000	8,357	0
		E	0.0000	3,384	0
Arrowtooth flounder	Annual	W	0.0004	14,500	6
		C	0.0001	70,995	7
		E	0.0000	13,800	0
Flathead sole	Annual	W	0.0002	8,650	2
		C	0.0004	15,400	6
		E	0.0000	2,439	0
Pacific ocean perch	Annual	W	0.0000	3,227	0
		C	0.0000	19,646	0
		E	0.0000	5,682	0
Northern rockfish	Annual	W	0.0005	1,190	1
		C	0.0000	3,338	0
Shortraker rockfish	Annual	W	0.0013	44	0
		C	0.0012	305	0
		E	0.0009	514	0
Dusky rockfish	Annual	W	0.0017	781	1
		C	0.0000	2,764	0
		E	0.0000	155	0
Rougheye/blackspotted rockfish	Annual	W	0.0067	174	1

TABLE 21—FINAL 2019 GOA NON-AMERICAN FISHERIES ACT CRAB VESSEL GROUNDFISH SIDEBOARD LIMITS—Continued

[Values are rounded to the nearest metric ton]

Species	Season/gear	Area/component/gear	Ratio of 1996–2000 non-AFA crab vessel catch to 1996–2000 total harvest	Final 2019 TACs	Final 2019 non-AFA crab vessel sideboard limit [3]
		C	0.0047	550	3
		E	0.0008	704	1
Demersal shelf rockfish	Annual	SEO	0.0000	261	0
Thornyhead rockfish	Annual	W	0.0047	326	2
		C	0.0066	911	6
		E	0.0045	779	4
Other rockfish	Annual	W/C	0.0033	1,737	6
		E	0.0000	3,857	0
Atka mackerel	Annual	Gulfwide	0.0000	3,000	0
Big skate	Annual	W	0.0392	504	20
		C	0.0159	1,774	28
		E	0.0000	570	0
Longnose skate	Annual	W	0.0392	149	6
		C	0.0159	2,804	45
		E	0.0000	619	0
Other skates	Annual	Gulfwide	0.0176	1,384	24
Sculpins	Annual	Gulfwide	0.0176	5,301	93
Sharks	Annual	Gulfwide	0.0176	8,184	144
Octopuses	Annual	Gulfwide	0.0176	975	17

[1] The Pacific cod A season for trawl gear does not open until January 20.

[2] The Pacific cod B season for jig gear opens June 10. The Pacific cod B season for trawl gear closes November 1.

[3] On February 8, 2019, NMFS published a final rule (84 FR 2723) that modifies regulations for AFA Program and CR Program participants subject to sideboard limits in the GOA. The final rule establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for AFA Program and CR Program sideboard limits through the GOA annual harvest specifications. Once the final rule is effective (effective March 11, 2019), NMFS will no longer publish in the annual GOA harvest specifications the AFA Program and CR Program sideboard limit amounts for groundfish species subject to the final rule, and the groundfish species subject to the final rule will be prohibited to directed fishing in regulation (84 FR 2723).

TABLE 22—FINAL 2020 GOA NON-AMERICAN FISHERIES ACT CRAB VESSEL GROUNDFISH SIDEBOARD LIMITS

[Values are rounded to the nearest metric ton]

Species	Season/gear	Area/component/gear	Ratio of 1996–2000 non-AFA crab vessel catch to 1996–2000 total harvest	Final 2020 TACs	Final 2020 non-AFA crab vessel sideboard limit [3]
Pollock	A Season—January 20–March 10.	Shumagin (610)	0.0098	680	7
		Chirikof (620)	0.0031	21,888	68
		Kodiak (630)	0.0002	2,823	1
	B Season—March 10–May 31.	Shumagin (610)	0.0098	680	7
		Chirikof (620)	0.0031	21,888	68
		Kodiak (630)	0.0002	2,823	1
	C Season—August 25–October 1.	Shumagin (610)	0.0098	9,290	91
		Chirikof (620)	0.0031	6,752	21
		Kodiak (630)	0.0002	9,349	2
	D Season—October 1–November 1.	Shumagin (610)	0.0098	9,290	91
		Chirikof (620)	0.0031	6,752	21
		Kodiak (630)	0.0002	9,349	2
	Annual	WYK (640)	0.0000	4,607	0
		SEO (650)	0.0000	8,773	0
Pacific cod	A Season [1]—January 1–June 10.	WG Jig	0.0000	4,072	0
		WG Hook-and-line CV	0.0004	4,072	2
		WG Pot CV	0.0997	4,072	406
		WG Pot C/P	0.0078	4,072	32
		WG Trawl CV	0.0007	4,072	3
		CG Jig	0.0000	4,382	0
		CG Hook-and-line CV	0.0001	4,382	0
		CG Pot CV	0.0474	4,382	208
		CG Pot C/P	0.0136	4,382	60
		CG Trawl CV	0.0012	4,382	5
	B Season [2]—September 1–December 31.	WG Jig	0.0000	2,715	0
		WG Hook-and-line CV	0.0004	2,715	1
		WG Pot CV	0.0997	2,715	271
		WG Pot C/P	0.0078	2,715	21

TABLE 22—FINAL 2020 GOA NON-AMERICAN FISHERIES ACT CRAB VESSEL GROUNDFISH SIDEBOARD LIMITS—Continued

[Values are rounded to the nearest metric ton]

Species	Season/gear	Area/component/gear	Ratio of 1996–2000 non-AFA crab vessel catch to 1996–2000 total harvest	Final 2020 TACs	Final 2020 non-AFA crab vessel sideboard limit [3]
		WG Trawl CV	0.0007	2,715	2
		CG Jig	0.0000	2,921	0
		CG Hook-and-line CV	0.0001	2,921	0
		CG Pot CV	0.0474	2,921	138
		CG Pot C/P	0.0136	2,921	40
		CG Trawl CV	0.0012	2,921	4
	Annual	E inshore	0.0110	1,457	16
		E offshore	0.0000	162	0
Sablefish	Annual, trawl gear	W	0.0000	421	0
		C	0.0000	1,386	0
		E	0.0000	321	0
Shallow-water flatfish	Annual	W	0.0059	13,250	78
		C	0.0001	26,065	3
		E	0.0000	4,291	0
Deep-water flatfish	Annual	W	0.0035	420	1
		C	0.0000	3,488	0
		E	0.0000	5,716	0
Rex sole	Annual	W	0.0000	2,956	0
		C	0.0000	8,371	0
		E	0.0000	3,398	0
Arrowtooth flounder	Annual	W	0.0004	14,500	6
		C	0.0001	68,575	7
		E	0.0000	13,800	0
Flathead sole	Annual	W	0.0002	8,650	2
		C	0.0004	15,400	6
		E	0.0000	2,537	0
Pacific ocean perch	Annual	W	0.0000	3,125	0
		C	0.0000	19,024	0
		E	0.0000	5,503	0
Northern rockfish	Annual	W	0.0005	1,122	1
		C	0.0000	3,147	0
Shortraker rockfish	Annual	W	0.0013	44	0
		C	0.0012	305	0
		E	0.0009	514	0
Dusky rockfish	Annual	W	0.0017	774	1
		C	0.0000	2,742	0
		E	0.0000	154	0
Rougheye/blackspotted rockfish	Annual	W	0.0067	172	1
		C	0.0047	545	3
		E	0.0008	697	1
Demersal shelf rockfish	Annual	SEO	0.0000	261	0
Thornyhead rockfish	Annual	W	0.0047	326	2
		C	0.0066	911	6
		E	0.0045	779	4
Other rockfish	Annual	W/C	0.0033	1,737	6
		E	0.0000	3,857	0
Atka mackerel	Annual	Gulfwide	0.0000	3,000	0
Big skate	Annual	W	0.0392	504	20
		C	0.0159	1,774	28
		E	0.0000	570	0
Longnose skate	Annual	W	0.0392	149	6
		C	0.0159	2,804	45
		E	0.0000	619	0
Other skates	Annual	Gulfwide	0.0176	1,384	24
Sculpins	Annual	Gulfwide	0.0176	5,301	93
Sharks	Annual	Gulfwide	0.0176	8,184	144
Octopuses	Annual	Gulfwide	0.0176	975	17

[1] The Pacific cod A season for trawl gear does not open until January 20.

[2] The Pacific cod B season for jig gear opens June 10. The Pacific cod B season for trawl gear closes November 1.

[3] On February 8, 2019, NMFS published a final rule (84 FR 2723) that modifies regulations for AFA Program and CR Program participants subject to sideboard limits in the GOA. The final rule establishes regulations to prohibit directed fishing for sideboard limits for specific groundfish species or species groups, rather than prohibiting directed fishing for AFA Program and CR Program sideboard limits through the GOA annual harvest specifications. Once the final rule is effective (effective March 11, 2019), NMFS will no longer publish in the annual GOA harvest specifications the AFA Program and CR Program sideboard limit amounts for groundfish species subject to the final rule, and the groundfish species subject to the final rule will be prohibited to directed fishing in regulation (84 FR 2723).

Rockfish Program Groundfish Sideboard and Halibut PSC Limitations

The Rockfish Program establishes three classes of sideboard provisions: CV groundfish sideboard restrictions, C/P rockfish sideboard restrictions, and C/P opt-out vessel sideboard restrictions (§ 679.82(c)(1)). These sideboards are intended to limit the ability of rockfish harvesters to expand into other fisheries.

CVs participating in the Rockfish Program may not participate in directed fishing for dusky rockfish, Pacific ocean perch, and northern rockfish in the West Yakutat District and Western GOA from July 1 through July 31. Also, CVs may not participate in directed fishing for arrowtooth flounder, deep-water flatfish, and rex sole in the GOA from July 1 through July 31 (§ 679.82(d)).

C/Ps participating in Rockfish Program cooperatives are restricted by rockfish and halibut PSC sideboard limits. These C/Ps are prohibited from directed fishing for dusky rockfish, Pacific ocean perch, and northern rockfish in the West Yakutat District and Western GOA from July 1 through July 31 (§ 679.82(e)(2)). Holders of C/P-designated LLP licenses that opt out of participating in a Rockfish Program cooperative will be able to access that portion of each rockfish sideboard limit that is not assigned to rockfish cooperatives (§ 679.82 (e)(7)). The sideboard ratio for each fishery in the West Yakutat District and the Western GOA is set forth in § 679.82(e)(4). Tables 23 and 24 list the final 2019 and 2020 Rockfish Program C/P sideboard limits in the West Yakutat District and the Western GOA. Due to confidentiality requirements associated with fisheries data, the sideboard limits for the West Yakutat District are not displayed.

TABLE 23—FINAL 2019 ROCKFISH PROGRAM SIDEBOARD LIMITS FOR THE WESTERN GOA AND WEST YAKUTAT DISTRICT BY FISHERY FOR THE CATCHER/PROCESSOR SECTOR

[Values are rounded to the nearest metric ton]

Area	Fishery	C/P sector (% of TAC)	Final 2019 TACs	Final 2019 C/P limit
Western GOA	Dusky rockfish	72.3	781	565.
	Pacific ocean perch	50.6	3,227	1,633.
	Northern rockfish	74.3	1,190	884.
West Yakutat District	Dusky rockfish	Confidential [1]	95	Confidential. [1]
	Pacific ocean perch	Confidential [1]	3,296	Confidential. [1]

[1] Not released due to confidentiality requirements associated with fish ticket data, as established by NMFS and the State of Alaska.

TABLE 24—FINAL 2020 ROCKFISH PROGRAM SIDEBOARD LIMITS FOR THE WESTERN GOA AND WEST YAKUTAT DISTRICT BY FISHERY FOR THE CATCHER/PROCESSOR SECTOR

[Values are rounded to the nearest metric ton]

Area	Fishery	C/P sector (% of TAC)	Final 2020 TACs	Final 2020 C/P limit
Western GOA	Dusky rockfish	72.3	774	560.
	Pacific ocean perch	50.6	3,125	1,581.
	Northern rockfish	74.3	1,122	834.
West Yakutat District	Dusky rockfish	Confidential [1]	94	Confidential. [1]
	Pacific ocean perch	Confidential [1]	3,192	Confidential. [1]

[1] Not released due to confidentiality requirements associated with fish ticket data, as established by NMFS and the State of Alaska.

Under the Rockfish Program, the C/P sector is subject to halibut PSC sideboard limits for the trawl deep-water and shallow-water species fisheries from July 1 through July 31 (§ 679.82(e)(3) and (e)(5)). Halibut PSC sideboard ratios by fishery are set forth in § 679.82(e)(5). No halibut PSC sideboard limits apply to the CV sector, as CVs participating in cooperatives receive a portion of the annual halibut PSC limit. C/Ps that opt out of the Rockfish Program are able to access that portion of the deep-water and shallow-water halibut PSC sideboard limit not assigned to C/P rockfish cooperatives. The sideboard provisions for C/Ps that elect to opt out of participating in a rockfish cooperative are described in § 679.82(c), (e), and (f). Sideboard limits are linked to the catch history of specific vessels that may choose to opt out. After March 1, NMFS will determine which C/Ps have opted-out of the Rockfish Program in 2019, and NMFS will know the ratios and amounts used to calculate opt-out sideboard ratios. NMFS will then calculate any applicable opt-out sideboards for 2019 and post these limits on the Alaska Region website at *https://alaskafisheries.noaa.gov/sustainablefisheries/rockfish/*. Table 25 lists the final 2019 and 2020 Rockfish Program halibut PSC sideboard limits for the C/P sector.

TABLE 25—FINAL 2019 AND 2020 ROCKFISH PROGRAM HALIBUT PSC SIDEBOARD LIMITS FOR THE CATCHER/PROCESSOR SECTOR

[Values are rounded to the nearest metric ton]

Sector	Shallow-water species fishery halibut PSC sideboard ratio (percent)	Deep-water species fishery halibut PSC sideboard ratio (percent)	2019 and 2020 halibut mortality limit (mt)	Annual shallow-water species fishery halibut PSC sideboard limit (mt)	Annual deep-water species fishery halibut PSC sideboard limit (mt)
Catcher/processor	0.10	2.50	1,706	2	43

Amendment 80 Program Groundfish and PSC Sideboard Limits

Amendment 80 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (Amendment 80 Program) established a limited access privilege program for the non-AFA trawl C/P sector. The Amendment 80 Program established groundfish and halibut PSC catch limits for Amendment 80 Program participants to limit the ability of participants eligible for the Amendment 80 Program to expand their harvest efforts in the GOA.

Section 679.92 establishes groundfish harvesting sideboard limits on all Amendment 80 program vessels, other than the F/V *Golden Fleece,* to amounts no greater than the limits listed in Table 37 to 50 CFR part 679. Under § 679.92(d), the F/V *Golden Fleece* is prohibited from directed fishing for pollock, Pacific cod, Pacific ocean perch, dusky rockfish, and northern rockfish in the GOA.

Groundfish sideboard limits for Amendment 80 Program vessels operating in the GOA are based on their average aggregate harvests from 1998 through 2004 (72 FR 52668, September 14, 2007). Tables 26 and 27 list the final 2019 and 2020 groundfish sideboard limits for Amendment 80 Program vessels. NMFS will deduct all targeted or incidental catch of sideboard species made by Amendment 80 Program vessels from the sideboard limits in Tables 26 and 27.

TABLE 26—FINAL 2019 GOA GROUNDFISH SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS

[Values are rounded to nearest metric ton]

Species	Apportionments and allocations by season	Area	Ratio of Amendment 80 sector vessels 1998–2004 catch to TAC	2019 TAC (mt)	2019 Amendment 80 vessel sideboards (mt)
Pollock	A Season—January 20–March 10.	Shumagin (610)	0.003	848	3
		Chirikof (620)	0.002	23,236	46
		Kodiak (630)	0.002	7,593	15
	B Season—March 10–May 31	Shumagin (610)	0.003	848	3
		Chirikof (620)	0.002	27,306	55
		Kodiak (630)	0.002	3,522	7
	C Season—August 25–October 1.	Shumagin (610)	0.003	11,590	35
		Chirikof (620)	0.002	8,423	17
		Kodiak (630)	0.002	11,664	23
	D Season—October 1–November 1.	Shumagin (610)	0.003	11,590	35
		Chirikof (620)	0.002	8,423	17
		Kodiak (630)	0.002	11,664	23
	Annual	WYK (640)	0.002	5,748	11
Pacific cod	A Season [1]—January 1–June 10.	W	0.020	3,206	64
		C	0.044	3,450	152
	B Season [2]—September 1–December 31.	W	0.020	2,137	43
		C	0.044	2,300	101
	Annual	WYK	0.034	1,275	43
Pacific ocean perch	Annual	W	0.994	3,227	3,208
		WYK	0.961	3,296	3,167
Northern rockfish	Annual	W	1.000	1,190	1,190
Dusky rockfish	Annual	W	0.764	781	597
		WYK	0.896	95	85

[1] The Pacific cod A season for trawl gear does not open until January 20.
[2] The Pacific cod B season for trawl gear closes November 1.

TABLE 27—FINAL 2020 GOA GROUNDFISH SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS

[Values are rounded to nearest metric ton]

Species	Apportionments and allocations by season	Area	Ratio of Amendment 80 sector vessels 1998–2004 catch to TAC	2020 TAC (mt)	2020 Amendment 80 vessel sideboards (mt)
Pollock	A Season—January 20–March 10.	Shumagin (610)	0.003	680	2
		Chirikof (620)	0.002	21,888	44
		Kodiak (630)	0.002	2,823	6
	B Season—March 10–May 31	Shumagin (610)	0.003	680	2
		Chirikof (620)	0.002	21,888	44
		Kodiak (630)	0.002	2,823	6
	C Season—August 25–October 1.	Shumagin (610)	0.003	9,290	28
		Chirikof (620)	0.002	6,752	14
		Kodiak (630)	0.002	9,349	19
	D Season—October 1–November 1.	Shumagin (610)	0.003	9,290	28
		Chirikof (620)	0.002	6,752	14
		Kodiak (630)	0.002	9,349	19
	Annual	WYK (640)	0.002	4,607	9
Pacific cod	A Season [1]—January 1–June 10.	W	0.020	4,072	81
		C	0.044	4,382	193
	B Season [2]—September 1–December 31.	W	0.020	2,715	54
		C	0.044	2,921	129
	Annual	WYK	0.034	1,619	55
Pacific ocean perch	Annual	W	0.994	3,125	3,106
		WYK	0.961	3,192	3,068
Northern rockfish	Annual	W	1.000	1,122	1,122
Dusky rockfish	Annual	W	0.764	774	591
		WYK	0.896	94	84

[1] The Pacific cod A season for trawl gear does not open until January 20.
[2] The Pacific cod B season for trawl gear closes November 1.

The halibut PSC sideboard limits for Amendment 80 Program vessels in the GOA are based on the historic use of halibut PSC by Amendment 80 Program vessels in each PSC target category from 1998 through 2004. These values are slightly lower than the average historic use to accommodate two factors: Allocation of halibut PSC cooperative quota under the Rockfish Program and the exemption of the F/V *Golden Fleece* from this restriction (§ 679.92(b)(2)). Table 28 lists the final 2019 and 2020 halibut PSC sideboard limits for Amendment 80 Program vessels. These tables incorporate the maximum percentages of the halibut PSC sideboard limits that may be used by Amendment 80 Program vessels as contained in Table 38 to 50 CFR part 679. Any residual amount of a seasonal Amendment 80 halibut PSC sideboard limit may carry forward to the next season limit (§ 679.92(b)(2)).

TABLE 28—FINAL 2019 AND 2020 HALIBUT PSC SIDEBOARD LIMITS FOR AMENDMENT 80 PROGRAM VESSELS IN THE GOA

[Values are rounded to nearest metric ton]

Season	Season dates	Target fishery	Historic Amendment 80 use of the annual halibut PSC limit catch (ratio)	2019 and 2020 annual PSC limit (mt)	2019 and 2020 Amendment 80 vessel PSC limit
1	January 20–April 1	shallow-water	0.0048	1,706	8
		deep-water	0.0115	1,706	20
2	April 1–July 1	shallow-water	0.0189	1,706	32
		deep-water	0.1072	1,706	183
3	July 1–August 1	shallow-water	0.0146	1,706	25
		deep-water	0.0521	1,706	89
4	August 1–October 1	shallow-water	0.0074	1,706	13
		deep-water	0.0014	1,706	2
5	October 1–December 31	shallow-water	0.0227	1,706	39
		deep-water	0.0371	1,706	63
Total					474

Directed Fishing Closures

Pursuant to § 679.20(d)(1)(i), if the Regional Administrator determines (1) that any allocation or apportionment of a target species or species group allocated or apportioned to a fishery will be reached; or (2) with respect to pollock and Pacific cod, that an allocation or apportionment to an

inshore or offshore component or sector allocation will be reached, then the Regional Administrator may establish a directed fishing allowance (DFA) for that species or species group. If the Regional Administrator establishes a DFA and that allowance is or will be reached before the end of the fishing year, NMFS will prohibit directed fishing for that species or species group in the specified GOA subarea, regulatory area, or district (§ 679.20(d)(1)(iii)).

The Regional Administrator has determined that the TACs for the species listed in Table 29 are necessary to account for the incidental catch of these species in other anticipated groundfish fisheries for the 2019 and 2020 fishing years.

TABLE 29—2019 AND 2020 DIRECTED FISHING CLOSURES IN THE GOA

[Amounts for incidental catch in other directed fisheries are in metric tons]

Target	Area/component/gear	Incidental catch amount and year (if amounts differ by year)
Pollock	all/offshore	not applicable.[1]
Sablefish[2]	all/trawl	1,583 (2019), 2,129 (2020).
Pacific cod	Western, catcher/processor, trawl	125 (2019), 159 (2020).
	Central, catcher/processor, trawl	239 (2019), 304 (2020).
Shortraker rockfish[2]	all	863.
Rougheye/blackspotted rockfish[2]	all	1,428 (2019), 1,414 (2020).
Thornyhead rockfish[2]	all	5,594.
Other rockfish	all	1,384.
Atka mackerel	all	3,000.
Big skate	All	2,848.
Longnose skate	All	3,572.
Other skates	All	1,384.
Sharks	All	8,184.
Octopuses	All	975.

[1] Pollock is closed to directed fishing in the GOA by the offshore component under § 679.20(a)(6)(i).

[2] Closures not applicable to participants in cooperatives conducted under the Central GOA Rockfish Program, as cooperatives are prohibited from exceeding their allocations (§ 679.7(n)(6)(viii)).

Consequently, in accordance with § 679.20(d)(1)(i), the Regional Administrator establishes the DFA for the species or species groups listed in Table 29 as zero mt. Therefore, in accordance with § 679.20(d)(1)(iii), NMFS is prohibiting directed fishing for those species, areas, gear types, and components in the GOA listed in Table 29 effective at 1200 hours, A.l.t., March 14, 2019, through 2400 hours, A.l.t., December 31, 2020.

Section 679.64(b)(5) provides for management of AFA CV groundfish harvest limits and PSC bycatch limits using directed fishing closures and PSC closures according to procedures set out at §§ 679.20(d)(1)(iv) and 679.21(d)(6) and (e)(3)(v). The Regional Administrator has determined that, in addition to the closures listed above, many of the non-exempt AFA CV sideboard limits listed in Tables 18 and 19 are necessary as incidental catch to support other anticipated groundfish fisheries for the 2019 and 2020 fishing years. In accordance with § 679.20(d)(1)(iv), the Regional Administrator sets the DFAs for the species and species groups in Table 30 at zero mt. Therefore, in accordance with § 679.20(d)(1)(iii), NMFS is prohibiting directed fishing by non-exempt AFA CVs in the GOA for the species and specified areas listed in Table 30 effective at 1200 hours, A.l.t., March 14, 2019, through 2400 hours, A.l.t., December 31, 2020.

TABLE 30—2019 AND 2020 NON-EXEMPT AFA CV SIDEBOARD DIRECTED FISHING CLOSURES FOR ALL GEAR TYPES IN THE GOA

[Amounts for incidental catch in other directed fisheries are in metric tons]

Species	Regulatory area/district	Incidental catch amount
Pacific cod	Eastern	10 (inshore) and 9 (offshore) [2019], 1 (inshore) and 1 (offshore) [2020].
Shallow-water flatfish	Eastern	53.
Deep-water flatfish	Western	0.
Rex sole	Western and Eastern	2 and 10.
Arrowtooth flounder	Western and Eastern	30 and 3.
Flathead sole	Western and Eastern	31 and 2.
Pacific ocean perch	Western	7.
Northern rockfish	Western	0.
Dusky rockfish	Entire GOA	0.
Demersal shelf rockfish	SEO District	0.
Sculpins	Entire GOA	33.

Section 680.22 provides for the management of non-AFA crab vessel sideboards using directed fishing closures in accordance with § 680.22(e)(2) and (3). The Regional Administrator has determined that the non-AFA crab vessel sideboards listed in Tables 21 and 22 are insufficient to support a directed fishery and has set the sideboard DFA at zero mt, with the exception of Pacific cod pot CV sector apportionments in the Western and

Central Regulatory Areas. Therefore, NMFS is prohibiting directed fishing by non-AFA crab vessels in the GOA for all species and species groups listed in Tables 21 and 22, with the exception of the Pacific cod pot CV sector apportionments in the Western and Central Regulatory Areas.

Closures implemented under the 2018 and 2019 GOA harvest specifications for groundfish (83 FR 8768, March 1, 2018) remain effective under authority of these final 2019 and 2020 harvest specifications and until the date specified in those notices. Closures are posted at the following website: *https://alaskafisheries.noaa.gov/infobulletins/search*. While these closures are in effect, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a fishing trip. These closures to directed fishing are in addition to closures and prohibitions found at 50 CFR part 679. NMFS may implement other closures during the 2019 and 2020 fishing years as necessary for effective conservation and management.

Comments and Responses

NMFS received five letters containing six substantive comments during the public comment period for the proposed GOA groundfish harvest specifications. No changes were made to the final rule in response to the comment letters received. NMFS's response to public comments on the proposed GOA groundfish harvest specifications is provided below.

Comment 1: NMFS should prohibit harvesting for a year to make sure that the population does not decrease to an amount that would prohibit harvesting for another 2 to 3 years.

Response 1: The SAFE reports (see **ADDRESSES**) are intended to summarize the best available scientific information concerning the past, present, and possible future condition of the stocks and fisheries under federal management. The SSC reviews the stock assessments and sets ABC levels for each species and species group managed under the FMP. The ABC recommendations, together with social and economic factors, are considered by the Council in determining TACs and other management strategies for the fisheries. Based on the information provided in the SAFE report, the Council recommended and NMFS implements TACs that do not exceed the ABC and OFL for each groundfish species and species group. The OFL, ABC, and TAC amounts recommended by the Council and approved by NMFS in this final rule are set according to the harvest strategy adopted in the EIS, the management objectives outlined in the FMP, and the statutory requirements of the Magnuson-Stevens Act to ensure the long-term health of each species and species group and the optimization of yield on a continuing basis.

Comment 2: Amendment 106 reclassified squid as an ''Ecosystem Component Species'' that do not require conservation and management. What warrants the regulation for directed fishing?

Response 2: Amendment 106 prohibits directed fishing for squid while allowing limited retention of some squid incidentally caught in other fisheries. Reclassifying squid as an ecosystem component species does not require NMFS to set annual catch limits of an OFL, ABC, or TAC for squid in the GOA groundfish harvest specifications. To monitor the incidental catch of squid in the groundfish fisheries, Amendment 106 maintains recordkeeping and reporting requirements for squid. Additionally, squid may be retained up to a maximum retainable amount in other groundfish fisheries. This allows some squid to be retained for bait or sale, but at a level that discourages fishermen from targeting squid species. More information on Amendment 106 can be found in the final rule to implement Amendment 106 to the FMP (83 FR 31460, July 6, 2018).

Comment 3: Would reducing rockfish TAC amounts have substantial economic implications for individuals reliant on the selling of rockfish for food industries?

Response 3: Pacific ocean perch is the largest rockfish fishery in the GOA, and the TAC amounts are reached each year. Reduced TAC amounts for Pacific ocean perch and other species of rockfish may result in price increases, but the amount of any potential price increase is unknown. Also, a price increase may not offset revenue declines from lower TACs. Most rockfish fisheries in the GOA are closed because the TAC limits are not larger enough to support directed fishing. However, some retention of rockfish as incidental catch in other fisheries is allowed. Decreased rockfish TAC amounts may require managers to prohibit all retention of rockfish, which would result in no revenue from the incidental catch of rockfish. Each year the SAFE report on the Economic Status of the Groundfish Fisheries off Alaska is updated with the most recent information about groundfish prices and value, including rockfish (see **ADDRESSES**).

Comment 4: NMFS administers the federal fisheries off Alaska for the benefit of a few Alaska fishermen, not for the benefit of all U.S. citizens or the Nation as a whole. There should never be a stock increase, and all quotas should be cut by 50 percent immediately to try to save all stocks, which are being unsustainably fished.

Response 4: NMFS manages the GOA groundfish fisheries on behalf of all U.S. citizens, as well as on behalf of the commercial fishing industry, in accordance with the National Standards of the Magnuson-Stevens Act (16 U.S.C. 1851(a)). Participants in this industry reside in other states besides Alaska, and more information about the industry can be found in the SAFE report on the Economic Status of the Groundfish Fisheries off Alaska (see **ADDRESSES**). NMFS's primary objective in the harvest specifications process is the conservation and management of fish resources for the Nation as a whole. The annual harvest specifications process is a key element to ensuring that Alaska fisheries are sustainably managed in a controlled and orderly manner. This process incorporates the best available scientific information from the most recent SAFE reports prepared by multi-disciplinary teams of scientists. Such reports contain the most recent scientific information on the condition of various groundfish stocks, as well as the condition of other ecosystem components. Based on the SAFE reports, the Council and NMFS annually respond to new developments in the natural environment as part of the harvest specifications process. The Council and NMFS set for each groundfish species or species group the annual TAC and ABC amounts, and these amounts increase or decrease each year based on the biological condition of the groundfish stock. The Council and NMFS have reduced catch amounts if necessary based on the SAFE reports (such as the recent reductions in Pacific cod). More information on the biological condition of each groundfish species or species groups, including changes in annual TAC and ABC amounts, can be found in the annual SAFE reports. Currently, none of the NMFS-managed groundfish species off Alaska is overfished or subject to overfishing.

Comment 5: Pollock is overfished. There is no justification for allowing commercial fishing to catch all the pollock in the ocean, particularly to the detriment of marine mammals that also eat pollock.

Response 5: As mentioned in the response to Comment 4, none of the NMFS-managed groundfish species off Alaska, including pollock, is overfished or subject to overfishing, and the Council and NMFS continue to set annual harvest levels for groundfish species, including pollock, based on the best available scientific information on

the biological condition of the groundfish species, the status of ecosystem, and other socio-economic factors. In addition, there are a broad suite of conservation and management measures in place to protect Steller sea lions that were subject to consultation under Section 7 of the Endangered Species Act, including those described at *https://www.fisheries.noaa.gov/species/steller-sea-lion#management.*

Comment 6: The information contained in the 2018 Pacific cod stock assessment indicates that the GOA Pacific cod spawning biomass will be at or below 20 percent of its unfished biomass at the beginning of 2019. Per applicable federal regulations, directed fishing for the key prey (pollock, Pacific cod, and Atka mackerel) of Steller sea lions should be prohibited in the event that the spawning biomass of such a species is projected in the stock assessment to fall below 20 percent of the projected unfished spawning biomass during a given year. Since 2015, counts of Steller sea lion pups in 2017 were down 33 percent in the Eastern GOA and down 17 percent in the Central GOA. This suggests that the lower birth rates and/or pup survival for Steller sea lions correlate with the decline of Pacific cod.

Response 6: The Pacific cod stock in the GOA experienced a decline in biomass and abundance since 2015, as first reported following the 2017 bottom trawl survey. As detailed in the 2018 Ecosystem Status Report (see **ADDRESSES**), the GOA experienced anomalous warm conditions throughout the water column starting in 2014 and extending through 2016 (an event now characterized in the Ecosystem Status Report as ''marine heat waves''). This unusual warm event apparently affected the entire ecosystem and, in particular, affected prey availability for upper trophic level predators as was evident in a number of ecosystem indicators including the poor condition of Pacific cod in recent years. These factors led to the current suite of Pacific cod assessment models, which include environmental factors in the assessment including a brief period of high natural mortality (M) and the relationship of longline survey catchability to a temperature index.

The 2019 ABC recommended in the stock assessment for Pacific cod (17,000 mt) resulted in a 13.6 percent reduction from the maximum permissible ABC. This reduction was determined based on catch projections that resulted in the spawning biomass estimate (''B'') being above 20 percent of unfished levels through 2020. The stock assessment's recommendation for a reduction from the maximum permissible ABC for Pacific cod was explicitly made based on the need to maintain a projected spawning stock biomass above 20 percent of $B_{100\%}$ in 2019. This is discussed in the 2018 Pacific cod stock assessment, particularly in the Executive Summary (p. 2) and Harvest Recommendations section (pp. 32–35). Based on the preferred assessment model and the ABC recommendation for 2019 of 17,000 mt, spawning biomass is estimated in 2019 at 34,701 (see the Summary Table at p. 3, the discussion under ''Specification of OFL and Maximum Permissible ABC'' on p. 33, and Table 2.28), and will remain above $B_{20\%}$ in 2019 (see the discussion under ''ABC Recommendation'' on p. 34). The stock assessment discussion provides the scientific and statistical rationale for the recommended specification of OFL, ABC, and selection of a preferred assessment model to calculate such parameters. The 2018 Pacific cod stock assessment is available from the Council (see **ADDRESSES**).

The SSC concurred with the preferred assessment model and with the reduction in ABC. The SSC noted that the ABC reduction of 13.6 percent is in addition to the buffer incorporated by the sloping harvest control rule that is triggered when a stock, like Pacific cod, falls below $B_{40\%}$, which results in a total buffer of 59 percent from $F_{40\%}$. The SSC supported the 13.6 percent reduction in ABC to provide stability in future levels of spawning biomass, and the SSC noted that the 13.6 percent reduction in ABC to 17,000 mt was determined based on catch projections that resulted in the spawning biomass estimate being above 20% of unfished levels through 2020. The SSC set the Pacific cod ABC at 17,000 mt for 2019, and NMFS adopts the Pacific cod ABC of 17,000 mt for 2019 in these final 2019 and 2020 harvest specifications.

Regarding the decline in pup counts from 2015 to 2017 in the Eastern and Central GOA by 33 percent and 18 percent, respectively, the SSC noted this information but reiterated that two years do not make a trend and that more years of data are necessary to distinguish these changes from other potential declines. These preliminary data provides important information in light of the recent marine heat-wave impacts on the GOA ecosystem. More detailed information on current population trends of the western Distinct Population Segment (DPS) Steller sea lion can be found in the 2017 Marine Mammal Stock Assessment Report, which reports that there is strong evidence that across Alaska pup and non-pup counts of western DPS Steller sea lions have increased at 2.19 percent and 2.24 percent, respectively, between 2003 and 2016, although there are strong differences across Alaska but generally positive trends in the Gulf of Alaska.

In addition, beginning in 2018, NMFS began managing the GOA Pacific cod fisheries with additional scrutiny and caution because of the reductions in the GOA Pacific cod ABCs and corresponding TACs. Beginning in 2018, NMFS closed various sectors to directed fishing for Pacific cod due to small sector allocations, as well as the need to conserve adequate amounts of Pacific cod for incidental catch in other groundfish fisheries. In 2018, approximately 15,132 mt (84 percent) of the 18,000 mt Pacific cod ABC was caught in the GOA. This precautionary management is continuing in 2019. NMFS closed several regulatory areas and sectors to directed fishing for the year, including trawl C/Ps in the Central GOA and Western GOA and trawl CVs in the Western GOA, and some sectors that were open have already closed to directed fishing. More detailed information on these inseason actions can be found in information bulletins posted at *https://alaskafisheries.noaa.gov/infobulletins/search.*

Classification

NMFS has determined that these final harvest specifications are consistent with the FMP and with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

This action is authorized under 50 CFR 679.20 and is exempt from review under Executive Order 12866.

NMFS prepared an EIS for this action (see **ADDRESSES**) and made it available to the public on January 12, 2007 (72 FR 1512). On February 13, 2007, NMFS issued the ROD for the EIS. In February 2019, NMFS prepared a SIR for this action. Copies of the EIS, ROD, and annual SIRs for this action are available from NMFS (see **ADDRESSES**). The Final EIS analyzes the environmental, social, and economic consequences of the groundfish harvest specifications and alternative harvest strategies on resources in the action area. Based on the analysis in the Final EIS, NMFS concluded that the preferred Alternative (Alternative 2) provides the best balance among relevant environmental, social, and economic considerations and allows for continued management of the groundfish fisheries based on the most recent, best scientific information. The preferred alternative is a harvest strategy in which TACs are set at a level within

the range of ABCs recommended by the Council's SSC; the sum of the TACs must achieve the OY specified in the FMP.

The annual SIR evaluates the need to prepare a Supplemental EIS (SEIS) for the 2019 and 2020 groundfish harvest specifications. An SEIS should be prepared if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) significant new circumstances or information exist relevant to environmental concerns and bearing on the proposed action or its impacts (40 CFR 1502.9(c)(1)). After reviewing the information contained in the SIR and SAFE reports, the Regional Administrator has determined that (1) approval of the 2019 and 2020-harvest specifications, which were set according to the preferred harvest strategy in the EIS, does not constitute a substantial change in the action; and (2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the action or its impacts. Additionally, the 2019 and 2020 harvest specifications will result in environmental, social, and economic impacts within the scope of those analyzed and disclosed in the EIS. Therefore, supplemental National Environmental Policy Act documentation is not necessary to implement the 2019 and 2020 harvest specifications.

Section 604 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 604) requires that, when an agency promulgates a final rule under 5 U.S.C. 553, after being required by that section, or any other law, to publish a general notice of proposed rulemaking, the agency shall prepare a final regulatory flexibility analysis (FRFA). The following constitutes the FRFA prepared in the final action.

Section 604 describes the required contents of a FRFA: (1) A statement of the need for, and objectives of, the rule; (2) a statement of the significant issues raised by the public comments in response to the initial regulatory flexibility analysis, a statement of the assessment of the agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments; (3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments; (4) a description of and an estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available; (5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record; and (6) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency that affect the impact on small entities was rejected.

A description of this action, its purpose, and its legal basis are contained at the beginning of the preamble to this final rule and are not repeated here.

NMFS published the proposed rule on December 6, 2018 (83 FR 62794). NMFS prepared an Initial Regulatory Flexibility Analysis (IRFA) to accompany the proposed action, and included a summary in the proposed rule. The comment period closed on January 7, 2019. No comments were received on the IRFA or on the economic impacts of the rule more generally. The Chief Counsel for Advocacy of the Small Business Administration did not file any comments on the proposed rule.

The entities directly regulated by this action include: (1) Entities operating vessels with groundfish FFPs catching FMP groundfish in Federal waters; (2) all entities operating vessels, regardless of whether they hold groundfish FFPs, catching FMP groundfish in the State-waters parallel fisheries; and (3) all entities operating vessels fishing for halibut inside three miles of the shore (whether or not they have FFPs).

For RFA purposes only, NMFS has 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 gross receipts not in excess of $11 million for all its affiliated operations worldwide.

Using the most recent data available (2017), the estimated number of directly regulated small entities include approximately 821 individual catcher vessel entities with gross revenues meeting small entity criteria. Of these entities, 745 used hook-and-line gear, 120 used pot gear, and 32 used trawl gear (some of these entities used more than one gear type, thus the counts of entities using the different gear types do not sum to the total number of entities above). Three individual catcher/processors met the small entity criterion; two used hook-and-line gear, and one used trawl gear. Catcher/processor gross revenues were not reported for confidentiality reasons; however, in 2017, small hook-and-line entities had average gross revenues of $380,000, small pot entities had average gross revenues of $790,000, and small trawl entities had average gross revenues of $1.97 million.

Some of these vessels are members of AFA inshore pollock cooperatives, of GOA rockfish cooperatives, or of Bering Sea and Aleutian Islands crab rationalization cooperatives, and, therefore, under the RFA it is the aggregate gross receipts of all participating members of the cooperative that must meet the threshold. Vessels that participate in these cooperatives are considered to be large entities within the meaning of the RFA. These relationships are accounted for, along with corporate affiliations among vessels, to the extent that they are known, in the estimated number of small entities. If affiliations exist of which NMFS is unaware, or if entities had non-fishing revenue sources, the estimates above may overstate the number of directly regulated small entities.

This action does not modify recordkeeping or reporting requirements.

NMFS considered alternative harvest strategies when choosing the preferred harvest strategy (Alternative 2) in December 2006. These included the following:

- *Alternative 1:* Set TACs to produce fishing mortality rates, *F,* that are equal to *maxFABC,* unless the sum of the TACs is constrained by the OY established in the FMP. This is equivalent to setting TACs to produce harvest levels equal to the maximum permissible ABCs, as constrained by OY. The term ''*maxFABC*'' refers to the maximum permissible value of *FABC* under Amendment 56 to the GOA groundfish fishery management plan. Historically, the TAC has been set at or below the ABC; therefore, this alternative represents a likely upper limit for setting the TAC within the OY and ABC limits.
- *Alternative 3:* For species in Tiers 1, 2, and 3, set TAC to produce *F* equal to

the most recent 5-year average actual *F.* For species in Tiers 4, 5, and 6, set TAC equal to the most recent 5-year average actual catch. For stocks with a high level of scientific information, TACs would be set to produce harvest levels equal to the most recent 5-year average actual fishing mortality rates. For stocks with insufficient scientific information, TACs would be set equal to the most recent 5-year average actual catch. This alternative recognizes that for some stocks, catches may fall well below ABCs, and recent average *F* may provide a better indicator of actual *F* than *FABC* does.

• *Alternative 4:* First, set TACs for rockfish species in Tier 3 at *F*75%; set TACs for rockfish species in Tier 5 at *F*=0.5M; and set spatially explicit TACs for shortraker and rougheye/blackspotted rockfish in the GOA. Second, taking the rockfish TACs as calculated above, reduce all other TACs by a proportion that does not vary across species, so that the sum of all TACs, including rockfish TACs, is equal to the lower bound of the area OY (116,000 mt in the GOA). This alternative sets conservative and spatially explicit TACs for rockfish species that are long-lived and late to mature and sets conservative TACs for the other groundfish species.

• *Alternative 5:* (No Action) Set TACs at zero.

Alternatives 1, 3, 4, and 5 do not meet the objectives of this action, and although Alternatives 1 and 3 may have a smaller adverse economic impact on small entities than the preferred alternative, Alternatives 4 and 5 would have a significant adverse economic impact on small entities. The Council rejected these alternatives as harvest strategies in 2006, and the Secretary of Commerce did so in 2007.

Alternative 2 is the preferred alternative chosen by the Council: Set TACs that fall within the range of ABCs recommended through the Council harvest specifications process and TACs recommended by the Council. Under this scenario, *F* is set equal to a constant fraction of *maxFABC.* The recommended fractions of *maxFABC* may vary among species or stocks, based on other considerations unique to each. This is the method for determining TACs that has been used in the past.

Alternative 2 selected harvest rates that will allow fishermen to harvest stocks at the level of ABCs, unless total harvests are constrained by the upper bound of the GOA OY of 800,000 mt. The sums of ABCs in 2019 and 2020 are 509,507 mt and 487,218 mt, respectively. The sums of the TACs in 2019 and 2020 are 430,569 mt and 408,534 mt, respectively. Thus, although the sum of ABCs in each year is less than 800,000 mt, the sums of the TACs in each year are less than the sums of the ABCs.

In most cases, the Council has set TACs equal to ABCs. The divergence between aggregate TACs and aggregate ABCs reflects a variety of special species- and fishery-specific circumstances:

• Pacific cod TACs are set equal to 70 percent in the Western GOA and 75 percent in the Central and Eastern GOA of the Pacific cod ABCs in each year to account for the GHL set by the State for its GHL Pacific cod fisheries (30 percent of the Western GOA ABC and 25 percent of the Central and Eastern GOA ABCs). Thus, the difference between the Federal TACs and ABCs does not actually reflect a Pacific cod harvest below the Pacific cod ABC, as the balance is available for the State's Pacific cod GHL fisheries.

• Shallow-water flatfish and flathead sole TACs are set below ABCs in the Western Regulatory Area. Arrowtooth flounder TACs are set below ABC in all GOA regulatory areas, except the Central GOA. Catches of these flatfish species rarely, if ever, approach the proposed ABCs or TACs. Important trawl fisheries in the GOA take halibut PSC, and are constrained by limits on the allowable halibut PSC mortality. These limits may force the closure of trawl fisheries before they have harvested the available groundfish ABC. Thus, actual harvests of groundfish in the GOA routinely fall short of some ABCs and TACs. Markets can also constrain harvests below the TACs, as has been the case with arrowtooth flounder, in the past. These TACs are set to allow for increased harvest opportunities for these targets while conserving the halibut PSC limit for use in other, more fully utilized fisheries.

• The GOA-wide Atka mackerel TAC is set below the ABC. The estimates of survey biomass continue to be unreliable in the GOA. Therefore, the Council recommended and NMFS agrees that the Atka mackerel TAC in the GOA be set at an amount to support incidental catch in other directed fisheries.

Alternative 1 selects harvest rates that would allow fishermen to harvest stocks at the level of the ABCs, unless total harvests were constrained by the upper bound of the GOA OY of 800,000 mt. Although Alternative 1 may be consistent with the preferred alternative (Alternative 2), meet the objectives of the action, and have small entity impacts equivalent to the preferred alternative, it is not likely that Alternative 1 would result in reduced adverse economic impacts to directly-regulated small entities relative to Alternative 2. The selection of Alternative 1, which could increase all TACs up to the sum of ABCs, would not reflect the practical implications that increased TACs for some species probably would not be fully harvested. This could be due to a variety of reasons, which are addressed in the preamble to this rule and are summarized briefly here. There may be a lack of commercial or market interest in some species. Additionally, an underharvest of flatfish TACs could result due to constraints such as the fixed, and therefore constraining, PSC limits associated with the harvest of the GOA groundfish species. Finally, the TACs for two species (pollock and Pacific cod) cannot be set equal to ABC, as the TAC must be reduced to account for the State of Alaska's GHLs in these fisheries.

Alternative 3 selects harvest rates based on the most recent 5 years of harvest rates (for species in Tiers 1 through 3) or based on the most recent 5 years of harvests (for species in Tiers 4 through 6). This alternative is inconsistent with the objectives of this action because it does not take account of the most recent biological information for this fishery, as well as National Standard 2 of the Magnuson-Stevens Act (16 U.S.C. 1851(a)(2)). NMFS annually conducts at-sea surveys for different species, as well as statistical modeling, to estimate stock sizes and permissible harvest levels. Actual harvest rates or harvest amounts are a component of these estimates, but in and of themselves may not accurately portray stock sizes and conditions. Harvest rates are listed for each species or species group for each year in the SAFE report (see **ADDRESSES**).

Alternative 4 would lead to significantly lower harvests of all species to reduce TACs from the upper end of the OY range in the GOA to its lower end of 116,000 mt. Overall, this alternative would reduce 2019 TACs by about 73 percent. This would lead to significant reductions in harvests of species by small entities. While production declines in the GOA likely would be associated with offsetting price increases in the GOA, the size of these increases is very uncertain. Price increases would still be constrained by the availability of substitutes, and there are close substitutes for GOA groundfish species available in significant quantities from the Bering Sea and Aleutian Islands management area. In addition, price increases are very unlikely to offset revenue declines from

smaller production. Thus, this action would have a detrimental economic impact on small entities, compared to the preferred alternative.

Alternative 5, which sets all harvests equal to zero, may also address conservation issues, but would have a significant adverse economic impact on small entities and would be inconsistent with achieving OY on a continuing basis, as mandated by the Magnuson-Stevens Act (16 U.S.C. 1851(a)(1)).

Adverse impacts on marine mammals or endangered species resulting from fishing activities conducted under this rule are discussed in the Final EIS and its accompanying annual SIRs (see **ADDRESSES**).

Pursuant to 5 U.S.C. 553(d)(3), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive the 30-day delay in effectiveness for this rule because delaying this rule is contrary to the public interest. The Plan Team review of the 2018 SAFE report occurred in November 2018, and the Council considered and recommended the final harvest specifications in December 2018. Accordingly, NMFS's review of the final 2019 and 2020 harvest specifications could not begin until after the December 2018 Council meeting, and after the public had time to comment on the proposed action.

For all fisheries not currently closed because the TACs established under the final 2018 and 2019 harvest specifications (83 FR 8768, March 1, 2018) were not reached, it is possible that they would be closed prior to the expiration of a 30-day delayed effectiveness period because their TACs could be reached within that period. If implemented immediately, this rule would allow these fisheries to continue fishing because some of the new TACs implemented by this rule are higher than the TACs under which they are currently fishing.

In addition, immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources based on the best available scientific information. This is particularly pertinent for those species that have lower 2019 ABCs and TACs than those established in the 2018 and 2019 harvest specifications (83 FR 8768, March 1, 2018). If implemented immediately, this rule would ensure that NMFS can properly manage those fisheries for which this rule sets lower 2019 ABCs and TACs, which are based on the most recent biological information on the condition of stocks, rather than managing species under the higher TACs set in the previous year's harvest specifications.

Certain fisheries, such as those for pollock and Pacific cod, are intensive, fast-paced fisheries. Other fisheries, such as those for sablefish, flatfish, rockfish, Atka mackerel, skates, sculpins, sharks, and octopuses, are critical as directed fisheries and as incidental catch in other fisheries. U.S. fishing vessels have demonstrated the capacity to catch the TAC allocations in many of these fisheries. If this rule allowed for a 30-day delay in effectiveness and if a TAC were reached during those 30 days, NMFS would close directed fishing or prohibit retention for the applicable species. Any delay in allocating the final TACs in these fisheries would cause confusion to the industry and potential economic harm through unnecessary discards, thus undermining the intent of this rule. Waiving the 30-day delay allows NMFS to prevent economic loss to fishermen that could otherwise occur should the 2019 TACs (set under the 2018 and 2019 harvest specifications) be reached. Determining which fisheries may close is nearly impossible because these fisheries are affected by several factors that cannot be predicted in advance, including fishing effort, weather, movement of fishery stocks, and market price. Furthermore, the closure of one fishery has a cascading effect on other fisheries by freeing-up fishing vessels, allowing them to move from closed fisheries to open ones, increasing the fishing capacity in those open fisheries, and causing them to close at an accelerated pace.

In fisheries subject to declining sideboard limits, a failure to implement the updated sideboard limits before initial season's end could deny the intended economic protection to the non-sideboarded sectors. Conversely, in fisheries with increasing sideboard limits, economic benefit could be denied to the sideboard-limited sectors.

If the final harvest specifications are not effective by March 15, 2019, which is the start of the 2019 Pacific halibut season as specified by the IPHC, the hook-and-line sablefish fishery will not begin concurrently with the Pacific halibut IFQ season. This would result in confusion for the industry and economic harm from unnecessary discard of sablefish that are caught along with Pacific halibut, as both hook-and-line sablefish and Pacific halibut are managed under the same IFQ program. Immediate effectiveness of the final 2019 and 2020 harvest specifications will allow the sablefish IFQ fishery to begin concurrently with the Pacific halibut IFQ season.

Finally, immediate effectiveness also would provide the fishing industry the earliest possible opportunity to plan and conduct its fishing operations with respect to new information about TACs. Therefore, NMFS finds good cause to waive the 30-day delay in effectiveness under 5 U.S.C. 553(d)(3).

Small Entity Compliance Guide

This final rule is a plain language guide to assist small entities in complying with this final rule as required by the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule's primary purpose is to announce the final 2019 and 2020 harvest specifications and prohibited species bycatch allowances for the groundfish fisheries of the GOA. This action is necessary to establish harvest limits and associated management measures for groundfish during the 2019 and 2020 fishing years, and to accomplish the goals and objectives of the FMP. This action affects all fishermen who participate in the GOA fisheries. The specific OFL, ABC, TAC, and PSC amounts are provided in tables to assist the reader. NMFS will announce closures of directed fishing in the **Federal Register** and information bulletins released by the Alaska Region. Affected fishermen should keep themselves informed of such closures.

Authority: 16 U.S.C. 773 *et seq.;* 16 U.S.C. 1540(f), 1801 *et seq.*; 16 U.S.C. 3631 *et seq.;* Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

Dated: March 7, 2019.

Samuel D. Rauch, III,

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

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