

the docket, visit <http://www.regulations.gov/privacyNotice>.

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.1701 to read as follows:

§ 100.1701 Special Local Regulation; Wrangell 4th of July Celebration Boat Races, Wrangell, AK.

(a) *Regulated area.* The following area is specified as a race area: All waters of Zimovia Straits, Wrangell, AK, approximately 1,000 yards to the Northwest and 500 yards to the Southwest of Wrangell Harbor entrance bounded by the following points: 56°28.077 N, 132°23.074 W, 56°28.440 N, 132°23.685 W, 56°28.277 N, 132°24.020 W, and 56°27.910 N, 132°23.400 W.

(b) *Regulations.* In accordance with the general regulations in this part, the regulated area shall be closed immediately prior to, during and immediately after the event to all persons and vessels not participating in the event and authorized by the event sponsor.

(c) *Authorization.* All persons or vessels who desire to enter the designated area created in this section while it is enforced must obtain permission from the on-scene patrol craft on VHF Ch 9.

(d) *Enforcement period.* This section will be enforced from 11 a.m. to 7 p.m. on July 4, each year unless otherwise specified in the Seventeenth District Local Notice to Mariners.

Dated: May 23, 2019.

Melissa L. Rivera, CAPT,

Acting Commander, Seventeenth Coast Guard District, U.S. Coast Guard.

[FR Doc. 2019–11195 Filed 5–28–19; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 412

[CMS–1710–CN]

RIN 0938–AT67

Medicare Program; Inpatient Rehabilitation Facility (IRF) Prospective Payment System for Federal Fiscal Year 2020 and Updates to the IRF Quality Reporting Program; Correction

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

ACTION: Proposed rule; correction.

SUMMARY: This document corrects technical errors in the proposed rule that appeared in the April 24, 2019 *Federal Register* entitled, “Medicare Program; Inpatient Rehabilitation Facility (IRF) Prospective Payment System for Federal Fiscal Year 2020 and Updates to the IRF Quality Reporting Program.”

DATES: This correction to the proposed rule published at 84 FR 17244 through 17335 on April 24, 2019, is applicable May 28, 2019.

FOR FURTHER INFORMATION CONTACT: Kate Brooks, (410) 786–7877.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 2019–07885 (84 FR 17244), the proposed rule entitled, “Medicare Program; Inpatient Rehabilitation Facility (IRF) Prospective Payment System for Federal Fiscal Year 2020 and Updates to the IRF Quality Reporting Program” (referred to hereafter as the “FY 2020 IRF PPS proposed rule”), there were technical errors that are identified and corrected in this correcting document. The correction is applicable as of May 28, 2019.

II. Summary of Errors

On page 17329 of the FY 2020 IRF PPS proposed rule, we inadvertently misstated the additional minutes on admission as 7.4 instead of 7.8 and the total minutes of additional clinical staff time as 8.9 instead of 18.9 in our calculation of the estimated burden for the IRF quality reporting program (QRP).

III. Correction of Errors

In FR Doc. 2019–07885 (84 FR 17244), published April 24, 2019, on page 17329, first column, second paragraph, lines 8 through 13, the sentence

“Specifically, we believe that there will be an addition of 7.4 minutes on admission, and 11.1 minutes on discharge, for a total of 8.9 minutes of additional clinical staff time to report data per patient stay.” is corrected to read “Specifically, we believe that there will be an addition of 7.8 minutes on admission, and 11.1 minutes on discharge, for a total of 18.9 minutes of additional clinical staff time to report data per patient stay.”.

Dated: May 22, 2019.

Wilma M. Robinson,

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

[FR Doc. 2019–11119 Filed 5–28–19; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 202, 216, 217, 225, 234, and 235

[Docket DARS–2019–0008]

RIN 0750–AJ32

Defense Federal Acquisition Regulation Supplement: Use of Fixed-Price Contracts (DFARS Case 2017–D024)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule; extension of comment period.

SUMMARY: DOD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement sections of the National Defense Authorization Act for Fiscal Year 2017 that require review and approval for certain cost-reimbursement contract types at specified thresholds and established time periods and the use of firm fixed-price contract types for foreign military sales unless an exception or waiver applies. The comment period on the proposed rule is extended 14 days.

DATES: The comment period for the proposed rule published on April 1, 2019 (84 FR 12179), is extended. Submit comments by June 14, 2019.

ADDRESSES: Submit comments identified by DFARS Case 2017–D024, using any of the following methods:

○ *Federal eRulemaking Portal:* <http://www.regulations.gov>. Search for “DFARS Case 2017–D024.” Select “Comment Now” and follow the

instructions provided to submit a comment. Please include “DFARS Case 2017–D024” on any attached documents.

○ *Email:* osd.dfars@mail.mil. Include DFARS Case 2017–D024 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Ms. Kimberly Bass, OUSD(D&S)DPC/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Kimberly Bass, telephone 571–372–6174.

SUPPLEMENTARY INFORMATION:

I. Background

On April 1, 2019, DoD published a proposed rule in the **Federal Register** at 84 FR 12179 to implement the requirements of sections 829 and 830 of the National Defense Authorization Act for Fiscal Year 2017 (Pub. L. 114–328). Section 829 requires contracting officers to first consider fixed-price contracts, to include fixed-price incentive contracts, when determining contract type and to obtain approval from the head of the contracting activity for—

- Cost-reimbursement contracts in excess of \$50 million to be awarded after October 1, 2018, and before October 1, 2019; and

- Cost-reimbursement contracts in excess of \$25 million to be awarded on or after October 1, 2019.

Section 830 provides requirements, exceptions, and waiver authority for the use of firm-fixed-price contracts for foreign military sales (FMS). It requires contracting officers to use firm fixed-price contracts unless specified exceptions or a waiver applies.

Contracting officers are required to use a different contract type if the FMS customer has established in writing a preference for a different contract type or has requested in writing that a different contract type be used for a specific FMS. The waiver authorizes contracting officers the ability to use other than firm-fixed-price contract type on a case by case basis when determined it is in the best interest of the United States and American taxpayers.

The comment period for the proposed rule is extended 14 days, from May 31, 2019, to June 14, 2019, to provide additional time for interested parties to comment on the proposed DFARS changes.

List of Subjects in 48 CFR Parts 202, 216, 217, 225, 234, and 235

Government procurement.

Jennifer Lee Hawes,
Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2019–11183 Filed 5–28–19; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 218

[Docket No. FRA–2014–0033, Notice No. 4]

RIN 2130–AC48

Train Crew Staffing

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM); withdrawal.

SUMMARY: FRA withdraws the March 15, 2016 NPRM concerning train crew staffing. In withdrawing the NPRM, FRA is providing notice of its affirmative decision that no regulation of train crew staffing is necessary or appropriate for railroad operations to be conducted safely at this time.

DATES: As of May 29, 2019, the NPRM published on March 15, 2016 (81 FR 13918), is withdrawn.

FOR FURTHER INFORMATION CONTACT: Alan H. Nagler, Senior Attorney, U.S. Department of Transportation, Federal Railroad Administration, Office of Chief Counsel, Room W31–309, 1200 New Jersey Avenue SE, Washington, DC 20590, 202–493–6038.

SUPPLEMENTARY INFORMATION:

Table of Contents for Supplementary Information

I. Background

- Comments Generally Supporting the Proposed Rule
- Comments Generally Opposing the Proposed Rule

II. FRA’s Decision

- There Is No Direct Safety Connection Between Train Crew Staffing and the Lac-Mégantic or Casselton Accidents
- Rail Safety Data Does Not Support a Train Crew Staffing Rulemaking
- Comments to the NPRM Do Not Support a Train Crew Staffing Rulemaking

D. A Train Crew Staffing Rule Would Unnecessarily Impede the Future of Rail Innovation and Automation

E. FRA’s Withdrawal Is an Affirmative Decision Not To Regulate With the Intention To Preempt State Laws

I. Background

FRA has the authority to regulate train crew staffing pursuant to its broad authority to, “as necessary, . . . prescribe regulations and issue orders for every area of railroad safety supplementing laws and regulations in effect on October 16, 1970.”¹ On March 15, 2016, FRA issued an NPRM which proposed regulations establishing minimum requirements for the size of train crew staffs depending on the type of operation (referred to herein as train crew staffing). The proposed rule was not statutorily mandated, but rather, arose out of two rail accidents in 2013 (Lac-Mégantic, Quebec and Casselton, North Dakota).² Following the Lac-Mégantic and Casselton accidents, the rail industry, Transportation Safety Board of Canada (TSB of Canada), and DOT undertook a variety of investigations and actions³ to address rail safety and hazardous materials issues highlighted by those accidents, including FRA’s submission of a task to the Railroad Safety Advisory Committee (RSAC).⁴

On August 29, 2013, RSAC accepted a task (No. 13–05) entitled “Appropriate Train Crew Size” and formed a Working Group. The task statement noted that in light of the Lac-Mégantic accident, “FRA believes it is appropriate to review whether train crew staffing practices affect railroad safety.” Because FRA did not have reliable or conclusive statistical data to suggest whether one-person crew operations are safer or less safe than multiple-person crew operations, FRA hoped that RSAC would provide useful analysis, including conclusive data addressing whether there is a safety benefit or detriment from crew redundancy (*i.e.*, multiple-person train crews) and a report on the costs and benefits associated with crew redundancy.

¹ 49 U.S.C. 20103; 49 CFR 1.89.

² The accidents are described in the NPRM. *See* 81 FR 13918, 13921–13924 (Mar. 15, 2016).

³ Some of those actions are described in the NPRM. *See, e.g.*, 81 FR at 13922 (Mar. 15, 2016).

⁴ To adopt a participatory approach to rulemaking, in 1996, FRA first established the RSAC, which is designed to bring together all segments of the rail community to provide advice and recommendations to FRA on railroad safety issues. The RSAC includes representatives from railroads, labor, shippers, industry associations, and other government agencies. The RSAC provides recommendations to FRA on issuing and updating regulations and identifies non-regulatory approaches to improve safety. The most recent RSAC meeting occurred on April 24, 2019.