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

FEDERAL HOUSING FINANCE AGENCY

12 CFR Parts 1209, 1217, and 1250

RIN 2590–AB07

Rules of Practice and Procedure; Civil Money Penalty Inflation Adjustment

AGENCY: Federal Housing Finance Agency.

ACTION: Final rule.

SUMMARY: The Federal Housing Finance Agency (FHFA) is adopting this final rule amending its Rules of Practice and Procedure and other agency regulations to adjust each civil money penalty within its jurisdiction to account for inflation, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

DATES: Effective January 28, 2020, and is applicable beginning January 15, 2020.

FOR FURTHER INFORMATION CONTACT: Stephen E. Hart, Deputy General Counsel, at (202) 649–3053, *Stephen.Hart@fhfa.gov,* or Frank R. Wright, Assistant General Counsel, at (202) 649–3087, *Frank.Wright@fhfa.gov* (not toll-free numbers); Federal Housing Finance Agency, 400 7th Street SW, Washington, DC 20219. The telephone number for the Telecommunications Device for the Deaf is: (800) 877–8339 (TDD only).

SUPPLEMENTARY INFORMATION:

I. Background

FHFA is an independent agency of the Federal government, and the financial safety and soundness regulator of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) (collectively, the Enterprises), as well as the Federal Home Loan Banks (collectively, the Banks) and the Office of Finance under authority granted by the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (Safety and Soundness Act).[1] FHFA oversees the Enterprises and Banks (collectively, the regulated entities) and the Office of Finance to ensure that they operate in a safe and sound manner and maintain liquidity in the housing finance market in accordance with applicable laws, rules and regulations. To that end, FHFA is vested with broad supervisory discretion and specific civil administrative enforcement powers, similar to such authority granted by Congress to the Federal bank regulatory agencies.[2] Section 1376 of the Safety and Soundness Act (12 U.S.C. 4636) empowers FHFA to impose civil money penalties under specific conditions. FHFA's Rules of Practice and Procedure (12 CFR part 1209) (the Enforcement regulations) govern cease and desist proceedings, civil money penalty assessment proceedings, and other administrative adjudications.[3] FHFA's Flood Insurance regulation (12 CFR part 1250) governs flood insurance responsibilities as they pertain to the Enterprises.[4] FHFA's Implementation of the Program Fraud Civil Remedies Act of 1986 regulation (12 CFR part 1217) sets forth procedures for imposing civil penalties and assessments under the Program Fraud Civil Remedies Act (31 U.S.C. 3801 *et seq.*) on any person that makes a false claim for property, services or money from FHFA, or makes a false material statement to FHFA in connection with a claim, where the amount involved does not exceed $150,000.[5]

The Adjustment Improvements Act

The Federal Civil Penalties Inflation Adjustment Act of 1990 (Inflation Adjustment Act), as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Adjustment Improvements Act), requires FHFA, as well as other federal agencies with the authority to issue civil money penalties (CMPs), to adjust by regulation the maximum amount of each CMP authorized by law that the agency has jurisdiction to administer.[6] The Adjustment Improvements Act required agencies to make an initial ''catch-up'' adjustment of their CMPs upon the statute's enactment,[7] and further requires agencies to make additional adjustments on an annual basis following the initial adjustment.[8]

The Adjustment Improvements Act sets forth the formula that agencies must apply when making annual adjustments, based on the percent change between the October Consumer Price Index for All Urban Consumers (the CPI–U) preceding the date of the last adjustment and the October CPI–U for the year before that.

II. Description of the Rule

This final rule adjusts the maximum penalty amount within each of the three tiers specified in 12 U.S.C. 4636 by amending the table contained in 12 CFR 1209.80 of the Enforcement regulations to reflect the new adjusted maximum penalty amount that FHFA may impose upon a regulated entity or any entity-affiliated party within each tier. The increases in maximum penalty amounts contained in this final rule may not necessarily affect the amount of any CMP that FHFA may seek for a particular violation, which may not be the maximum that the law allows; FHFA would calculate each CMP on a case-by-case basis in light of a variety of factors.[9] This rule also adjusts the maximum penalty amounts for violations under the FHFA Flood Insurance regulation by amending the text of 12 CFR 1250.3 to reflect the new adjusted maximum penalty amount that FHFA may impose for violations under that regulation. This rule also adjusts the maximum amounts for civil money penalties under the Program Fraud Civil Remedies Act by amending the text of 12 CFR 1217.3 to reflect the new adjusted maximum penalty amount that FHFA may impose for violations under that regulation.

The Adjustment Improvements Act directs federal agencies to calculate each annual CMP adjustment as the percent change between the CPI–U for the previous October and the CPI–U for

[1] *See* Safety and Soundness Act, 12 U.S.C. 4513 and 4631–4641.

[2] *Id.*

[3] *See* 12 CFR part 1209.

[4] *See* 12 CFR part 1250.

[5] *See generally,* 31 U.S.C. 3801 *et seq.*

[6] *See* 28 U.S.C. 2461 note.

[7] FHFA promulgated its catch-up adjustment of its CMPs with an interim final rule published July 1, 2016. 81 FR 43028.

[8] FHFA promulgated its most recent annual adjustment of its CMP with a final rule published March 18, 2019. 84 FR 9702.

[9] *See, e.g.,* 12 CFR 1209.7(c); FHFA Enforcement Policy, AB 2013–03 (May 31, 2013).

October of the calendar year before.[10] The maximum CMP amounts for FHFA penalties were last adjusted in 2019.[11] Since FHFA is making this round of adjustments in calendar year 2020, and the maximum CMP amounts were last set in calendar year 2019, the inflation adjustment amount for each maximum CMP amount was calculated by comparing the CPI–U for October 2018 with the CPI–U for October 2019, resulting in an inflation factor of 1.01764. For each maximum CMP calculation, the product of this inflation adjustment and the previous maximum penalty amount was then rounded to the nearest whole dollar as required by the Adjustment Improvements Act, and was then summed with the previous maximum penalty amount to determine the new adjusted maximum penalty amount.[12] The tables below set out these items accordingly.

U.S. code citation	Description	Previous maximum penalty amount	Rounded inflation increase	New adjusted maximum penalty amount
Enforcement regulations:				
12 U.S.C. 4636(b)(1)	First Tier	11,677	206	11,883
12 U.S.C. 4636(b)(2)	Second Tier	58,383	1,030	59,413
12 U.S.C. 4636(b)(4)	Third Tier (Entity-affiliated party or Regulated entity).	2,335,323	41,195	2,376,518
Program Fraud Civil Remedies regulation:				
31 U.S.C. 3802(a)(1)	Maximum penalty per false claim	11,463	202	11,665
31 U.S.C 3802(a)(2)	Maximum penalty per false statement	11,463	202	11,665
Flood Insurance regulation:				
42 U.S.C. 4012a(f)(5)	Maximum penalty per violation	568	10	578
42 U.S.C. 4012a(f)(5)	Maximum total penalties assessed against an Enterprise in a calendar year.	163,772	2,889	166,661

III. Differences Between the Federal Home Loan Banks and the Enterprises

When promulgating any regulation that may have future effect relating to the Banks, the Director is required by section 1313(f) of the Safety and Soundness Act to consider the differences between the Banks and the Enterprises with respect to the Banks' cooperative ownership structure, mission of providing liquidity to members, affordable housing and community development mission, capital structure, and joint and several liability (12 U.S.C. 4513(f)).[13] The Director considered the differences between the Banks and the Enterprises, as they relate to the above factors, and determined that this final rule is appropriate. The inflation adjustments effected by the final rule are mandated by law, and the special features of the Banks identified in section 1313(f) of the Safety and Soundness Act can be accommodated, if appropriate, along with any other relevant factors, when determining any actual penalties.

IV. Regulatory Impact

Administrative Procedure Act

FHFA finds good cause that notice and an opportunity to comment on this final rule are unnecessary under section 553(b) of the Administrative Procedure Act (APA), 5 U.S.C. 553(b). The Adjustment Improvements Act states that the annual civil money penalty adjustments shall be made notwithstanding the rulemaking provisions of 5 U.S.C. 553.[14] Furthermore, this rulemaking conforms with and is consistent with the statutory directive set forth in the Adjustment Improvements Act. As a result, there are no issues of policy discretion about which to seek public comment. Accordingly, FHFA is adopting these amendments as a final rule.

Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (RFA),[15] an agency must prepare a regulatory flexibility analysis for all proposed and final rules that describes the impact of the rule on small entities, unless the head of an agency certifies that the rule will not have ''a significant economic impact on a substantial number of small entities.'' However, the RFA applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to the APA.[16] As discussed above, FHFA has determined for good cause that the APA does not require a general notice of proposed rulemaking for this rule. Thus, the RFA does not apply to this final rule.

Congressional Review Act

The rule is not a ''major rule'' as defined by the Congressional Review Act, codified at 5 U.S.C. 801 *et seq.* The rule will not result in: (1) An annual effect on the economy of $100,000,000 or more; (2) a major increase in costs or prices; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based companies to compete with foreign-based companies.[17]

Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) requires that regulations involving the collection of information receive clearance from the Office of Management and Budget (OMB). This rule contains no such collection of information requiring OMB approval under the Paperwork Reduction Act. Consequently, no information has been submitted to OMB for review.

Lists of Subjects

12 CFR Part 1209

Administrative practice and procedure, Penalties.

12 CFR Part 1217

Civil remedies, Program fraud.

12 CFR Part 1250

Flood insurance, Government-sponsored enterprises, Penalties, Reporting and record keeping requirements.

Accordingly, for the reasons stated in the **SUPPLEMENTARY INFORMATION** and under the authority of 12 U.S.C. 4513b and 12 U.S.C. 4526, the Federal Housing

[10] 28 U.S.C. 2461 note.

[11] *See* 84 FR 9702 (March 18, 2019).

[12] 28 U.S.C. 2461 note.

[13] So in original; no paragraphs (d) and (e) were enacted. *See* 12 U.S.C.A. 4513 n 1.

[14] 28 U.S.C. 2461 note, section 4(b)(2).

[15] 5 U.S.C. 603.

[16] 5 U.S.C. 603(a), 604(a).

[17] 5 U.S.C. 804(2).

Finance Agency hereby amends subchapters A and C of chapter XII of Title 12 of the Code of Federal Regulations as follows:

Subchapter A—Organization and Operations

PART 1209—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for part 1209 continues to read as follows:

Authority: 5 U.S.C. 554, 556, 557, and 701 *et seq.;* 12 U.S.C. 1430c(d); 12 U.S.C. 4501, 4502, 4503, 4511, 4513, 4513b, 4517, 4526, 4566(c)(1) and (c)(7), 4581–4588, 4631–4641; and 28 U.S.C. 2461 note.

■ 2. Revise § 1209.80 to read as follows:

§ 1209.80 Inflation adjustments.

The maximum amount of each civil money penalty within FHFA's jurisdiction, as set by the Safety and Soundness Act and thereafter adjusted in accordance with the Inflation Adjustment Act, is as follows:

U.S. code citation	Description	New adjusted maximum penalty amount
12 U.S.C. 4636(b)(1)	First Tier	$11,883
12 U.S.C. 4636(b)(2)	Second Tier	59,413
12 U.S.C. 4636(b)(4)	Third Tier (Regulated Entity or Entity-Affiliated party)	2,376,518

■ 3. Revise § 1209.81 to read as follows:

§ 1209.81 Applicability.

The inflation adjustments set out in § 1209.80 shall apply to civil money penalties assessed in accordance with the provisions of the Safety and Soundness Act, 12 U.S.C. 4636, and subparts B and C of this part, for violations occurring after January 15, 2020.

PART 1217—PROGRAM FRAUD CIVIL REMEDIES ACT

■ 4. The authority citation for part 1217 continues to read as follows:

Authority: 12 U.S.C. 4501; 12 U.S.C. 4526; 28 U.S.C. 2461 note; 31 U.S.C. 3801–3812.

■ 5. Amend § 1217.3 by revising paragraphs (a)(1) introductory text and (b)(1) introductory text to read as follows:

§ 1217.3 Basis for civil penalties and assessments.

(a) * * *

(1) A civil penalty of not more than $11,665 may be imposed upon a person who makes a claim to FHFA for property, services, or money where the person knows or has reason to know that the claim:

* * * * *

(b) * * *

(1) A civil penalty of up to $11,665 may be imposed upon a person who makes a written statement to FHFA with respect to a claim, contract, bid or proposal for a contract, or benefit from FHFA that:

* * * * *

Subchapter C—Enterprises

PART 1250—FLOOD INSURANCE

■ 6. The authority citation for part 1250 continues to read as follows:

Authority: 12 U.S.C. 4521(a)(4) and 4526; 28 U.S.C. 2461 note; 42 U.S.C. 4001 note; 42 U.S.C. 4012a(f)(3), (4), (5), (8), (9), and (10).

■ 7. Amend § 1250.3 by revising paragraph (c) to read as follows:

§ 1250.3 Civil money penalties.

* * * * *

(c) *Amount.* The maximum civil money penalty amount is $568 for each violation that occurs before January 15, 2020, with total penalties not to exceed $163,772. For violations that occur on or after January 15, 2020, the civil money penalty under this section may not exceed $578 for each violation, with total penalties assessed under this section against an Enterprise during any calendar year not to exceed $166,661.

* * * * *

Dated: January 16, 2020.

Mark A. Calabria,

Director, Federal Housing Finance Agency.

[FR Doc. 2020–01025 Filed 1–27–20; 8:45 am]

BILLING CODE 8070–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 902

50 CFR Part 679

[200113–0012]

RIN 0648–BI53

Fisheries of the Exclusive Economic Zone Off Alaska; Halibut Deck Sorting Monitoring Requirements for Trawl Catcher/Processors Operating in Non-Pollock Groundfish Fisheries Off Alaska

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

ACTION: Final rule; lift of stay; date of effectiveness for collection-of-information requirements.

SUMMARY: NMFS announces approval by the Office of Management and Budget (OMB) of collection-of-information requirements, which were contained in regulations to implement catch handling and monitoring requirements to allow Pacific halibut (halibut) bycatch to be sorted on the deck of trawl catcher/processors (C/Ps) and motherships participating in the non-pollock groundfish fisheries off Alaska, in a final rule published on October 15, 2019. The intent of this rule is to inform the public of the effectiveness of the collection-of-information requirements associated with the catch handling and monitoring requirements included in the October 15, 2019, final rule.

DATES: This rule is effective January 28, 2020. The stays of 50 CFR 679.28(d)(9) and (10) and (l) and 679.120(b), (c), (d), and (e) are lifted effective January 28, 2020. The collection-of-information requirements in 50 CFR 679.28(d)(9) and (10) and (l) and 679.120(b), (c), (d), and (e) were effective December 16, 2019.

ADDRESSES: Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this rule may be submitted by mail to NMFS Alaska Region, P.O. Box 21668, Juneau, AK 99802–1668; by email to *OIRA_Submission@omb.eop.gov;* or by fax to 202–395–5806.

FOR FURTHER INFORMATION CONTACT: Joseph Krieger, 907–586–7228 or *joseph.krieger@noaa.gov.*

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fisheries in the

exclusive economic zone under the Fishery Management Plan for Groundfish of the Gulf of Alaska and under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. The North Pacific Fishery Management Council prepared these fishery management plans under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.* Regulations governing U.S. fisheries and implementing the Magnuson-Stevens Act are located at 50 CFR parts 600 and 679.

Background

NMFS issued a final rule to implement catch handling and monitoring requirements to allow halibut bycatch to be sorted on the deck of trawl C/Ps and motherships participating in the non-pollock groundfish fisheries off Alaska. The final rule was published in the **Federal Register** on October 15, 2019 (84 FR 55044), and the associated regulations are found at 50 CFR part 679. The requirements of that final rule, other than the collection-of-information requirements associated with the catch handling and monitoring requirements, were effective on November 14, 2019. That final rule incorrectly stated that the collection-of-information requirements subject to the Paperwork Reduction Act (PRA) had been approved by the OMB at the time the final rule was published. That final rule also inadvertently omitted amendatory language to remove a now obsolete and unnecessary regulation. As a result, NMFS issued a rule correcting the final rule by adding the amendatory language removing an obsolete and unnecessary regulation, and staying the effectiveness of associated collection-of-information requirements on December 9, 2019 (84 FR 67183). OMB approved the collection-of-information requirements contained in the final rule on December 16, 2019, under OMB Control Numbers 0648–0318 (North Pacific Observer Program) and 0648–0330 (Alaska Region, Scale and Catch Weighing Requirements). Accordingly, this rule announces the approval and effective date of the approval and reporting requirements for the Deck Safety Plan, deck video monitoring system, and observer deck sampling station found at 50 CFR 679.28(d)(9) and (10) and (l) and 679.120(b), (c), (d), and (e).

OMB Revisions to PRA References in 15 CFR 902.1(b)

Section 3507(c)(B)(i) of the Paperwork Reduction Act (PRA) requires that agencies inventory and display a current control number assigned by the Director of the Office of Management and Budget (OMB), for each agency's information collection. Section 902.1(b) identifies the location of NOAA regulations for which OMB approval numbers have been issued. Because this final rule adds and revises collection-of-information requirements, 15 CFR 902.1(b) is revised to reference correctly the sections resulting from this final rule.

Classification

Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and opportunity for public comment for this action because notice and comment would be unnecessary and contrary to the public interest. This action simply provides notice of OMB's approval of the reporting requirements at issue, which has already occurred, and renders those requirements effective. Thus this action does not involve any further exercise of agency discretion by NMFS or OMB. Moreover, the public has had prior notice and the opportunity to comment on the collection-of-information requirements. NMFS published a proposed rule including the collection-of-information requirements (84 FR 15566; published April 16, 2019), with comments accepted until May 16, 2019. An additional opportunity for public comment at this point would not be meaningful and would be duplicative.

For the reasons above, there is also good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date and make this rule effective immediately upon publication.

Executive Order 12866

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

Paperwork Reduction Act

This final rule contains collection-of-information requirements subject to the PRA and which OMB approved under OMB Control Numbers 0648–0318 and 0648–0330 on December 16, 2019. The public reporting burden for these collection-of-information requirements includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OMB Control No. 0648–0318

This final rule requires vessel owners or operators of trawl C/Ps and motherships who choose to sort halibut prohibited species catch (PSC) on deck to have a NMFS-approved Deck Safety Plan prior to participating in halibut deck sorting. Currently 24 vessels have participated in halibut deck sorting with a fully developed Deck Safety Plan. NMFS estimates approximately three new vessels may choose to participate in deck sorting over the next three years. Public reporting burden for the development of a new Deck Safety Plan during the first (initial) year a vessel participates in halibut deck sorting is estimated to average 12 hours. After the first year, the public reporting burden for a respondent to modify or renew an existing Deck Safety Plan is estimated to be one hour.

For vessel owners or operators of trawl C/Ps and motherships who choose to sort halibut PSC on deck, the public reporting burden per response to notify the Observer Program by phone is estimated to be five minutes, the burden to notify the observer is estimated at two minutes, and appeal of a disapproved Deck Safety Plan is estimated at 4 hours.

OMB Control No. 0648–0330

When this action takes effect, 24 vessels will have participated in halibut deck sorting with installed deck video monitoring systems and observer deck sampling stations in compliance with regulations. NMFS estimates approximately three new vessels may choose to participate in deck sorting over the next three years. This final rule requires vessel owners or operators of trawl C/Ps and motherships who choose to sort halibut PSC on deck to install an observer sampling station on deck for use by the observer when deck sorting halibut. Public reporting burden for the installation of the observer deck sampling station during the first (initial) year a vessel participates in halibut deck sorting is estimated to average 12 hours. After the first year, annual maintenance of observer sampling stations both in the factory and on deck is expected to be minimal and will likely be done with other factory modifications initiated by the vessel to improve processing efficiency. Annual public reporting burden after the first year is estimated at one minute.

In addition, these vessels must install a deck sorting video monitoring system on deck. Public reporting burden for the installation of the video monitoring system is estimated to average 12 hours. After the first year, annual maintenance of the video monitoring system, including routine inspection and time required to call out for any needed repair, is estimated at one minute.

Public reporting burden for the Inspection Request for Observer Sampling Station, At-sea Scales, Video

Monitoring Deck Sampling Station, and Deck Video Monitoring is estimated at 8 minutes.

Send comments on these burden estimates or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS Alaska Region (see **ADDRESSES**), and by email to *OIRA_Submission@omb.eop.gov,* or by fax to 202–395–5806.

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number.

Authority: 16 U.S.C. 773 *et seq.;* 1801 *et seq.;* 3631 *et seq.;* Pub. L. 108–447; Pub. L. 111–281.

List of Subjects in 15 CFR Part 902

Reporting and recordkeeping requirements.

Dated: January 13, 2020.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS amends 15 CFR part 902 as follows:

PART 902—NOAA INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

■ 1. The authority citation for part 902 continues to read as follows:

Authority: 44 U.S.C. 3501 *et seq.*

■ 2. In § 902.1, in the table in paragraph (b), under the entry ''50 CFR'', add entries in alphanumeric order for ''679.28(l)'', ''679.120(b)'', and ''679.120(c), (d), and (e)'' to read as follows:

§ 902.1 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

* * * * *

(b) * * *

CFR part or section where the information collection requirement is located	Current OMB control No. (all numbers begin with 0648–)
* * * * *	
50 CFR:	
* * * * *	
679.28(l)	–0330
* * * * *	
679.120(b)	–0330
679.120(c), (d), and (e).	–0318
* * * * *	

* * * * *

[FR Doc. 2020–00712 Filed 1–27–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2020–0001]

RIN 1625–AA00

Safety Zone; Delaware River Rock Blasting, Marcus Hook, PA

AGENCY: Coast Guard, DHS.

ACTION: Interim final rule; request for comments.

SUMMARY: The Coast Guard is establishing three temporary safety zones on the waters of the Delaware River in portions of Marcus Hook Range, Tinicum Range and Anchorage 7 off Marcus Hook Range. The safety zones will temporarily restrict vessel traffic from transiting or anchoring in portions of the Delaware River while rock blasting, dredging, and rock removal operations are being conducted to facilitate the Main Channel Deepening project, and annual maintenance project for the Delaware River. The safety zones are needed to protect personnel, vessels, and the marine environment from hazards created by rock blasting, dredging, and rock removal operations. Entry of vessels or persons into these zones is prohibited unless specifically authorized by the COTP or his designated representatives.

DATES: This interim rule is effective without actual notice from January 28, 2020 through March 15, 2020. For the purposes of enforcement, actual notice will be used from January 12, 2020, through January 28, 2020.

Comments and related material must be received by the Coast Guard on or before February 12, 2020.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2020–0001 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

You may submit comments identified by docket number USCG–2020–0001 using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Petty Officer Edmund Ofalt, Waterways Management Branch, U.S. Coast Guard Sector Delaware Bay; telephone (215) 271–4889, email *Edmund.J.Ofalt@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this interim rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. There is insufficient time to allow for a reasonable comment period prior to the start date for blasting and dredging operations. The rule must be in force by January 12, 2020, to serve its purpose of ensuring the safety of the general public from hazards associated with rock blasting, dredging, and rock removal operations.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is needed to mitigate the potential safety hazards associated with rock blasting, dredging, and rock removal operations in these locations.

We are soliciting comments on this rulemaking. If the Coast Guard determines that changes to the rule are necessary we will publish a subsequent

rulemaking document in the **Federal Register**.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The COTP has determined that there are potential hazards associated with the rock blasting and dredging operations. The purpose of this rulemaking is to ensure the safety of personnel, vessels, and the marine environment within the vicinity of rock blasting, dredging, and rock removal operations.

IV. Discussion of the Rule

This rule establishes three safety zones from January 12, 2020, through March 15, 2020. The safety zones are necessary to facilitate the main channel deepening and annual maintenance of the Delaware River from Marcus Hook Range to Tinicum Range, and Anchorage 7 off Marcus Hook Range (as described in 33 CFR 110.157(a)(8)). Rock drilling, hammering, removal, and dredging operations will most likely be conducted with the drill boat APACHE, dredge NEW YORK, and dredge ESSEX, though other dredges may be used, along with associated dredge pipeline and boosters. The pipeline consists of a combination of floating hoses immediately behind the dredge ESSEX and submerged pipeline leading to upland disposal areas. Due to the hazards related to rock drilling, hammering, removal, and dredging operations, the associated pipeline and the location of submerged pipeline, safety zones are being established in the following areas:

(1) Safety zone one includes all navigable waters within 250 yards of the dredge displaying lights and shapes for vessels restricted in ability to maneuver as described in 33 CFR 83.27 and all related dredge equipment when the dredge is operating in New Castle Range, Marcus Hook Range, Deepwater Point Range, and Anchorage 7. This safety zone is being established for the duration of the maintenance project. Vessels requesting to transit the safety zone must contact the dredge on VHF channel 13 or 16 at least 1 hour prior to arrival to arrange safe passage. At least one side of the main navigational channel will be kept clear for safe passage of vessels in the vicinity of the safety zone. At no time will the entire main navigational channel be closed to vessel traffic. Vessels should avoid meetings in these areas where one side of the main navigational channel is open and proceed per this rule and the Rules of the Road (33 CFR subchapter E).

(2) Safety zone two includes all the waters of Anchorage 7 off Marcus Hook Range, as described in 33 CFR 110.157(a)(8). Vessels wishing to anchor in Anchorage 7 off Marcus Hook Range must obtain permission from the COTP at least 24 hours in advance by calling (215) 271–4807. The COTP will permit only one vessel to anchor at a time on a ''first-come, first-served'' basis. Vessels will only be allowed to anchor for a 12 hour period. Vessels that require an examination by the Public Health Service, Customs, or Immigration authorities will be directed to an anchorage by the COTP for the required inspection. Vessels are encouraged to use Anchorage 9 near the entrance to Mantua Creek, Anchorage 10 at Naval Base, Philadelphia, and Anchorage 6 off Deepwater Point Range as alternative anchorages.

(3) Safety zone three covers all navigable waters in the Delaware River within 500 yards of vessels and machinery being used to conduct rock blasting, dredging, and rock removal operations between Marcus Hook Range and Tinicum Range.

Entry into, transiting, or anchoring within safety zone one is prohibited unless vessels obtain permission from the COTP or make satisfactory passing arrangements with the operating dredge per this rule and the Rules of the Road (33 CFR subchapter E). Though the dredge ESSEX, and the dredge NEW YORK are the primary dredges to be used in these operations, the COTP may update the information and the dredges being utilized with these dredging operations via Marine Safety Information Bulletin and Broadcast Notice to Mariners.

Safety zone three will be enforced in an area and in a manner that does not conflict with transiting commercial and recreational traffic, except for the short periods of time when explosive detonations are being conducted and shortly thereafter, when the channel is being surveyed to ensure the navigational channel is clear for vessels to transit. It is expected that these detonations will not occur more than three times a day. At all other times, at least one side of the main navigational channel will be open for vessels to transit. This rule describes communications for notifying waterway users of upcoming detonations and provides means for waterway users to request entry into the safety zone.

The COTP will activate and terminate the safety zones individually once all submerged pipeline has been recovered and dredging operations are completed in each respective area. Notice of the activation and the termination of the safety zones will be made in accordance with 33 CFR 165.7.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, duration, and traffic management of the safety zone. The safety zone will be enforced in an area and in a manner that does not conflict with transiting commercial and recreational traffic, except for the short periods of time when explosive detonations are being conducted. It is anticipated that the blasting detonations will not occur more than three times a day. At all other times, at least one side of the main navigational channel will be open for vessels to transit. Moreover, the Coast Guard will work in coordination with the pilots to ensure vessel traffic is limited during the times of detonation and Broadcast Notice to Mariners are made via VHF–FM marine channel 13 and 16 when blasting operations will occur.

Although this regulation will restrict access to regulated areas, the effect of this rule will not be significant because there are a number of alternate anchorages available for vessels to anchor. Furthermore, vessels may transit through the safety zones with the permission of the COTP or make satisfactory passing arrangements with the dredge ESSEX, drill boat APACHE, dredge NEW YORK or other dredges that may be used in accordance with this rule and the Rules of the Road (33 CFR subchapter E). Notification of the safety zones to the maritime public will be made via maritime advisories allowing mariners to alter their plans accordingly.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A. above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule has a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule economically affects it.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves safety zones to protect waterway users that would prohibit entry within 500 yards of rock blasting, dredging, and rock removal conducted by the drill boat APACHE and the dredge NEW YORK, within 250 yards of the dredge ESSEX and associated equipment, and within Marcus Hook Anchorage (No. 7) without prior approval. Vessels can request permission to enter the safety zones. It is categorically excluded from further review under paragraph L[60a] of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

VI. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS's Correspondence System of Records notice (84 FR 48645, September 26, 2018).

Documents mentioned in this interim final rule as being available in the docket, and all public comments, will be in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T05–0001, to read as follows:

§ 165.T05–0001 Safety Zone, Delaware River Rock Blasting; Marcus Hook, PA.

(a) *Location.* The following areas are safety zones:

(1) Safety zone one includes all waters within 250 yards of the dredge displaying lights and shapes for vessels restricted in ability to maneuver as described in 33 CFR 83.27, as well as all related dredge equipment, while the dredge is operating in Marcus Hook Range. For enforcement purposes Marcus Hook Range includes all navigable waters of the Delaware River shoreline to shoreline, bound by a line drawn perpendicular to the center line of the channel at the farthest upriver point of the range to a line drawn perpendicular to the center line of the channel at the farthest downriver point of the range.

(2) Safety zone two includes all the waters of Anchorage 7 off Marcus Hook Range, as described in 33 CFR 110.157(a)(8) and depicted on U.S. Nautical Chart 12312.

(3) Safety zone three includes all the navigable waters of the Delaware River within 500 yards of vessels and machinery performing rock blasting, rock removal, and dredging operations, between Marcus Hook Range and Tinicum Range.

(b) *Definitions.* As used in this section, *designated representative* means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to assist with enforcement of the safety zone described in paragraph (a) of this section.

(c) *Regulations.* (1) Entry into or transiting within the safety zone one is prohibited unless vessels obtain permission from the Captain of the Port via VHF–FM channel 16 or 215–271–4807, or make satisfactory passing arrangements via VHF–FM channel 13 or 16 with the operating dredge per this section and the rules of the Road (33 CFR subchapter E). Vessels requesting to transit shall contact the operating dredge via VHF–FM channel 13 or 16 at least 1 hour prior to arrival.

(2) Vessels desiring to anchor in safety zone two, Anchorage 7 off Marcus Hook Range, must obtain permission from the COTP at least 24 hours in advance by calling (215) 271–4807. The COTP will permit one vessel at a time to anchor on a ''first-come, first-served'' basis. Vessels will only be allowed to anchor for a 12 hour period. Vessels that require an examination by the Public Health Service, Customs, or Immigration authorities will be directed to an anchorage for the required inspection by the COTP.

(3) The operator of any vessel requesting to transit through safety zone three shall proceed as directed by the drill boat APACHE, the dredge TEXAS and NEW YORK, or the designated representative of the Captain of the Port and must operate at the minimum safe speed necessary to maintain steerage and reduce wake.

(4) No vessels may transit through safety zone three during times of explosive detonation. During explosive detonation, vessels will be required to maintain a 500 yard distance from the drill boat APACHE. The drill boat APACHE will make broadcasts, via VHF–FM Channel 13 and 16, at 15 minutes, 5 minutes, and 1 minute prior to detonation, as well as a countdown to detonation on VHF–FM Channel 16.

(4) After every explosive detonation a survey will be conducted by the dredging contractor to ensure the navigational channel is clear for vessels to transit. The drill boat APACHE will broadcast, via VHF–FM channel 13 and 16, when the survey has been completed and the channel is clear to transit. Vessels requesting to transit through the safety zone shall proceed as directed by the Captain of the Port and contact the drill boat APACHE on VHF–FM channel 13 to make safe passing arrangements.

(5) This section applies to all vessels except those engaged in the following operations: Enforcement of laws, service of aids to navigation, and emergency response.

(d) *Enforcement.* The U.S. Coast Guard may be assisted by federal, state and local agencies in the patrol and enforcement of the zone.

(e) *Enforcement period.* This rule will be enforced from January 12, 2020, through March 15, 2020, unless cancelled earlier by the Captain of the Port.

Dated: January 10, 2020.

Scott E. Anderson,

Captain, U.S. Coast Guard, Captain of the Port, Delaware Bay.

[FR Doc. 2020–00607 Filed 1–27–20; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2019–0897]

RIN 1625–AA00

Safety Zone; Isle of Wight Bay, Ocean City, MD

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for certain waters in Isle of Wight Bay. This action is necessary to provide for the safety of personnel and vessels at and immediately adjacent to the Harry W. Kelley Memorial (US–50) Bridge during submarine electrical cable replacement operations, which will occur daily, from 6 a.m. until 10 p.m. on January 27, 2020, through February 3, 2020. This rule will prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the Port Maryland-National Capital Region or a designated representative.

DATES: This rule is effective without actual notice from January 28, 2020 through February 3, 2020. For the purposes of enforcement, actual notice will be used from January 27, 2020, until January 28, 2020.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2019–0897 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rulemaking, call or email Petty Officer Courtney Perry, Sector Maryland-NCR, Waterways Management Division, U.S. Coast Guard: telephone 410–576–2570, email *Courtney.E.Perry@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking

§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Maryland Department of Transportation notified the Coast Guard that it will be conducting an installation of submarine cables from January 27, 2020, through February 3, 2020, within the navigation channel at the Harry W. Kelley Memorial (US–50) Bridge located in Ocean City, MD. The installation operations will be conducted at all hours of the day throughout this time period. In response, on December 17, 2019, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Safety Zone; Isle of Wight Bay, Ocean City, MD (84 FR 68858). We stated why we issued the NPRM and allowed for commenting on our proposed regulatory action. We received no comments during the comment period which ended on January 2, 2020.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to mitigate the potential hazards to personnel and vessels navigating immediately adjacent to the Harry W. Kelley Memorial (US–50) Bridge during this time.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The COTP Maryland-National Capital Region has determined that the potential hazards associated with the installation of submarine electrical cables would be a safety concern for anyone at and immediately adjacent to the Harry W. Kelley Memorial Bridge during these operations. The purpose of this rule is to ensure the safety of vessels and the navigable waters in the safety zone before, during, and after the scheduled event.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM, which was published on December 17, 2019. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

This rule establishes a safety zone from January 27, 2020, through February 3, 2020, that will be enforced daily from 6 a.m. until 10 p.m. The safety zone will cover all navigable waters of the Isle of Wight Bay, in Ocean City, MD encompassed by an area connecting the following points: Beginning at 38°19′57.2″ N, 075°05′26.0″ W, thence to 38°19′56.9″ N, 075°05′24.8″ W, thence to 38°19′55.6″ N, 075°05′25.3″ W, thence to 38°19′55.9″ N, 075°05′26.6″ W, and back to the beginning point. The zone is established to ensure the safety of vessels and the navigable waters before, during, and after the scheduled submarine cable installation. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, additionally, we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance, it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, duration, and the time-of-year of the safety zone. The submarine cable installation is being planned during the winter/non-peak season, when vessel transit in this area of the channel is unlikely. Vessel traffic not required to use the navigation channel will be able to safely transit around the safety zone. This safety zone will impact a small designated area of the Isle of Wight Bay for approximately 8 days, but coincides with the non-peak season for recreational boating.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If this rule will effect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on the actions of employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial

direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under the Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and the Environmental Planning COMDTINST 5090.1 (series), which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that does not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting approximately eight days that would prohibit use of navigable waters at or adjacent to the Harry W. Kelley Memorial (US–50) Bridge. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T05–0897 to read as follows:

§ 165.T05–0897 Safety Zone; Isle of Wight Bay, Ocean City, MD.

(a) *Location.* The following area is a safety zone: All navigable waters of Isle of Wight Bay, encompassed by a line connecting the following points beginning at 38°19′57.2″ N, 075°05′26.0″ W, thence to 38°19′56.9″ N, 075°05′24.8″ W, thence to 38°19′55.6″ N, 075°05′25.3″ W, thence to 38°19′55.9″ N, 075°05′26.6″ W, and back to the beginning point, located at Ocean City, MD. These coordinates are based on datum NAD 1983.

(b) *Definitions.* As used in this section—

Captain of the Port (COTP) means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Maryland-National Capital Region to assist in enforcing the security zone described in paragraph (a) of this section.

Marine equipment means any vessel, barge or other equipment operated by Covington Machine and Welding, Inc. or its subcontractors.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative. Except for marine equipment, all vessels within this safety zone at the time it is implemented are to depart the zone.

(2) To seek permission to enter, contact the COTP or the COTP's representative by telephone number 410–576–2693 or on Marine Band Radio VHF–FM channel 16 (156.8 MHz). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement officials.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.

(e) *Enforcement.* This safety zone will be enforced during the period described in paragraph (f) of this section. A ''CABLE WORK—DANGER—STAY AWAY'' sign facing the northern and southern approaches of the navigation channel will be posted on the sides of the marine equipment on-scene within the location described in paragraph (a) of this section.

(f) *Enforcement period.* This section will be enforced daily January 27, 2020, through February 3, 2020, from 6:00 a.m. until 10 p.m.

Dated: January 16, 2020.

Joseph B. Loring,

Captain, U.S. Coast Guard, Captain of the Port Sector Maryland-NCR.

[FR Doc. 2020–00940 Filed 1–27–20; 8:45 am]

BILLING CODE 9110–04–P

Proposed Rules

Federal Register
Vol. 85, No. 18
Tuesday, January 28, 2020

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.

FEDERAL LABOR RELATIONS AUTHORITY

5 CFR Part 2424

Negotiability Proceedings, Reopening of Comment Period

AGENCY: Federal Labor Relations Authority.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: The Federal Labor Relations Authority (FLRA) is reopening the comment period for its proposed rule concerning Negotiability Proceedings for an additional 14 days. The original comment period ended on January 22, 2020.

DATES: The comment period for the proposed rule published December 23, 2019, at 84 FR 70439, is reopened. Written comments must be received on or before February 11, 2020.

ADDRESSES: You may send comments, which must include the caption ''Negotiability Proceedings,'' by one of the following methods:

- *Email: FedRegComments@flra.gov.* Include ''Negotiability Proceedings'' in the subject line of the message.
- *Mail or Hand Delivery:* Emily Sloop, Chief, Case Intake and Publication, Federal Labor Relations Authority, Docket Room, Suite 200, 1400 K Street NW, Washington, DC 20424–0001.

Instructions: If you previously submitted comments during the original comment period, you do not need to submit those same comments again. Further, please do not email comments if you mail or hand deliver the same comments.

FOR FURTHER INFORMATION CONTACT: Rebecca Osborne, Deputy Solicitor, at *rosborne@flra.gov* or at: (202) 218–7986.

SUPPLEMENTARY INFORMATION: On December 23, 2019, the FLRA requested comments on a proposed rule, published at 84 FR 70439, to revise the regulations governing negotiability appeals in order to better expedite proceedings. The original comment period for the proposed rule ended on January 22, 2020. Relatedly, in Case No. 0–PS–35, the FLRA issued a decision that referred to forthcoming revisions to the regulations governing negotiability appeals. To provide interested parties a further opportunity to comment about all of the issues addressed in the proposed rule, including the issues raised in Case No. 0–PS–35, the FLRA is reopening the comment period for an additional 14 days. Parties should refer to the proposed rule, at 84 FR 70439, for further details about the issues under consideration.

Approved: January 22, 2020.

Colleen Duffy Kiko,

Chairman, Federal Labor Relations Authority.

[FR Doc. 2020–01359 Filed 1–27–20; 8:45 am]

BILLING CODE 6727–01–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 51

[Document Number AMS–SC–19–0036, SC–19–330]

Revision of Three U.S. Grade Standards for Carrots

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) proposes to revise the U.S. Standards for Grades of Topped Carrots, U.S. Standards for Grades of Bunched Carrots, and U.S. Standards for Grades of Carrots with Short Trimmed Tops. AMS is proposing to add more U.S. No. 1 grades to accommodate carrots of colors other than orange, orange red, and orange scarlet. The current U.S. No. 1 grades would remain unchanged. In addition, AMS is proposing to remove the Unclassified section and renumber sections due to the additional grades.

DATES: Comments must be submitted on or before March 30, 2020.

ADDRESSES: Interested persons are invited to submit written comments to the USDA, Specialty Crops Inspection Division, 100 Riverside Parkway, Suite 101, Fredericksburg, VA 22406; fax: (540) 361–1199; or at *www.regulations.gov.* Comments should reference the dates and page number of this issue of the **Federal Register**. Comments will be posted without change, including any personal information provided. All comments received within the comment period will become part of the public record maintained by the Agency and will be made available to the public via *www.regulations.gov.* Comments will be made available for public inspection at the above address during regular business hours or can be viewed at: *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Contact David G. Horner at the address above, by phone (540) 361–1128; fax (540) 361–1199; or, email *Dave.Horner@usda.gov.* Copies of the proposed U.S. Standards for Grades of Topped Carrots, U.S. Standards for Grades of Bunched Carrots, and U.S. Standards for Grades of Carrots with Short Trimmed Tops are available at *http://www.regulations.gov.* Copies of the current U.S. Standards for Grades of Topped Carrots, U.S. Standards for Grades of Bunched Carrots, and U.S. Standards for Grades of Carrots with Short Trimmed Tops are available on the Specialty Crops Inspection Division website at *www.ams.usda.gov/grades-standards/vegetables.*

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) as amended, directs and authorizes the Secretary of Agriculture ''to develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices.''

AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The U.S. Standards for Grades of Fruits and Vegetables that no longer appear in the Code of Federal Regulations are maintained by AMS at: *http://www.ams.usda.gov/grades-standards.* AMS is proposing revisions to these U.S. Standards for Grades using the procedures that appear in part 36 of Title 7 of the Code of Federal Regulations (7 CFR part 36).

Background

AMS continually reviews all fruit and vegetable grade standards to ensure their usefulness to the industry, modernize language, and remove duplicative terminology. On December 22, 2008, AMS published a notice in the **Federal Register** (73 FR 78286) regarding revising the three U.S. grade standards for carrots to accommodate colors other than orange, orange red, and orange scarlet. The notice proposed revising the color section to allow carrots of any color characteristic of the variety to be graded using the standards. Also, the similar varietal characteristic requirement would have been amended to allow mixed colors and/or types when designated as a mixed or specialty pack. The industry as a whole opposed these revisions on the basis that non-orange carrots include heirloom carrots that may not have been bred for uniformity and may not have the same type of characteristics of orange carrots.

After gathering more feedback from the industry, AMS developed additional grades to accommodate other colors. For the Topped Carrots, two new grades are U.S. No. 1 Color and U.S. No. 1 Jumbo Color. For the Bunched and Short Trimmed Carrots, the new grade is U.S. No. 1 Color. The current grades remain unchanged. The new grades are identical to the current grades except for the color requirement (the following tables summarize the proposed revisions).

AMS spoke with several major U.S. carrot growers by telephone and emailed them a discussion paper on the proposed revisions. No one opposed the changes.

In addition, AMS is proposing to remove the Unclassified section. AMS is removing this section in all standards as they are revised, as it is no longer considered necessary. The category was never a grade and only served to show no grade was applied to the lot.

Finally, some sections would be renumbered due to the additional grades.

The following tables summarizes the proposed revisions and provides rationale for any changes.

Current	Proposed	Discussion
U.S. Topped Carrot Standards		
§ 51.2360 U.S. Extra No. 1 § 51.2361 U.S. No. 1 § 51.2362 U.S. No. 1 Jumbo	§ 51.2360 U.S. Extra No. 1 § 51.2361 U.S. No. 1. § 51.2362 U.S. No. 1 Jumbo.	All remain unchanged.
	§ 51.2363 U.S. No. 1 Color and U.S. No. 1 Jumbo Color. "U.S. No. 1 Color" or "U.S. No. 1 Jumbo Color" consists of carrots which meet the requirements of the U.S. No. 1 or U.S. No. 1 Jumbo grades except for fairly well colored. All roots must show good characteristic color, which means the root has a uniform characteristic color for the variety over practically the entire surface. Roots may be comingled with varieties of different colors, provided roots are of the same type. (See § 51.2365.)	Additional grades, U.S. No. 1 Color and U.S. No. 1 Jumbo Color, are proposed to accommodate other colors. The U.S. No. 1 Color and U.S. No. 1 Jumbo Color grades are identical to the U.S. No. 1 and U.S. No. 1 Jumbo grades, except for the color requirement. The new grades will ensure all grades are premium quality, will provide greater flexibility, and will bring the standards in line with current marketing trends.
§ 51.2363 U.S. No. 2	§ 51.2364 U.S. No. 2	Remains the same except section number changes from 51.2363 to 51.2364. The U.S. No. 2 grade does not have any color requirements. In addition, carrots of other colors, such as maroon, tend to be specialty pack products and generally would not be sold as U.S. No. 2. Therefore, no U.S. No. 2 Color grade is proposed.
§ 51.2364 Unclassified "Unclassified" consists of carrots which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot	Removed	AMS is removing this section in all standards as they are revised, as it is no longer considered necessary. The category was never a grade and only served to show no grade was applied to the lot.
§ 51.2365 Tolerances (2) U.S. No. 1 and U.S. No. 1 Jumbo grades. Ten percent for carrots in any lot which fail to meet the requirements of the grade: Provided, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing serious damage, including therein not more than 2 percent for carrots affected by soft rot	§ 51.2365 Tolerances (2) U.S. No. 1, U.S. No. 1 Jumbo, U.S. No. 1 Color, and U.S. No. 1 Jumbo Color grades. Ten percent for carrots in any lot which fail to meet the requirements of the grade: Provided, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing serious damage, including therein not more than 2 percent for carrots affected by soft rot	The proposed U.S. No. 1 Color and U.S. No. 1 Jumbo Color grades have the same tolerances as the other grades in this section, which all remain unchanged.
U.S. Bunched Carrot Standards		
§ 51.2455 U.S. No. 1	§ 51.2455 U.S. No. 1	Remains unchanged.

Current	Proposed	Discussion
	§ 51.2456 U.S. No. 1 Color ..... "U.S. No. 1 Color" consists of carrots which meet the requirements of U.S. No. 1 except for fairly well colored. All roots must show good characteristic color, which means the root has a uniform characteristic color for the variety over practically the entire surface. Roots may be comingled with varieties of different colors, provided roots are of the same type	An additional grade, U.S. No. 1 Color, is proposed to accommodate other colors. The U.S. No. 1 Color is identical to the U.S. No. 1 grade, except for the color requirement. The new grade will ensure all grades are premium quality, will provide greater flexibility, and will bring the standards in line with current marketing trends.
§ 51.2456 U.S. Commercial	§ 51.2457 U.S. Commercial	Remains the same except section number changes from 51.2456 to 51.2457. Carrots of other colors, such as maroon, tend to be specialty pack products and generally would not be sold as U.S. Commercial, so no U.S. Commercial Color grade is proposed.
§ 51.2457 Unclassified ..... "Unclassified" consists of carrots which have not been classified in accordance with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot	Removed	AMS is removing this section in all standards as they are revised, as it is no longer considered necessary. The category was never a grade and only served to show no grade was applied to the lot.
U.S. Short Trimmed Carrot Standards		
§ 51.2485 U.S. No. 1	§ 51.2485 U.S. No. 1	Remains unchanged.
	§ 51.2486 U.S. No. 1 Color ..... "U.S. No. 1 Color" consists of carrots which meet the requirements of U.S. No. 1 except for fairly well colored. All roots must show good characteristic color, which means the root has a uniform characteristic color for the variety over practically the entire surface. Roots may be comingled with varieties of different colors, provided roots are of the same type	An additional grade, U.S. No. 1 Color, is proposed to accommodate other colors. The U.S. No. 1 Color is identical to the U.S. No. 1 grade, except for the color requirement. The new grade will ensure all grades are premium quality, will provide greater flexibility, and will bring the standards in line with current marketing trends.
§ 51.2486 U.S. Commercial	§ 51.2487 U.S. Commercial	Remains the same except section number changes from 51.2486 to 51.2487. Carrots of other colors, such as maroon, tend to be specialty pack products and generally would not be sold as U.S. Commercial, so no U.S. Commercial Color grade is proposed.
§ 51.2487 Unclassified ..... "Unclassified" consists of carrots which have not been classified in accordance with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot	Removed	AMS is removing this section in all standards as they are revised, as it is no longer considered necessary. The category was never a grade and only served to show no grade was applied to the lot.

As stated, the proposed revisions will ensure all grades are premium quality, provide greater flexibility, and bring the standards in line with current marketing trends.

A 60-day comment period is provided for interested persons to submit comments on the proposed revised grade standards. Copies of the proposed revised standards are available at *http://www.regulations.gov.* After the 60-day comment period, AMS will move forward in accordance with 7 CFR 36.3(a)(1–3).

Authority: 7 U.S.C. 1621–1627.

Dated: January 23, 2020.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2020–01457 Filed 1–27–20; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2019–1008; Product Identifier AD–2019–00110–P]

RIN 2120–AA64

Airworthiness Directives; Hamilton Sundstrand Corporation Propellers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Hamilton Sundstrand Corporation (Hamilton Sundstrand) 54H60 model propellers. This proposed AD was prompted by the failure of a propeller blade that resulted in the loss of the airplane. This proposed AD would require initial and repetitive eddy current inspections (ECI) of the affected propeller blades and replacement of the propeller blades that fail the inspection. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by March 13, 2020.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Hamilton Sundstrand, 1 Hamilton Road, Windsor Locks, CT 06096–1010, United States; phone: 877–808–7575; email: *CRC@collins.com.* You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7759.

Examining the AD Docket

You may examine the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2019–1008; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Maureen Maisttison, Aerospace Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7076; fax: 781–238–7199; email: *maureen.maisttison@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2019–1008; Product Identifier AD–2019–00110–P'' at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM because of those comments.

Except for Confidential Business Information as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *https://www.regulations.gov,* including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Maureen Maisttison, Aerospace Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA 01803. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Discussion

The FAA received a report of the separation of a 54H60 model propeller blade installed on a United States Marine Corps Reserve KC–130T airplane during a flight in July 2017. The separation of the blade resulted in the loss of the airplane and 17 fatalities. The investigation of this event revealed the Hamilton Sundstrand 54H60 model propeller blade separated due to corrosion that was not corrected at the last propeller overhaul. The investigation further revealed that 54H60 model propeller blades manufactured before 1971 are susceptible to this unsafe condition. The applicability of this AD is therefore limited to those Hamilton Sundstrand 54H60 model propellers blades with a blade serial number below 813320, which are those propeller blades manufactured before 1971. This condition, if not addressed, could result in failure of the propeller blade, blade separation, and loss of the airplane.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Hamilton Sundstrand Corporation Alert Service Bulletin (ASB) 54H60–61–A154, dated August 26, 2019. The ASB describes procedures for performing an ECI of the propeller blade taper bore. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

The FAA is proposing this AD because the agency evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require an initial and repetitive ECI of the affected propeller blades and removal from service of any blades that fail these inspections.

Differences Between This Proposed AD and the Service Information

This proposed rule does not require that operators send blades that fail the inspection to a designated repair facility. Hamilton Sundstrand ASB 54H60–61–A154, dated August 26, 2019 indicates that these blades should be sent to a designated repair facility.

Interim Action

The FAA considers this proposed AD interim action. The root cause of the 54H60 model propeller blade separation is still under investigation. The FAA may consider further rulemaking action.

Costs of Compliance

The FAA estimates that this proposed AD affects 212 propellers installed on 53 aircraft of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
ECI of propeller	8 work-hours × $85 per hour = $680	$700	$1,380	$292,560

The FAA estimates the following costs to do any necessary replacements that would be required based on the results of the proposed inspection. The FAA has no way of determining the number of aircraft that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace blade	1 work-hour × $85 per hour = $85	$63,500	$63,585

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177–1524.

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Hamilton Sundstrand: Docket No. FAA–2019–1008; Product Identifier AD–2019–00110–P.

(a) Comments Due Date

The FAA must receive comments by March 13, 2020.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Hamilton Sundstrand Corporation (Hamilton Sundstrand) model 54H60 propellers with a blade having a serial number (S/N) below S/N 813320.

(d) Subject

Joint Aircraft System Component (JASC) Code 6111, Propeller Blade Section.

(e) Unsafe Condition

This AD was prompted by the separation of a propeller blade that resulted in the loss of an airplane and 17 fatalities. The FAA is issuing this AD to detect cracking in the propeller blade taper bore. The unsafe condition, if not addressed, could result in failure of the propeller blade, blade separation, and loss of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) For affected propellers identified in Planning Information, paragraph 1.E.(1), of Hamilton Sundstrand Corporation Alert Service Bulletin (ASB) 54H60–61–A154, dated August 26, 2019 (''the ASB''), perform an eddy current inspection (ECI) of all blades installed on the propeller within one year or 500 flight hours after the effective date of this AD, whichever occurs first.

(2) For affected propellers identified in Planning Information, paragraph 1.E.(2), of the ASB, perform an ECI of all blades installed on the propeller within two years or 1,000 flight hours after the effective date of this AD, whichever occurs first.

(3) Perform the ECI of the affected propeller blades in accordance with the Accomplishment Instructions, paragraph 3.C. of the ASB.

(4) If any propeller blade fails the inspections required by this AD, based on the criteria in paragraph 3.C. of the ASB, remove the blade from service prior to next flight and replace with a blade eligible for installation.

(5) For all affected propellers, repeat the inspection required by paragraphs (g)(1) through (4) of this AD at intervals not exceeding 3 years or 1,500 flight hours, whichever comes first, after the previous inspection.

(6) Report the results of the ECI required by paragraphs (g)(1) through (5) of this AD in accordance with the Accomplishment Instructions, paragraph 3.C.(6) of the ASB.

(h) Installation Prohibition

After the effective date of this AD, do not install any Hamilton Sundstrand propeller blades having an S/N below 813320 on any propeller, unless the blade has first passed the inspection required by this AD. After the effective date of this AD, do not install any propeller assemblies with affected propeller blades onto any aircraft unless the affected propeller blades have passed the inspection required by paragraph (g) of this AD.

(i) Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177–1524.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Boston ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k)(1) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

(1) For more information about this AD, contact Maureen Maisttison, Aerospace Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7076; fax: 781–238–7199; email: *maureen.maisttison@faa.gov.*

(2) For service information identified in this AD, contact Hamilton Sundstrand, 1 Hamilton Road, Windsor Locks, CT 06096–1010, United States; phone: 877–808–7575; email: *CRC@collins.com.* You may view this referenced service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7759.

Issued in Burlington, Massachusetts, on January 22, 2020.

Karen M. Grant,

Acting Manager, Engine & Propeller Standards Branch, Aircraft Certification Service.

[FR Doc. 2020–01338 Filed 1–27–20; 8:45 am]

BILLING CODE 4910–13–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1112, 1130, and 1236

[CPSC Docket No. 2017–0020]

Supplemental Notice of Proposed Rulemaking To Establish a Safety Standard for Infant Sleep Products; Notice of Extension of Comment Period

AGENCY: Consumer Product Safety Commission.

ACTION: Extension of comment period.

SUMMARY: The Consumer Product Safety Commission (CPSC) published a supplemental notice of proposed rulemaking (Supplemental NPR) to promulgate a consumer product safety standard for infant sleep products (infant sleep products) in the **Federal Register** on November 12, 2019. The Supplemental NPR invited the public to submit written comments during a 75-day comment period, beginning on the Supplemental NPR publication date, and ending on January 27, 2020. In response to a request for an extension of the comment period, the Commission is extending the comment period by 30 days.

DATES: Submit comments by February 26, 2020.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2017–0020, electronically or in writing:

Electronic Submissions: Submit electronic comments to the Federal

eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. CPSC does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* 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 proposed rulemaking. 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 electronically any 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 accordance with the instructions for written submissions above.

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–2017–0020, into the ''Search'' box, and follow the prompts.

SUPPLEMENTARY INFORMATION: On October 25, 2019, the Commission voted to publish a Supplemental NPR in the **Federal Register**, to promulgate a consumer product safety standard for infant sleep products. The Supplemental NPR published on November 12, 2019, with a 75-day comment period, which closes on January 27, 2020. On January 11, 2020, Joanne E. Mattiace, from the Law Offices of Joanne E. Mattiace, submitted a request to extend the comment period by 60 days. The request states that stakeholders are ''diligently working to submit comments'' by January 27, 2020, however, the CPSC staff's December 12, 2019 letter to ASTM International regarding ASTM F15.18 Bassinet and Cradles and Infant Inclined Sleep Products Updates, which discusses the staff's safety concerns with in-bed sleepers and compact bassinets, has ''resulted in additional issues of great importance that now need to be fully evaluated and discussed.'' Ms. Mattiace requests that the Commission extend the comment period for 60 days so that stakeholders can ''prepare comments of much more benefit for the agency.''

The Commission has considered this request and will grant an extension of the comment period by 30 days, until February 26, 2020.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2020–01413 Filed 1–27–20; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 110

[Docket Number USCG–2019–0028]

RIN 1625–AA01

Anchorage; Galveston Harbor, Bolivar Roads Channel, Galveston, TX

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a 48-hour time limit in Anchorage Area (B) in Bolivar Roads near Galveston, Texas. Currently anchorage areas (A) and (C) in the Bolivar Roads Channel have a 48-hour time limit, however anchorage (B) does not. This has resulted in vessels remaining in anchorage (B) for extended periods, blocking other vessels with pressing logistical needs, adversely affecting commerce and impacting navigational safety. Except when stress of weather makes sailing impractical or hazardous, under this proposed rule, vessels would not be permitted to anchor in anchorage area (B) for more than 48 hours unless expressly authorized by the Captain of the Port Houston-Galveston. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before February 27, 2020.

ADDRESSES: You may submit comments identified by docket number USCG–2019–0028 using the Federal eRulemaking Portal at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email LCDR Sarah Rousseau or LT Nathaniel Clinger, Sector Houston-Galveston Waterways Management Division, U.S. Coast Guard; telephone 281–464–4736/4782, email *HoustonWWM@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DC District Commander
DHS Department of Homeland Security
FR Federal Register
HSC Lone Star Harbor Safety Committee
LCDR Lieutenant Commander
LT Lieutenant
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code
VTS Coast Guard Vessel Traffic Service Houston/Galveston

II. Background, Purpose, and Legal Basis

On October 11, 2018, the Texas Lone Star Harbor Safety Committee requested a regulatory change to the Galveston Harbor Bolivar Roads Anchorage area (B). The HSC submitted a recommendation to the Sector Houston-Galveston Captain of the Port that Anchorage area (B) be regulated under the same 48-hour time limit as the adjacent Anchorage areas (A) and (C). The HSC developed a working group, the Anchorage Working Group, to assess the optimal ways to use the anchorage to facilitate safety and efficiency within the port.

The purpose of this rulemaking is to align the Galveston Harbor Bolivar Roads Anchorage area (B) to the adjacent anchorages, necessary to address port congestion and navigation safety concerns. The local VTS will continue to monitor and control vessel movement within the Anchorage area (B); in addition, the VTS will be allowed to grant extensions for extenuating circumstances. The Coast Guard is proposing to revise 33 CFR 110.197 to establish the 48-hour time limit in the Anchorage area (B). Given the limited anchorage space available, the anchorage will improve the safety of vessels operating, transiting, or anchored and moored in the vicinity, and provide for the overall safe and efficient flow of vessel traffic and commerce in the area.

The legal basis and authorities for this notice of proposed rulemaking are found in 33 U.S.C. 471 which authorizes the Coast Guard to propose, establish, and define regulatory anchorages.

III. Discussion of Proposed Rule

The Commander of the Coast Guard Eighth District is proposing to establish a 48-hour anchorage time limit in the Galveston Harbor Bolivar Roads Anchorage area (B). This 48-hour

restriction currently applies to the Galveston Harbor Bolivar Roads Anchorage areas (A) and (C). The proposed regulation would revise 33 CFR 110.197(b)(2), to include Anchorage area (B). The local Coast Guard VTS will monitor the anchorage and adhere to existing language within the regulation. The proposed regulatory text appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This NPRM has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the anchorage duration of vessels in a previously established anchorage ground. This regulation will have a positive impact on vessel traffic of the waterway, increasing the efficiency of the limited inshore anchorage space for Houston and Galveston.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

The number of small entities impacted and the extent of the impact, if any, is expected to be minimal. The anchorage area is located in an area of Bolivar Roads that is not a popular or productive fishing location. Further, the location is in an area not routinely transited by vessels heading to, or returning from, known fishing grounds. Finally, the anchorage is located in an area that is not currently used by small entities, including small vessels, for anchoring due to the depth of water naturally present in the area.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01 and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves establishing a 48-hour anchor time limit in the Galveston Harbor Bolivar Roads Anchorage area B. Normally such actions are categorically excluded from further review under paragraph L59(b) in Table 3–1 of U.S. Coast Guard Environmental Planning Implementing Procedures 5090.1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at *https://*

www.regulations.gov. If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and the docket, visit *https://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 *https://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 110

Anchorage Grounds.

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

■ 1. The authority citation for part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2071; 46 U.S.C. 70034; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 110.197 paragraph (b)(2) to read as follows:

§ 110.197 Galveston Harbor, Bolivar Roads Channel, Texas.

* * * * *

(b) * * *

(2) Except when stress of weather makes sailing impractical or hazardous, vessels shall not anchor in anchorage areas (A), (B), or (C) for more than 48 hours unless expressly authorized by the Captain of the Port Houston-Galveston. Permission to anchor for longer periods may be obtained through Coast Guard Vessel Traffic Service Houston/Galveston on VHF–FM channels 12 (156.60 MHz) or 13 (156.65 MHz).

* * * * *

Dated: January 3, 2020.

John P. Nadeau,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 2020–01347 Filed 1–27–20; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2019–0710; FRL–10004–71–Region 10]

Approval and Promulgation of Implementation Plans; Washington; Puget Sound Clean Air Agency, Regulation I

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Washington State Implementation Plan (SIP) that were submitted by the Washington Department of Ecology (Ecology) in coordination with the Puget Sound Clean Air Agency (PSCAA). This proposed revision would update certain PSCAA regulations currently in the SIP, remove obsolete regulations, and approve a subset of updated Ecology regulations to apply in PSCAA's jurisdiction.

DATES: Written comments must be received on or before February 27, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2019–0710 at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Jeff Hunt, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at (206) 553–0256, or *hunt.jeff@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, it is intended to refer to the EPA. This **SUPPLEMENTARY INFORMATION** section is arranged as follows:

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VI. Statutory and Executive Order Reviews

I. Background for Proposed Action

On January 27, 2014, Ecology submitted revisions to update the general air quality regulations contained in Chapter 173–400 Washington Administrative Code (WAC), which the EPA approved in three phases on October 3, 2014 (79 FR 59653), November 7, 2014 (79 FR 66291), and April 29, 2015 (80 FR 23721).[1] Under the revised applicability provisions of WAC 173–400–020 approved into the SIP on October 3, 2014, the regulations contained in Chapter 173–400 WAC apply statewide, ''. . . except for specific subsections where a local authority has adopted and implemented corresponding local rules that apply only to sources subject to local jurisdiction as provided under Revised Code of Washington (RCW) 70.94.141 and 70.94.331.''[2] Therefore, the EPA's approval of Ecology's January 2014 submittal applies only to geographic areas and source categories under Ecology's direct jurisdiction. We stated that we would address the revised Chapter 173–400 WAC regulations as they apply to local clean air agency jurisdictions on a case-by-case basis in separate, future actions. On December 20, 2019, the Director of Ecology, as the Governor's designee for SIP revisions, submitted a request to update the air

[1] In subsequent actions on September 29, 2016 (81 FR 66823) and October 6, 2016 (81 FR 69385) we made minor corrections to our previous approval of Chapter 173–400 WAC and approved revised WAC provisions that incorporated by reference the most recent changes to the federal regulations.

[2] For a more detailed discussion see page 39352 of the EPA's proposed approval of WAC 173–400–020 (79 FR 39351, July 10, 2014).

quality regulations in the SIP as they apply to PSCAA's jurisdiction in 40 CFR 52.2470(c), Table 7—*Additional Regulations Approved for the Puget Sound Clean Air Agency (PSCAA) Jurisdiction.* PSCAA's jurisdiction consists of King, Kitsap, Pierce, and Snohomish counties, excluding certain facilities discussed in section IV.D. *Scope of Proposed Action.* PSCAA's jurisdiction also excludes Indian reservation land or any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction (except non-trust land within the exterior boundaries of the Puyallup Indian Reservation, as described in section IV.D. *Scope of Proposed Action*).

Appendix A of the SIP revision shows how the submitted regulatory updates would apply to PSCAA's jurisdiction. These revisions can be summarized in three general categories, which are discussed in more detail in sections II and III. The first category consists of updates to the PSCAA Regulation I provisions currently in the SIP. These updated provisions apply in lieu of, or serve as a supplement to, the statewide Chapter 173–400 WAC provisions, as shown in Table 1. The second category consists of those parts of Chapter 173–400 WAC incorporated by reference in Regulation I. The EPA's proposed approval of the Chapter 173–400 WAC provisions incorporated by reference in Regulation I would be subject to the same exceptions that apply to Ecology's direct jurisdiction, as shown in Table 2. For example, as part of the January 2014 submittal of Chapter 173–400 WAC, Ecology did not submit for approval those provisions related to the regulation of toxic air pollutants, because such provisions are outside the scope of SIPs under Clean Air Act (CAA) section 110. The last category consists of certain parts of Chapter 173–400 WAC which do not have a direct corollary under PSCAA Regulation I, nor are they incorporated by reference in Regulation I. In these cases, Ecology and PSCAA requested that the EPA revise the SIP to include the most recently approved updates to Chapter 173–400 WAC to apply in PSCAA's jurisdiction, as shown in Table 3.

II. Changes to PSCAA Regulation I

The EPA last approved updates to PSCAA Regulation I on September 17, 2013 (78 FR 57073); however, many of the SIP-approved provisions relating to pre-construction permitting of new and modified stationary sources (called the new source review or NSR permitting program) date back to the 1990s.[3] PSCAA's updates to Regulation I are documented in the Washington State Register (WSR) entries included in the docket for this action. Each WSR gives a redline/strikeout of changes to the regulations, with a brief summary describing the purpose of the changes. Additional information can also be found in the proposed WSR actions.[4] The majority of changes over the years were routine in nature, such as revising the regulations to account for inflation, incorporating revised federal regulations, or generally revising the regulatory language for clarity. The EPA's complete line by line review of changes to the PSCAA regulations is included in the docket for this action, and will not be described in detail here.[5] The three most significant changes to PSCAA Regulation I are discussed below.

A. WSR 04–08–017—Incorporation by Reference of Chapter 173–400 WAC

On March 25, 2004 (WSR 04–08–017), PSCAA made a major overhaul of Regulation I in order to rely on the statewide NSR permitting program requirements contained in Chapter 173–400 WAC promulgated by Ecology. PSCAA's stated purpose was, ''To create a more consistent notice of construction process throughout the state of Washington and to facilitate the United States Environmental Protection Agency's approval of the state implementation plan.'' PSCAA created a new section 6.01 ''Components of a New Source Review Program'' which generally incorporates by reference the NSR permitting provisions contained in Chapter 173–400 WAC, as shown in Table 2. PSCAA also revised or repealed sections of Regulation I that were duplicative of the WAC and therefore obsolete.[6] This included deleting most of the NSR-related definitions in Regulation I, section 1.07 in order to rely on the definitions incorporated by reference in WAC 173–400–030. PSCAA also repealed sections 6.06 ''Public Notice,'' 6.07 ''Order of Approval—Order to Prevent Construction,'' and 6.08 ''Emission Reduction Credit Banking'' to rely on the corollaries in the WAC, including WAC 173–400–171 ''Public notice and opportunity for public comment,'' WAC 173–400–111 ''Processing notice of construction applications for sources, stationary sources and portable sources,'' WAC 173–400–131 ''Issuance of emission reduction credits,'' WAC 173–400–136 ''Use of emission reduction credits (ERC),'' and WAC 173–400–840 ''Emission offset requirements.'' Lastly, PSCAA made minor updates to the cross references in Regulation I, sections 3.04, 6.03, 6.09, 9.03, 9.04, 9.08, and 12.03 to reflect the revised regulatory structure.

WAC 173–400–700 through 173–400–750 implement the Prevention of Significant Deterioration (PSD) new source review permitting program for major stationary sources in attainment and unclassifiable areas. Regulation I, section 6.01 incorporates by reference WAC 173–400–700 through 173–400–750, but clearly states that only Ecology and EFSEC have authority to issue permits under WAC 173–400–700 through 173–400–750 within PSCAA's geographic area. PSCAA has advised EPA that it incorporates by reference WAC 173–400–700 through 173–400–750 for purposes such as working on permit coordination with Ecology, enforcing existing PSD permit conditions not yet incorporated into Title V permits, and determining violations for inspected facilities that failed to obtain the necessary PSD permits. Therefore, PSCAA is not requesting, and the EPA is not proposing to approve, the authority to issue PSD permits under WAC 173–400–700 through 173–400–750 for PSCAA's direct permitting jurisdiction (Table 7). The EPA will retain our current approval of WAC 173–400–700 through 173–400–750 in the SIP under Ecology and EFSEC direct permitting jurisdiction (see 40 CFR 52.2470(c), Tables 2 and 3), which will continue to apply within PSCAA's geographic area.

PSCAA also incorporates by reference WAC 173–400–800 through 173–400–860, which implement the new source review permitting program for major stationary sources in nonattainment areas (major nonattainment NSR). The EPA approved WAC 173–400–800 through 173–400–860 for Ecology's direct permitting jurisdiction on November 7, 2014 (79 FR 59653), with minor revisions to reflect updated federal citations on October 6, 2016 (81 FR 69385). In connection with our November 7, 2014 approval, we reviewed WAC 173–400–800 through 173–400–860 pursuant to the federal

[3] See 59 FR 44324 (August 29, 1994), 60 FR 33734 (June 29, 1995), 62 FR 42216 (August 6, 1997), and 63 FR 19658 (April 21, 1998).

[4] *http://lawfilesext.leg.wa.gov/law/wsr/agency/PugetSoundCleanAirAgency.htm.*

[5] See ''Puget Sound comparison_IBR_old vs current.pdf'' and ''Puget Sound comparison_not IBR_old vs. current.pdf'' included in the docket.

[6] WAC 173–400–110(1)(c)(ii), which PSCAA has not adopted, makes clear that the term ''new source'' includes a modification to an existing source. However, PSCAA has adopted Ecology's definition of ''new source'' in WAC 173–400–030(56). WAC 173–400–030(56) specifically defines a ''new source'' as including ''modifications.'' Thus, there is no substantive difference between PSCAA's and Ecology's NSR rules in this respect.

regulatory requirements in existence at that time and discussed the fact that the EPA's 2008 $PM_{2.5}$ New Source Review Rule (73 FR 28321, May 16, 2008), had been remanded to the EPA by the U.S. Court of Appeals for the District of Columbia Circuit. See 79 FR 43345, 43347 (July 25, 2014) (proposed action); 79 FR 59653 (final action). EPA's 2008 $PM_{2.5}$ New Source Review Rule has since been replaced by a revised implementation rule published August 24, 2016, which imposed additional NSR requirements for $PM_{2.5}$ nonattainment areas (81 FR 58010). Because there are currently no nonattainment areas within PSCAA's jurisdiction or Washington State for any criteria pollutant, including $PM_{2.5}$, the EPA did not review PSCAA's incorporation by reference of WAC 173–400–800 through 173–400–860 for consistency with the newly revised $PM_{2.5}$ implementation rule; nor does Ecology or PSCAA have an obligation to submit rule revisions to address the 2016 $PM_{2.5}$ implementation rule at this time. However, we note that the federal major nonattainment NSR requirements remain unchanged for all other criteria pollutants since our review and approval of WAC 173–400–800 through 173–400–860. We are therefore proposing to approve of PSCAA's incorporation by reference of WAC 173–400–800 through 173–400–860 as meeting the current major nonattainment NSR requirements for all criteria pollutants except $PM_{2.5}$.

B. WSR 01–16–034—''Trivial'' Emissions Source Categories

Effective June 6, 1996, the Washington Legislature amended the Washington Clean Air Act (Revised Code of Washington 70.94), requiring Ecology to establish NSR permitting exemptions based on category, size, or emissions thresholds representing ''. . . trivial levels of emissions that do not pose a threat to human health or the environment.'' Ecology implemented this statutory change by establishing emission unit and activity exemptions under WAC 173–400–110(4), and exemptions based on emissions thresholds under WAC 173–400–110(5). The EPA approved these changes on April 29, 2015 (80 FR 23721).[7]

Unlike Ecology, PSCAA already had ''trivial'' emissions source category exemptions for minor NSR permitting approved as part of the SIP under Regulation I, section 6.03 (62 FR 42216, August 6, 1997). Therefore, PSCAA opted to retain its existing minor NSR source category exemptions rather than incorporate by reference WAC 173–400–110(4) and (5). While there have been numerous updates to PSCAA's source category exemptions list since the EPA's last approval, the most significant revision occurred on July 12, 2001 (WSR 01–16–034). After a review of approximately 485 emission units permitted during calendar year 2000, PSCAA revised the list of source category exemptions to better focus on the most environmentally relevant source categories. As described in the supporting documents for PSCAA's rulemaking at that time, approximately one third of the units permitted in 2000 were gas stations, dry cleaners, or concrete batch plants which are already subject to Best Available Control Technology (BACT) requirements in other regulations approved into the SIP, such as Regulation II, section 2.07 ''Gasoline Stations,'' which significantly reduce potential emissions from such source categories to levels expected to be inconsequential to attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). Other minor NSR source category exemptions were derived from exemptions approved into the SIP for the South Coast Air Quality Management District (SCAQMD) and Bay Area Air Quality Management District (BAAQMD). ''Engineering Notes for Exemption List Development,'' included in the docket for this action, shows the process used by PSCAA in 2001 to update the set of minor NSR source category exemptions. Following 2001, PSCAA continued to update the set of minor NSR source category exemptions based on its evaluation and experience permitting certain source categories, including the 2012 establishment of stand-alone performance standards for rock crushing in section 9.18 that reduce potential emissions to levels expected to be inconsequential for attainment and maintenance of the NAAQS.[8] For more detail on the EPA's review of PSCAA's revised minor NSR source category exemption list, please see ''Puget Sound comparison IBR old vs current'' included in the docket for this action. Based on our review, the EPA is proposing to approve PSCAA's updated minor NSR source category exemption list based on our determination that the impact of emissions from such sources is inconsequential to attainment and maintenance of the NAAQS. We are also proposing to approve PSCAA's request to apply Regulation I, section 6.03 to act in lieu of those parts of WAC 173–400–110 for determining NSR applicability for PSCAA's permitting jurisdiction.

We note that our prior approval of section 6.03 included a broad director's discretion provision that allowed a minor NSR exemption for, ''Any source that has been determined through review by the Control Officer not to warrant a 'Notice of Construction and Application for Approval', due to the minimal amount and nature of air contaminants produced and potential to contribute to air pollution, with special reference to effects on health, economic and social factors, and physical effects on property.'' See 62 FR 42216, August 6, 1997. This provision, formerly in subsection (b)(17), is now in subsection (b)(10). It is the EPA's longstanding position that these types of broad director discretion provisions are not appropriate for approval into the SIP. See 69 FR 17368, 17370 (April 2, 2004); see also 80 FR 33840, 33917–33918 (June 12, 2015). PSCAA and Ecology are not seeking approval of section 6.03(b)(10) and we are proposing to correct this error from our August 1997 action. Section 110(k)(6) of the CAA authorizes EPA, upon a determination that EPA's action approving, disapproving or promulgating any SIP or plan revision (or any part thereof) was in error, to revise such action as appropriate in the same manner as the approval, disapproval or promulgation. In making such a correction, EPA must provide such determination and the basis therefore to the State and the public. EPA is by this proposal notifying the PSCAA, Ecology and the public that EPA is removing Section 6.03(b)(17) from the SIP and from incorporation by reference into federal law.

Lastly, we note that Article 6 in particular, but also other sections of PSCAA's regulations, reference the Code of Federal Regulations (CFR). For all references to the CFR in the PSCAA rules proposed for approval, not otherwise specified with an effective date, our proposed approval refers to the CFR with an effective date of July 1, 2019. This date corresponds to PSCAA's last incorporation by reference of the CFR in Regulation 1, section 3.25.[9]

[7] For a more detailed discussion please see page 39354 of our July 10, 2014 proposed rulemaking (79 FR 39351).

[8] See ''January 19 2018 e-Hunt SIP Support w attachments'' included in the docket.

[9] As part of PSCAA's adoption by reference of the WAC in section 6.01, PSCAA explicitly did not adopt by reference WAC 173–400–025 *Adoption of Federal Rules* in order to avoid conflicting with section 3.25. Therefore, for this proposed approval references to ''in effect on the date in WAC 173–400–025'' as part of the PSCAA's adoption by reference of the WAC shall be July 1, 2019, consistent with section 3.25.

C. WSR 12–01–067—Federally Enforceable Regulatory Orders

On December 15, 2015 (WSR 12–01–067), PSCAA added section 3.03(f) to Regulation I, which states, ''When an applicant requests a federally enforceable regulatory order to limit the potential to emit any air contaminant or contaminants pursuant to WAC 173–400–091, or requests a modification to such an order, the Control Officer or a duly authorized representative may issue such order consistent with the requirements of WAC 173–400–091 and 173–400–171 and Section 3.03(e) above. Regulatory orders issued pursuant to this section are effective the day the Control Officer or representative approves the order and may be appealed to the Pollution Control Hearings Board pursuant to Section 3.17 of Regulation I and RCW 43.21B.310.'' We are proposing to approve this provision into the SIP because it implements authorities already approved or proposed for approval in the SIP and is consistent with CAA requirements.

III. Application of WAC 173–400–020

As previously discussed, a local clean air agency generally has the authority under WAC 173–400–020 to establish local regulations to supplement, or act in lieu of, the statewide Chapter 173–400 WAC provisions for sources within its jurisdiction. This approach is consistent with our previous SIP actions for Benton Clean Air Agency (80 FR 71695, November 17, 2015) and Southwest Clean Air Agency (82 FR 17136, April 10, 2017). Specifically, as part of the December 20, 2019 submittal, PSCAA and Ecology requested that the EPA approve: Regulation I, section 1.01 ''Policy'' to replace WAC 173–400–010; section 3.04 ''Reasonably Available Control Technology'' to replace the corresponding provision in WAC 173–400–040(1)(c); section 3.25 ''Federal Regulations Reference Date'' to replace WAC 173–400–025; section 9.03 ''Emission of Air Contaminant: Visual Standard'' to replace WAC 173–400–040(2); section 9.07 ''Sulfur Dioxide Emission Standard'' to replace WAC 173–400–040(7); section 9.09 ''Particulate Matter Emission Standards'' to replace WAC 173–400–050 and 173–400–060; section 9.11(a) ''Emission of Air Contaminant: Detriment to Person or Property'' to replace WAC 173–400–040(6); section 9.13 ''Emission of Air Contaminant: Concealment and Masking Restricted'' to replace WAC 173–400–040(8); section 9.15 ''Fugitive Dust Control Measures'' to replace WAC 173–400–040(9)(a); and section 12.03 ''Continuous Emission Monitoring Systems'' to replace WAC 173–400–105(7).

We have completed a side by side comparison of the respective provisions and are proposing to approve these Regulation I provisions to apply in lieu of the corresponding Chapter 173–400 WAC provisions in the SIP.[10] In addition, as discussed above regarding minor NSR source category exemptions, we are proposing to approve section 6.03 ''Notice of Construction'' to apply in lieu of those parts of WAC 173–400–110 ''New source review (NSR) for sources and portable sources'' for determining NSR applicability and Notice of Construction application procedures.[11]

Lastly, for those parts of Chapter 173–400 WAC not already incorporated by reference in section 6.01, or replaced by the corresponding Regulation I provisions discussed above, PSCAA and Ecology requested that the EPA approve into the SIP for PSCAA's jurisdiction the most recently updated versions of Chapter 173–400 WAC, with certain exceptions as shown in Table 3. For example, WAC 173–400–116 ''Increment Protection'' is part of the PSD program for permits issued directly by Ecology or EFSEC and, as discussed above, PSCAA does not issue such permits. PSCAA also did not request approval for WAC 173–400–036 ''Relocation of Portable Sources'' because this is an optional State provision that a local clean air agency may adopt if it so chooses, but is not required to adopt.

IV. The EPA's Proposed Action

A. Regulations To Approve and Incorporate by Reference Into the SIP

The EPA is proposing to approve and incorporate by reference into the Washington SIP at 40 CFR 52.2470(c)—*Table 7—Additional Regulations Approved for the Puget Sound Clean Air Agency (PSCAA) Jurisdiction,* the PSCAA and Ecology regulations listed in Tables 1, 2, and 3 below for sources within PSCAA's jurisdiction. We note that some of the Regulation I provisions listed below remain unchanged since our previous approval. We are proposing to approve them as shown in Table 1, however, to act in lieu of the corresponding Chapter 173–400 WAC provisions.

TABLE 1—PUGET SOUND CLEAN AIR AGENCY (PSCAA) REGULATIONS FOR PROPOSED APPROVAL AND INCORPORATION BY REFERENCE

State/local citation	Title/subject	State/local effective date	Explanation
	Regulation I		
1.01	Policy	11/01/99	Replaces WAC 173–400–010.
1.07	Definitions	12/01/18	Except the definition "toxic air pollutant (TAP) or toxic air contaminant."
3.03(f)	General Regulatory Orders	02/01/12	
3.04	Reasonably Available Control Technology.	07/01/12	Except 3.04(e). Replaces WAC 173–400–040(1)(c).
3.25	Federal Regulation Reference Date	11/01/19	Replaces WAC 173–400–025.
5.03	Applicability of Registration Program.	11/01/16	Except 5.03(a)(8)(Q) and 5.03(b)(5).
5.05	Registration Requirements	02/01/17	Except 5.05(b)(1) and (2).
6.01	Components of New Source Review Program.	05/01/13	Except the parenthetical in 6.01(b) which states "as delegated by agreement with the US Environmental Protection Agency, Region 10." See table below for revised Chapter 173–400 WAC provisions incorporated by reference.

[10] See ''PSCAA v WAC cross walk'' included in the docket for this action.

[11] PSCAA continues to incorporate WAC 173–400–110(1)(c)(i) and WAC 173–400–110(1)(d) by reference. All other provisions are replaced by PSCAA Regulation I, section 6.03 provisions.

TABLE 1—PUGET SOUND CLEAN AIR AGENCY (PSCAA) REGULATIONS FOR PROPOSED APPROVAL AND INCORPORATION BY REFERENCE—Continued

State/local citation	Title/subject	State/local effective date	Explanation
6.03	Notice of Construction	11/01/15	Except 6.03(b)(10). Section 6.03 replaces WAC 173–400–110, except WAC 173–400–110(1)(c)(i) and (1)(d) which are incorporated by reference.
6.09	Notice of Completion	05/01/04	
6.10	Work Done Without an Approval	09/01/01	
7.09	General Reporting Requirements for Operating Permits.	02/01/17	Excluding toxic air pollutants.
9.03	Emission of Air Contaminant: Visual Standard.	05/01/04	Except 9.03(e). Replaces WAC 173–400–040(2).
9.04	Opacity Standards for Equipment with Continuous Opacity Monitoring Systems.	05/01/04	Except 9.04(d)(2) and 9.04(f).
9.07	Sulfur Dioxide Emission Standard	05/19/94	Replaces WAC 173–400–040(7).
9.08	Fuel Oil Standards	05/01/04	Approved only as it applies to the regulation of criteria pollutants.
9.09	Particulate Matter Emission Standards.	06/01/98	Replaces WAC 173–400–050(1) & (3) and 173–400–060.
9.11(a)	Emission of Air Contaminant: Detriment to Person or Property.	04/17/99	Replaces WAC 173–400–040(6).
9.13	Emission of Air Contaminant: Concealment and Masking Restricted.	06/09/88	Replaces WAC 173–400–040(8).
9.15	Fugitive Dust Control Measures	04/17/99	Replaces WAC 173–400–040(9)(a).
9.16	Spray-Coating Operations	12/02/10	
9.18	Crushing Operations	03/02/12	
12.03	Continuous Emission Monitoring Systems.	11/01/15	Replaces WAC 173–400–105(7).

We are also proposing to approve PSCAA's incorporation by reference of certain Chapter 173–400 WAC provisions, subject to the exceptions listed in Table 2. We note that these exceptions, primarily relating to the regulation of toxic air pollutants, are consistent with our prior approvals of Chapter 173–400 WAC for Ecology's direct permitting jurisdiction.

TABLE 2—WASHINGTON DEPARTMENT OF ECOLOGY REGULATIONS INCORPORATED BY REFERENCE IN PSCAA REGULATION I

State/local citation	Title/subject	State/local effective date	Explanation
Chapter 173–400 WAC, General Regulations for Air Pollution Sources			
173–400–030	Definitions	12/29/12	Except: 173–400–030(91).
173–400–081	Startup and shutdown	04/01/11	
173–400–110	New source review (NSR) for sources and portable sources.	12/29/12	173–400–110(1)(c)(i) and 173–400–110(1)(d) only.
173–400–111	Processing notice of construction applications for sources, stationary sources and portable sources.	07/01/16	Except: 173–400–111(3)(h);—The part of 173–400–111(8)(a)(v) that says, "and 173–460–040,"; 173–400–111(9).
173–400–112	Requirements for new sources in nonattainment areas.	12/29/12	
173–400–113	Requirements for new sources in attainment or unclassifiable areas.	12/29/12	Except: 173–400–113(3), second sentence.
173–400–117	Special protection requirements for federal Class I areas.	12/29/12	
173–400–171	Public Notice and Opportunity for Public Comment.	07/01/16	Except:—The part of 173–400–171(3)(b) that says, "or any increase in emissions of a toxic air pollutant above the acceptable source impact level for that toxic air pollutant as regulated under chapter 173–460 WAC"; 173–400–171(12).
173–400–200	Creditable stack height and dispersion techniques.	02/10/05	
173–400–560	General order of approval	12/29/12	Except:—The part of 173–400–560(1)(f) that says, "173–460 WAC".
173–400–800	Major stationary source and major modification in a nonattainment area.	4/01/11	EPA did not review WAC 173–400–800 through 860 for consistency with the August 24, 2016 $PM_{2.5}$ implementation rule (81 FR 58010); nor does PSCAA have an obligation to submit rule revisions to address the 2016 $PM_{2.5}$ implementation rule at this time.

TABLE 2—WASHINGTON DEPARTMENT OF ECOLOGY REGULATIONS INCORPORATED BY REFERENCE IN PSCAA REGULATION I—Continued

State/local citation	Title/subject	State/local effective date	Explanation
173–400–810	Major stationary source and major modification definitions.	07/01/16	
173–400–820	Determining if a new stationary source or modification to a stationary source is subject to these requirements.	12/29/12	
173–400–830	Permitting requirements	07/01/16	
173–400–840	Emission offset requirements	07/01/16	
173–400–850	Actual emissions plantwide applicability limitation (PAL).	07/01/16	
173–400–860	Public involvement procedures	4/01/11	

Table 3 shows the updated Chapter 173–400 WAC provisions that PSCAA and Ecology requested to apply within the SIP for PSCAA's jurisdiction. We note that many of the exclusions are identical to the exclusions for Ecology's direct jurisdiction; however, Table 3 also excludes those parts of the WAC explicitly replaced by the Regulation 1 provisions in Table 1. We also note that PSCAA and Ecology did not submit Chapter 173–400 WAC provisions that remain unchanged since our last approval (60 FR 28726, June 2, 1995) or recently revised WAC updates that have not yet been approved for Ecology's direct jurisdiction.

TABLE 3—WASHINGTON DEPARTMENT OF ECOLOGY REGULATIONS FOR PROPOSED APPROVAL AND INCORPORATION BY REFERENCE

State/local citation	Title/subject	State/local effective date	Explanation
Chapter 173–400 WAC, General Regulations for Air Pollution Sources			
173–400–020	Applicability	12/29/12	
173–400–040	General Standards for Maximum Emissions.	09/16/18	173–400–040(1)(a) & (b), 173–400–040(4); and 173–400–040(9)(b) only.
173–400–091	Voluntary Limits on Emissions	4/1/11	9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See 60 FR 28726 (June 2, 1995).
173–400–105	Records, Monitoring and Reporting	09/16/18	Except: 173–400–105(7).
173–400–118	Designation of Class I, II, and III Areas.	12/29/12	
173–400–131	Issuance of Emission Reduction Credits.	04/1/11	
173–400–136	Use of Emission Reduction Credits (ERC).	12/29/12	
173–400–151	Retrofit Requirements for Visibility Protection.	2/10/05	
173–400–175	Public Information	2/10/05	

B. Approved But Not Incorporated by Reference Regulations

In addition to the regulations proposed for approval and incorporation by reference above, the EPA reviews and approves state and local clean air agency submissions to ensure they provide adequate enforcement authority and other general authority to implement and enforce the SIP. However, regulations describing such agency enforcement and other general authority are generally not incorporated by reference so as to avoid potential conflict with the EPA's independent authorities. On August 31, 2004, the EPA reviewed and approved Regulation I, sections 3.01, 3.05, 3.09, 3.13, 3.15, 3.17, 3.19, and 3.21 as providing PSCAA adequate enforcement and other general authority for purposes of implementing and enforcing its SIP but did not incorporate these provisions by reference (69 FR 53007). While these provisions remain unchanged since our last review and approval, we are proposing to include these sections in 40 CFR 52.2470(e), *EPA Approved Nonregulatory Provisions and Quasi-Regulatory Measures,* as approved but not incorporated by reference regulatory provisions. We also note that effective May 1, 2006, PSCAA made a minor update to section 3.07 since our last approval. A redline/strikeout of the changes is detailed in WSR 06–08–031 included in the docket for this action. Lastly, PSCAA updates Regulation 1, section 3.11 annually to adjust civil penalties for inflation. We are proposing to approve, but not incorporate by reference, the updated version of section 3.11, effective November 1, 2019.

C. Regulations To Remove From the SIP

PSCAA and Ecology's December 20, 2019 submittal included a request to remove several obsolete provisions from the SIP and to remove other provisions that are not required SIP elements under CAA section 110. As previously discussed in section II, PSCAA

eliminated Regulation I, sections 6.06 ''Public Notice,'' 6.07 ''Order of Approval—Order to Prevent Construction,'' and 6.08 ''Emission Reduction Credit Banking'' in order to rely on the statewide Chapter 173–400 WAC provisions. PSCAA also requested that the EPA remove from the SIP section 5.02 ''Applicability and Purpose of the Registration Program,'' which was repealed in 2004 because revised versions of sections 5.03 and 5.05 subsumed the substantive provisions formerly in section 5.02. The revised versions of 5.03 and 5.05 are proposed for approval into the SIP. We are removing the former provisions of section 6.03(b)(17) [subsequently renumbered to (b)(10)] because this broad, discretionary provision is not appropriate for approval into the SIP, as described above.

Under section 110(a)(2)(L) of the CAA, the State, or local agencies acting in lieu of the State, must demonstrate the ability to collect adequate fees for permitting major sources. PSCAA is therefore submitting section 6.04 ''Notice of Construction Fees'' to demonstrate adequate fee authority to implement the major source nonattainment NSR program under WAC 173–400–800 through 173–400–860, as incorporated by reference. While the EPA reviews these submissions to confirm adequate authority, the EPA generally does not include local or state agency fees as part of the Washington SIP incorporated by reference in 40 CFR 52.2470(c). We are therefore proposing to correct an error from our previous approval on April 21, 1998, when the fee provisions of section 6.04 were inadvertently incorporated by reference (63 FR 19658).

Lastly, as described above regarding the applicability of WAC 173–400–020, we are removing outdated WAC provisions from our previous June 2, 1995 approval and replacing them with the updated versions of the WAC shown in Table 3 or the appropriate PSCAA corollaries as shown in Table 1.

D. Scope of Proposed Action

This proposed revision to the SIP applies specifically to the PSCAA jurisdiction incorporated into the SIP at 40 CFR 52.2470(c)—Table 7. As discussed in our October 3, 2014 action, local air agency jurisdiction in Washington is generally defined on a geographic basis; however, there are exceptions (79 FR 59653, at page 59654). By statute, PSCAA does not have authority for sources under the jurisdiction of the Energy Facility Site Evaluation Council (EFSEC). See Revised Code of Washington Chapter 80.50. Under the applicability provisions of WAC 173–405–012, 173–410–012, and 173–415–012, PSCAA also does not have jurisdiction for kraft pulp mills, sulfite pulping mills, and primary aluminum plants. For these sources, Ecology retains statewide, direct jurisdiction. Ecology and EFSEC also retain statewide, direct jurisdiction for issuing PSD permits. Therefore, the EPA is not approving into 40 CFR 52.2470(c)—Table 7 those provisions of Chapter 173–400 WAC related to the PSD program. Specifically, these provisions are WAC 173–400–116 and WAC 173–400–700 through 173–400–750, which the EPA has already approved as applying state-wide under 40 CFR 52.2470(c)—Tables 2 and 3.

As described in our April 29, 2015 action, jurisdiction to implement the visibility permitting program contained in WAC 173–400–117 varies depending on the situation. Ecology retains authority to implement WAC 173–400–117 as it relates to PSD permits. See 80 FR 23721. However, for facilities subject to major nonattainment NSR under the applicability provisions of WAC 173–400–800, incorporated by reference in Regulation I, we are proposing that PSCAA would be responsible for implementing those parts of WAC 173–400–117 as they relate to major nonattainment NSR permits. See 80 FR 23726. If finalized, the EPA is also proposing to modify the visibility protection Federal Implementation Plan contained in 40 CFR 52.2498 to reflect the approval of WAC 173–400–117 as it applies to implementation of the major nonattainment NSR program in PSCAA's jurisdiction.

Lastly, this SIP revision is not approved to apply on any Indian reservation land in Washington except as specifically noted below and is also not approved to apply in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Washington's SIP is approved to apply on non-trust land within the exterior boundaries of the Puyallup Indian Reservation, also known as the 1873 Survey Area. Under the Puyallup Tribe of Indians Settlement Act of 1989, 25 U.S.C. 1773, Congress explicitly provided state and local agencies in Washington authority over activities on non-trust lands within the 1873 Survey Area.

V. Incorporation by Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the regulations shown in the tables in section IV.A. *Regulations to Approve and Incorporate by Reference into the SIP* and the rules proposed for removal from the SIP in section IV.C. *Regulations to Remove from the SIP.* The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

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. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve 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 this action does not involve technical standards; and
- Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

As discussed above, the SIP is not approved to apply on any Indian reservation land in Washington, or any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation), as described in Section IV.D above. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Consistent with EPA policy, the EPA provided a consultation opportunity to the Puyallup Tribe in a letter dated October 18, 2019.

List of Subjects in 40 CFR Part 52

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

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

Dated: January 13, 2020.

Chris Hladick,

Regional Administrator, Region 10.

[FR Doc. 2020–01465 Filed 1–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2019–0423; FRL–10004–66–Region 9]

Air Plan Conditional Approval; Arizona; Maricopa County

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to conditionally approve revisions to the Maricopa County Air Quality Department (MCAQD or the ''County'') portion of the Arizona State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) from surface coating operations. We are proposing to conditionally approve a local rule to regulate these emission sources under the Clean Air Act (CAA or the ''Act'') and to conditionally approve the County's demonstration regarding Reasonably Available Control Technology requirements for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS) in the Phoenix-Mesa ozone nonattainment area, with respect to surface coating operations. We are taking comments on this proposal and plan to follow with a final action.

DATES: Any comments must arrive by February 27, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2019–0423 at *https://www.regulations.gov*. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets*.

FOR FURTHER INFORMATION CONTACT: Arnold Lazarus, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 972–3024 or by email at *lazarus.arnold@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to the EPA.

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I. The State's Submittal

A. What did the State submit?

Table 1 lists the documents addressed by this proposal with the dates that they were adopted by the local air agency and submitted by the Arizona Department of Environmental Quality (ADEQ or the ''State'').

TABLE 1—SUBMITTED DOCUMENTS

Local agency	Document	Revised	Submitted
MCAQD	Analysis of Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) State Implementation Plan (RACT SIP).	06/16/2017	06/22/2017
MCAQD	Rule 336: Surface Coating Operations	11/02/2016	06/22/2017

On December 22, 2017, the submittal containing the documents listed in Table 1 was deemed by operation of law to meet the completeness criteria in 40 CFR part 51 Appendix V, which must be met before formal EPA review. In addition to these SIP submittals, the County and the ADEQ transmitted a

commitment letter to EPA [1] [2] to adopt and submit specific enforceable measures within a year of our final action that would remedy the deficiencies identified in this notice and further described in the associated TSD for this action.

B. Are there other versions of these SIP revisions?

We approved an earlier version of Rule 336 listed in Table 1 into the SIP on September 20, 1999 (64 FR 50759). There is no previously approved version of the RACT SIP for the 2008 8-hour ozone standard in the MCAQD portion of the Arizona SIP. The ADEQ previously submitted the documents in Table 1 in a SIP revision on December 19, 2016, along with the County's RACT SIP. However, this submittal did not include documentation that showed the entirety of the County's SIP revision had met the public notice requirements required for completeness under 40 CFR part 51 Appendix V. The County's June 22, 2017 submittal was provided to address this issue, and the State withdrew the December 19, 2016 submittal on May 17, 2019.

C. What is the purpose of the SIP revisions?

Emissions of VOCs contribute to ground-level ozone, or smog, and particulate matter, which harm human health and the environment. Section 110(a) of the CAA requires states to submit regulations that control VOC emissions. Section 182(b)(2) requires that SIPs for ozone nonattainment areas classified as Moderate or above implement RACT for any source covered by a Control Techniques Guideline (CTG) document and for any major sources of VOCs. The MCAQD is subject to this requirement as it regulates a portion of the Phoenix-Mesa ozone nonattainment area, which is classified as Moderate for the 2008 8-hour ozone NAAQS (40 CFR 81.303). The rule and RACT SIP in Table 1 were submitted to control VOC emissions from CTG VOC source categories of surface coating operations.

Section III.D of the preamble to the EPA's final rule to implement the 2008 ozone NAAQS (80 FR 12264, March 6, 2015) discusses RACT requirements. It states in part that RACT SIPs must contain adopted RACT regulations; certifications where appropriate that existing provisions are RACT; and/or negative declarations that no sources in the nonattainment area are covered by a specific CTG.[3] It also provides that states must submit appropriate supporting information for their RACT submissions as described in the EPA's implementation rule for the 1997 ozone NAAQS. *See Id.* and 70 FR 71612, 71652 (November 29, 2005). The submitted RACT SIP and negative declarations provide MCAQD's analyses of its compliance with the CAA section 182 RACT requirements for the 2008 8-hour ozone NAAQS. The EPA's technical support document (TSD) has more information about the submitted rules and RACT SIP.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating these SIP revisions?

Rules in the SIP must be enforceable (see CAA section 110(a)(2)), must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)), and must not modify certain SIP control requirements in nonattainment areas without ensuring equivalent or greater emissions reductions (see CAA section 193).

Generally, SIP rules must require RACT for each category of sources covered by a CTG document as well as each major source of VOCs in ozone nonattainment areas classified as Moderate or above (see CAA section 182(b)(2)). The MCAQD regulates a portion of the Phoenix-Mesa ozone nonattainment area, which is classified as Moderate for the 2008 8-hr ozone NAAQS. 40 CFR 81.303. Therefore, these rules must implement RACT.

We are also evaluating the County's RACT SIP with respect to the source categories covered by the CTGs listed in numbers four through eleven below. Those CTG sources are regulated by Rule 336. Thus, our evaluation of the approvability of the MCAQD RACT SIP with respect to those CTG VOC source categories is dependent on the approvability of Rule 336. Guidance and policy documents that we used to evaluate enforceability, revision/relaxation and rule stringency requirements for the applicable criteria pollutants include the following:

1. ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498 (April 16, 1992); 57 FR 18070 (April 28, 1992).

2. ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).

3. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

4 ''Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks,'' EPA–450/2–77–008, May 1977.

5. ''Control of Volatile Organic Emissions from Existing Stationary Sources—Volume III: Surface Coating of Metal Furniture,'' EPA–450/2–77–032, December 1977.

6. ''Control of Volatile Organic Emissions from Existing Stationary Sources—Volume IV: Surface Coating of Large Appliances,'' EPA–450/2–77–034, December 1977.

7. ''Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VI: Surface Coating of Miscellaneous Metal Parts and Products,'' EPA–450/2–78–15, June 1978.

8. ''Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings,'' EPA–453/R–08–003, September 2008.

9. ''Control Techniques Guidelines for Metal Furniture Coatings,'' EPA–453/R–07–005 September 2007.

10. ''Control Techniques Guidelines for Paper, Film, and Foil Coatings,'' EPA–453/R–07–003, September 2007.

11. ''Control Techniques Guidelines for Large Appliance Coatings,'' (EPA 453/R–07–004, September 2007)

B. Do the SIP revisions meet the evaluation criteria?

Rule 336 applies to sources of VOC emissions from surface coating operations in the Phoenix-Mesa nonattainment area. Rule 336 is as stringent as the applicable CTGs, and has requirements for surface coating operations that are generally consistent with other local air district rules for these source categories and are largely consistent with the applicable CAA requirements. However, as identified below, the rule contains deficiencies that preclude full approval. In a letter dated January 28, 2019 and modified on December 5, 2019 (the ''commitment letter''), the County committed to revise those provisions in accordance with EPA guidance, and submit the revised rule within eleven months of a

[1] Letter dated January 28, 2019, from Philip A. McNeely, Director, Maricopa County Air Control Department, to Misael Cabrera, Director, Arizona Department of Environmental Quality.

[2] Letter dated May 17, 2019, from Misael Cabrera, Director, Arizona Department of Environmental Quality, to Michael Stoker, Region Administrator, EPA, Region IX.

[3] (80 FR 12278), March 6, 2015.

conditional approval.[4] On February 25, 2019, the ADEQ provided their own commitment to submit the County's revised rule to the EPA within one month after the County's action and request for SIP revision.[5] Because the commitments by the County would remedy the identified rule deficiencies, we propose to conditionally approve Rule 336 and the RACT SIP with respect to VOC sources covered by Rule 336. Summaries of the specific rule deficiencies and the County's commitments to address those deficiencies are included in the following sections. The EPA's TSD for Rule 336 provides further details on our evaluation for this conditional approval.

C. What are the rule deficiencies?

The following provisions of Rule 336 do not fully satisfy the requirements of section 110 and part D of title I of the Act and prevents full approval of Rule 336.

1. Section 300, Standards, Table 336–2 contains VOC content limits for the categories of End Sealing Compound: Food or Beverage, End Sealing Compound: Non Food, Sheet Basecoat (Interior and Exterior) and Overvarnish, Two Piece Can Interior Body Spray, Three Piece Can Interior Body Spray, Two Piece Can Exterior Base Coat Overvarnish, and Two Piece Can Exterior End (Spray or Roll Coat), which comply with the 1977 CTG, ''EPA–450/2–77–008, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics Automobiles and Light Duty Trucks,'' May 1977, but are generally significantly higher than the same limits in currently SIP-approved rules such as SCAQMD Rule 1125, Sacramento AQMD Rule 452, BAAQMD Rule 8–11, and SJVUAPCD Rule 4604. Because the lower limits have been achieved in other areas for some time, the limits in Rule 336 do not demonstrate current RACT.

2. Section 103.2 exempts Extreme Performance Coatings from the VOC limits when used on:

(a) Internal combustion engines components that are normally above 250 degrees Fahrenheit during use or

(b) items that are used at temperatures above 250 degrees Fahrenheit that are included under various NAICS codes for telecommunications equipment and are electronic products in space vehicles and/or are communications equipment.

The 2008 Miscellaneous Metal and Plastic Parts (MMPP), 2007 Metal Furniture, and 2007 Large Appliance CTGs do not exempt Extreme Performance Coatings. In addition, Rule 336, Tables 336–1, 336–3, 336–5 contain the appropriate VOC content limits for this category and are consistent with the CTGs.

3. Section 103.5.e exempts Tactical Military-Equipment coatings that are in a District-approved permit based on a demonstration that no compliant substitute exists. The rule does not define ''Tactical Military-Equipment'' and the 2008 MMPP CTG does not include this exemption.

4. Rule 336 is missing the VOC limits and categories for ''Motor Vehicle Materials'' as is found in Table 6 Motor Vehicle Materials VOC Content Limits of the MMPP CTG. Rule 336 Table 336–4 ''Coating Limits for Business Machines'' is missing the VOC limits and categories for Automotive/Transportation Coatings as is found in the MMPP CTG Table 4 for ''Automotive/Transportation and Business Machine Plastic Parts VOC Content Limits.'' The missing categories also do not appear in Maricopa Rule 345 Vehicle and Mobile Equipment Coating.

5. Section 300, Standards, Table 336–1 contains VOC limits for the category ''Other Metal Parts and Products: Includes Non-Adhesive Coating, Adhesive, Adhesive Primer, Beaded Sealant, and Caulking'' which does not comply with the 2008 CTG, ''EPA–453/R–08–003, Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings'' (MMPP) September 2008. Because the limits for General One Component and General Multi Component Coatings are lower in the CTG, the limits in Rule 336 do not meet the presumptive RACT standard established in the CTG.

6. Section 300, Standards Table 336–3 contains VOC limits for ''Flexible Plastic Parts and Products'' as well as ''Plastic Parts and Products That Are Not Defined as Flexible.'' These categories are not in the 2008 MMPP CTG and contain higher VOC limits than some of the existing categories in the CTG.

D. What are the commitments to remedy the deficiencies?

The County's commitment letter included the following specific and enforceable commitments, outlined below, to address the above deficiencies for Rule 336.

1. The MCAQD commits to lower the VOC limits for the following can coating materials: End sealing compound, sheet basecoat (interior and exterior) and overvarnish, two-piece can interior body spray, three-piece can interior body spray, two-piece can exterior base coat and overvarnish, and two-piece can exterior end spray or roll coat. The lower emission limits will be consistent with current RACT, based on a comparison of RACT rules in other nonattainment areas.

Proposed VOC Limits for Coating Cans and Coils in grams VOC per liter and pounds VOC per gallon:

Coating category	g VOC/l	lb VOC/gal
Can Coating:		
Can Printing Ink	300	2.5
End Sealing Compound	20	0.2
Sheet Basecoat (Exterior and Interior) and Overvarnish	250	2.1
Three-Piece Can Side-Seam Spray	660	5.5
Two and Three-Piece Can Interior Body Spray	440	3.7
Two-Piece Can Exterior (Basecoat and Overvarnish)	250	2.1
Two-Piece Can Exterior End (Spray or Roll Coat)	250	2.1
Coil Coating	310	2.6
Strippable Booth Coating (applies to both can and coil coating categories)	240	2.0

[4] Letter dated January 28, 2019, from Philip A. McNeely, Director, Maricopa County Air Control Department, to Misael Cabrera, Director, Arizona Department of Environmental Quality, and letter dated December 5, 2019, from Philip A. McNeely to Doris Lo, Manager, Rules Office, Air and Radiation Division, U.S. EPA Region IX.

[5] Letter dated May 17, 2019, from Misael Cabrera, Director, Arizona Department of Environmental Quality, to Michael Stoker, Region Administrator, EPA, Region IX.

2. The MCAQD commits to evaluate the exemption for extreme performance coatings. Following this evaluation, the MCAQD will either remove or constrain the exemption. If a narrower exemption for extreme performance coatings is included in the revised rule, the MCAQD will provide documentation justifying the exemption is RACT.

3. The MCAQD commits to evaluate the exemption for tactical military equipment coatings. Following this evaluation, the MCAQD will either remove the exemption or require EPA approval of non-compliant military specification coatings.

4. The MCAQD commits to evaluate the CTG categories for ''Motor Vehicle Materials'' and ''Automotive/Transportation Coatings.'' Following the evaluation of each category, the MCAQD will either submit a negative declaration for the category or incorporate RACT emission limits for the category.

5. The MCAQD commits to remove adhesives and adhesive primers from the ''Other Metal Parts and Products'' coating category in Table 336–1 (VOC Limits for Miscellaneous Metal Part and Product Coatings). The MCAQD also commits to lower the VOC limit for the ''Other Metal Parts and Products'' coating category to 340 grams VOC per liter (g/L) for air dried coatings and 280 g/L for baked coatings.

6. The MCAQD commits to remove the following coating categories from Table 336–3 (VOC Limits for Miscellaneous Plastic Part and Product Coatings):

- Flexible Plastic Parts and Products (Basecoat, Clearcoat, Color Topcoat, and Primer); and
- Plastic Parts and Products that are not Defined as Flexible.

E. EPA Recommendations To Further Improve the Rule

The TSD for Rule 336 describes additional rule revisions that we recommend for the next time the County modifies the rule.

F. Public Comment and Proposed Action

Rule 336 largely fulfills the relevant CAA § 110 and part D requirements, but the deficiencies, as discussed in section C, preclude full SIP approval pursuant to 110(k)(3) of the Act. Section 110(k)(4) authorizes the EPA to conditionally approve SIP revisions based on a commitment by the State to adopt specific enforceable measures by a date certain but not later than one year after the date of the plan approval. Because the MCAQD and the ADEQ have committed to provide the EPA with a SIP submission within one year of this final action that will include specific rule revisions that would adequately address the identified deficiencies, we are proposing to conditionally approve Rule 336 pursuant to section 110(k)(4) of the Act. We are also proposing to conditionally approve MCAQD's RACT demonstrations for the 2008 8-hr ozone NAAQS with respect to the VOC source categories covered by Rule 336. If the MCAQD and the ADEQ submit the required rule revisions by the specified deadline, and the EPA approves the submission, then the identified deficiencies will be cured. However, if these proposed conditional approvals are finalized, and MCAQD, through the ADEQ, fails to submit these revisions within the required timeframe, the conditional approval would be treated as a disapproval for those rules for which the revisions are not submitted (and the associated RACT SIP CTG source categories). We will accept comments from the public on this proposal until February 27, 2020. If we take final action to approve the submitted rules, our final action will incorporate these rules into the federally enforceable SIP.

III. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the MCAQD rules described in Table 1 of this preamble. The EPA has made, and will continue to make, these materials available through *https://www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www.epa.gov/laws-regulations/laws-and-executive-orders.*

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs

This action is not an Executive Order 13771 regulatory action because actions such as SIP approvals are exempted under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA, because this proposed SIP conditional approval, if finalized, will not in-and-of itself create any new information collection burdens, but will simply conditionally approve certain State requirements for inclusion in the SIP.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. This proposed SIP conditional approval, if finalized, will not in-and-of itself create any new requirements but will simply conditionally approve certain State requirements for inclusion in the SIP.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action proposes to conditionally approve pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

G. Executive Order 13175: Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175, because the SIP revisions that the EPA is proposing to conditionally approve would not apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and will not impose substantial direct costs on tribal governments or preempt tribal law. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because this proposed SIP conditional approval, if finalized, will not in-and-of itself create any new regulations, but will simply conditionally approve certain State requirements for inclusion in the SIP.

I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

Section 12(d) of the NTTAA directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. The EPA believes that this action is not subject to the requirements of section 12(d) of the NTTAA because application of those requirements would be inconsistent with the CAA.

K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Population

The EPA lacks the discretionary authority to address environmental justice in this rulemaking.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: January 13, 2020.

Deborah Jordan,

Acting Regional Administrator, Region IX.

[FR Doc. 2020–01466 Filed 1–27–20; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 76

[MB Docket No. 19–363; DA 19–1292]

Order Granting Extension of Time To File Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Adoption of order.

SUMMARY: In this document, the Media Bureau adopted an Order, granting a Motion for Extension of Time filed by the Campaign Legal Center, Sunlight Foundation, Common Cause, the Benton Institute for Broadband and Society and Issue One in MB Docket No. 19–363 (DA 19–1292).

DATES: Reply comments are due January 28, 2020.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Gary Schonman, *gary.schonman@fcc.gov,* of the Media Bureau, (202) 418–1795.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, DA 19–1292, which was released December 18, 2019. The full text of this document is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554. It also may be accessed online via the Commission's Electronic Comment Filing System at: *http://apps.fcc.gov/ecfs/.* The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5.U.S.C. because no rules are being adopted by the Commission. The Order adopted in this document extends the deadline for reply comments on the Petition for Reconsideration and Clarification filed by the National Association of Broadcasters, Hearst Television, Inc., Graham Media Group, Nexstar Broadcasting, Inc., Fox Corporation, Tegna, Inc. and The E.W. Scripps Company (Petition) by 15 days from January 13, 2020 to January 28, 2020. The deadline for comments on the Petition, which is December 30, 2019, is not changed by the Order.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 200115–0019]

RIN 0648–BJ13

Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 6 and the 2019–2021 Atlantic Herring Fishery Specifications

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

ACTION: Proposed rule; request for comments.

SUMMARY: We are proposing regulations to implement Framework Adjustment 6 to the Atlantic Herring Fishery Management Plan, including the 2019–2021 fishery specifications and management measures, as recommended by the New England Fishery Management Council. In addition, Framework 6 would update the overfished and overfishing definitions for the herring fishery and suspend the carryover of unharvested catch for 2020–2021. The specifications and management measures are intended to meet conservation objectives while providing sustainable levels of access to the fishery. We are also proposing updating and clarifying specific herring regulations.

DATES: Public comments must be received by February 12, 2020.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2019–0144, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2019-0144,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Michael Pentony, Regional Administrator, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, ''Comments on Atlantic Herring Framework 6.''

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by us. All comments received are a part of the public record

and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. We will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Copies of this action, including the Environmental Assessment and the Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) prepared in support of this action, are available at: *https://s3.amazonaws.com/nefmc.org/Herring-FW6-DRAFT-final-submission.pdf,* or from Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. The supporting documents are also accessible via the internet at: *https://www.regulations.gov/.*

FOR FURTHER INFORMATION CONTACT: Laura Hansen, Fishery Management Specialist, 978–281–9225.

SUPPLEMENTARY INFORMATION:

Background

Regulations implementing the Atlantic Herring Fishery Management Plan (FMP) for herring are located at 50 CFR part 648, subpart K. Regulations at § 648.200 require the Council to recommend herring specifications for NMFS' review and proposal in the **Federal Register**, including: The overfishing limit (OFL); acceptable biological catch (ABC); annual catch limit (ACL); optimum yield (OY); domestic annual harvest; domestic annual processing; U.S. at-sea processing; border transfer; the sub-ACL for each management area, including seasonal periods as specified at § 648.201(d) and modifications to sub-ACLs as specified at § 648.201(f); and research set-aside (RSA) (up to 3 percent of the sub-ACL from any management area) for up to 3 years. These regulations also allow the Council to recommend river herring and shad catch caps as part of the specifications.

Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), NMFS is required to publish proposed rules for comment after preliminarily determining whether they are consistent with applicable law. The MSA permits NMFS to approve, partially approve, or disapprove framework adjustment measures proposed by the Council based only on whether the measures are consistent with the fishery management plan, plan amendment, the MSA and its National Standards, and other applicable law. Otherwise, NMFS must defer to the Council's policy choices. Under the regulations guiding the herring specifications process, NMFS must review the Council's recommended specifications and publish notice proposing specifications, clearly noting the reasons for any differences from the Council's recommendations. NMFS is proposing and seeking comment on measures to implement Framework 6 as well as specifications and river herring/shad catch caps for the herring fishery, consistent with the Council's recommendations.

The Northeast Fisheries Science Center has updated its schedule for stock assessments, and will now hold herring assessments every 2 years, with the next scheduled for June 2020. Accordingly, the Council and NMFS now plan to develop specifications every two years for the upcoming three-year cycle. For example, the Council and NMFS will develop herring specifications in the summer/fall of 2020 for the 2021–2023 fishing years.

In June 2018, a new stock assessment for herring was completed. The assessment concluded that although herring were not overfished and overfishing was not occurring in 2017, poor recruitment would likely result in a substantial decline in herring biomass over the next several years. The stock assessment estimated that recruitment was at historic lows during the most recent five years (2013–2017), but projected that biomass could increase after reaching a low in 2019 if recruitment returns to average levels. The final stock assessment summary report is available on the Center's website (*www.nefsc.noaa.gov/publications/*).

Based on the stock assessment and at the request of the Council, we reduced the 2018 ACL in August 2018 (83 FR 42450) (from 104,800 mt to 49,900 mt) and the 2019 ACL in February 2019 (84 FR 2760) (from 49,900 mt to 15,065 mt) through inseason adjustments to prevent overfishing and lower the risk of the stock becoming overfished. The ACL reduction for 2018 ensured at least a 50-percent probability of preventing overfishing, while the ACL reduction for 2019 reflected the Council's risk policy for herring and was consistent with the new ABC control rule developed in Amendment 8 to the Herring FMP. The MSA requires NMFS to notify the Council if the status of fishery has become overfished or is approaching the condition of being overfished. According to the Act, ''a fishery shall be classified as approaching a condition of being overfished if, based on trends in fishing effort, fishery resource size, and other appropriate factors, the Secretary estimates that the fishery will become overfished within two years.'' Within 2 years of such notifications, the Council shall prepare an action to prevent overfishing from occurring. In February 2019, we notified the Council that herring was approaching an overfished condition.

Proposed Specifications

At its June 2019 meeting, the Council recommended maintaining status quo catch limits for 2019 and reducing catch limits for 2020 and 2021 (see Table 1). This rule proposes herring specifications for 2019–2021 consistent with the Council's recommendations. These specifications are intended to provide for a sustainable herring fishery and to be consistent with the Council's harvest policy for herring. Although the 2019 fishing year has ended, the Herring FMP requires NMFS to set the specifications for the herring fishery for 3 years after consideration of the Council's recommendations. The Council's Framework 6 document fully analyzes maintaining status quo 2019 specifications for the remainder of that fishing year. Although this action would reaffirm the 2019 specifications implemented in the inseason action that published in February 2019, this rule focuses on the 2020–2021 specifications.

TABLE 1—COMPARISON OF THE PROPOSED ATLANTIC HERRING 2020–2021 SPECIFICATIONS (mt) TO 2019

	2019	2020–2021
Overfishing Limit	30,668	41,830—2020 69,064—2021
Acceptable Biological Catch	21,266	16,131
Management Uncertainty	6,200	4,560
Optimum Yield/Annual Catch Limit	* 15,065	* 11,571

TABLE 1—COMPARISON OF THE PROPOSED ATLANTIC HERRING 2020–2021 SPECIFICATIONS (mt) TO 2019—Continued

	2019	2020–2021
Domestic Annual Harvest	15,065	11,571
Border Transfer	0	100
Domestic Annual Processing	15,065	11,471
U.S. At-Sea Processing	0	0
Area 1A Sub-ACL (28.9%)	* 4,354	* 3,344
Area 1B Sub-ACL (4.3%)	647	498
Area 2 Sub-ACL (27.8%)	4,188	3,217
Area 3 Sub-ACL (39%)	5,876	4,513
Fixed Gear Set-Aside	39	30
Research Set-Aside	+	+

* If New Brunswick weir landings are less than 2,942 mt through October 1, then 1,000 mt will be subtracted from the management uncertainty buffer and reallocated to the Area 1A sub-ACL and ACL. Thus, the Area 1A sub-ACL would increase to 4,344 mt, and the ACL would increase to 12,571 mt.

+ 3 percent of each sub-ACL.

Several factors contributed to the Council's ABC recommendations for 2020–2021. The ABC is reduced from the OFL to account for scientific uncertainty. The Council's Scientific and Statistical Committee (SSC) and the Council determined that a conservative method of management, specifically one that accounts for scientific uncertainty, was essential due to the current status of the herring stock and the uncertainty surrounding estimates of biomass and recruitment. In September 2018, the Council adopted Amendment 8, which included a new ABC control rule intended to reduce the available harvest to explicitly account for herring's role as forage in the ecosystem. As with the 2019 ABC, the 2020 ABC was developed consistent with the Council's harvest policy for herring in the new control rule. For 2021, the SSC was uncomfortable with increasing the ABC based on the recent assessment's projection that recruitment would increase from historical lows to average levels. Therefore, the SSC and Council recommended maintaining the 2020 ABC for 2021. The 2020 stock assessment is expected to update recruitment information and allow the Council to reconsider the 2021 ABC for the next specifications.

The ACL is reduced from ABC to account for management uncertainty. Currently, although the FMP allows for consideration of other aspects of management uncertainty (*e.g.,* uncertainty around discard estimates of herring caught in Federal and state waters), the only source for management uncertainty that is applied to the 2020–2021 ABCs are landings in the New Brunswick weir fishery. Because weir fishery landings can be highly variable, fluctuating with effort and herring availability, the Council recommended a management uncertainty buffer of 4,560 mt, consistent with average landings in the New Brunswick weir fishery over the last 10 years (2009–2018). The resulting ACL for both 2020 and 2021 would be 11,571 mt. The Council also recommended a provision that if weir fishery landings are less than 2,942 mt through October 1, NMFS would subtract 1,000 mt from the management uncertainty buffer and reallocate that 1,000 mt to the Area 1A sub-ACL and ACL. Currently, this provision is allowed if New Brunswick weir landings are less than 4,000 mt through October 1.

Border transfer is a processing allocation available to Canadian dealers that is included in, and does not reduce, the domestic catch limits. The MSA provides for the issuance of permits to Canadian vessels transporting U.S. harvested herring to Canada for sardine processing. The Council recommended 100 mt for border transfer for 2020 and 2021. The amount specified for border has equaled 4,000 mt since 2000, but we reduced it to 0 mt as part of the 2019 inseason adjustment. The Council recommended 100 mt for border transfer in case there continues to be Canadian interest in transporting herring for sardine processing.

The Council recommended maintaining status quo river herring/shad catch caps for 2020–2021 (see Table 2). These catch caps were originally set for the fishery in the 2016–2018 specifications, and we maintained them in the inseason adjustment for 2019. Catch is tracked against river herring/shad catch caps on trips landing more than 6,600 lb (3,000 kg) of herring. Once a catch cap is reached, the possession limit for herring vessels using that gear type and fishing in that area (or the corresponding catch cap closure area) is reduced to 2,000 lb (907 kg) of herring for the remainder of the fishing year. These caps are intended to meet the original catch cap goals to provide a strong incentive for the herring fleet to continue to reduce river herring and shad catch, while allowing the fleet to fully harvest the herring ACL.

TABLE 2—PROPOSED RIVER HERRING/SHAD CATCH CAPS (mt) FOR 2020–2021

	Gulf of Maine	Cape Cod	Southern New England/Mid-Atlantic	Total
Midwater Trawl	76.7	32.4	129.6	238.7
Bottom Trawl	n/a	n/a	122.3	122.3

The Council recommended status quo methods to set all other herring specifications, including the management area sub-ACLs, fixed gear set-aside, and research set-aside.

Other Proposed Measures

Framework 6 would update the ''overfished'' and ''overfishing'' definitions to make them more

consistent with the 2018 herring stock assessment and definitions used for other stocks in the region. The updated definitions are:

The stock is considered overfished if stock biomass is less than ½ the stock biomass associated with the Maximum Sustainable Yield (MSY) level or its proxy (e.g., Spawning Stock Biomass at MSY (SSB_{MSY}) or proxy). The stock is considered subject to overfishing if the estimated fishing mortality rate (F) exceeds the fishing mortality rate associated with the MSY level or its proxy (e.g., F_{MSY} or proxy).

Over time, the parameters used to assess the herring stock have changed, and so have the corresponding projections used to evaluate stock status and set catch levels. The updated definition is more flexible because it could incorporate any estimate of biomass that is warranted (total biomass, SSB, or relevant proxy), dependent on what is used in the stock assessment and considered the best available science. The new definitions are consistent with many overfishing and overfished definitions used in the region, as well as parameters in the new ABC control rule developed in Amendment 8.

Currently, regulations at § 648.201 require that up to 10 percent of the unharvested catch in a herring management area shall be carried over and added to that area's sub-ACL for the fishing year following when total catch is determined. For example, total catch for 2018 would be determined in 2019. If there was unharvested catch in 2018, the unharvested catch in a management area (up to 10 percent of the initial sub-ACL for that area) would be added to the area's sub-ACL for 2020. This carryover increases the sub-ACL for that management area, but it does not increase the total ACL.

Under Framework 6, carryover of unharvested catch would be suspended for the 2020 and 2021, such that unharvested catch in 2018 and 2019 would not be added to sub-ACLs for 2020 and 2021, respectively. Suspending carryover is proposed because the amount of carryover from 2018 (just under 5,000 mt) is substantial relative to the ACL for 2020 and 2021 (11,571 mt), and could have unintended consequences on the stock or fishery. For example, if carryover is harvested in specific management areas early in the year, other areas that are typically fished later in the year may be constrained by the ACL such that the sub-ACLs in those areas cannot be fully harvested. To date, catch in 2019 is less than 85 percent of the ACL for 2019 (15,065 mt), so there may also be a substantial amount of unharvested catch that would have otherwise been carried over relative to the reduced ACL for 2021 (11,571 mt). Furthermore, given the low estimate of herring biomass, concentrating fishing effort and catch in certain management areas may have negative impacts on the herring stock. Continuation of the suspension of carryover into 2021 is consistent with the Council's conservative management due to the current status of the herring stock and the uncertainty surrounding estimates of biomass and recruitment.

Proposed Clarifications

We are proposing the following clarifications to regulations for fisheries of the Northeastern United States under the authority of section 305(d) to the MSA, which provides that the Secretary of Commerce may promulgate regulations necessary to carry out an FMP or the MSA.

First, in §§ 648.4, 648.7, 648.10, 648.11, 648.14, 648.15, 648.80, 648.201, 648.202, 648.204, and 648.205, this rule proposes simplifying the names of herring vessel permits. Currently, each herring vessel permit has two names used in regulations, the first name specifies the permit type (*i.e.,* limited or open access) and herring management area and the second name assigns a category letter to each permit type. For example, the All Areas Limited Access Herring Permit is also known as a Category A Herring Permit. This rule proposes simplifying references to herring vessel permits by only using the category name in regulation. This clarification is intended to aid in the understandability of herring regulations as most stakeholders refer to herring vessel permits by category name.

Second, this rule proposes clarifying the transiting and pre-landing prohibitions for the herring fishery in § 648.14. This rule would clarify that vessels are prohibited from transiting Area 1A during June through September with midwater gear onboard, unless gear is properly stowed and not available for immediate use, consistent with § 648.2. This rule would also clarify that herring vessels are required to notify NMFS of offloading through the vessel monitoring system of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish. Both of these clarifications currently exist elsewhere in the regulations and this rule would update regulations in § 648.14 accordingly.

Third, this rule proposes updating terminology in § 648.200. This rule would update the definition of OY consistent with new National Standard guidance for OY. This rule would also update terminology to reflect that the Atlantic States Marine Fisheries Commission's (Commission's) Herring Section is now a Herring Board and that the Commission's Atlantic Herring Plan Review Team is now a Technical Committee.

Classification

The NMFS Assistant Administrator has determined that this proposed rule is consistent with the Herring FMP, national standards and other provisions of the MSA, and other applicable law.

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

This proposed rule is not an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

NMFS prepared an Initial Regulatory Flexibility Analysis (IRFA) for this proposed rule, as required by section 603 of the Regulatory Flexibility Act (RFA), 5 U.S.C. 603. The IRFA describes the economic impact that this proposed rule would have on small entities, including small businesses, and also determines ways to minimize these impacts. The IRFA includes this section of the preamble to this rule and analyses contained in the EA/RIR/IRFA for this action. A copy of the full analysis is available from the Council (see **ADDRESSES**). A summary of the EA and IRFA follows.

Description of the Reasons Why Action by the Agency Is Being Considered and Statement of the Objectives of, and Legal Basis for, the Proposed Rule

A complete description of the reasons why this action is being considered, and the objectives of and legal basis for this action, are contained in the preamble to this proposed rule and are not repeated here.

Description and Estimate of Number of Small Entities to Which This Proposed Rule Would Apply

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 receipts not in excess of $11 million for all its affiliated operations worldwide.

For the purposes of this analysis, ownership entities are defined by those entities with common ownership personnel as listed on permit application documentation. Permits with identical ownership personnel are categorized as a single entity. For example, if five permits have the same seven personnel listed as co-owners on their application paperwork, those seven personnel form one ownership entity, covering those five permits. If one or several of the seven owners also own additional vessels, with sub-sets of the original seven personnel or with new co-owners, those ownership arrangements are deemed to be separate ownership entities for the purpose of this analysis.

This rule would affect all permitted herring vessels; therefore, a directly regulated entity is a firm that owns at least one herring permit. There are many businesses that hold an open-access (Category D) permit. These businesses catch a small fraction of herring; furthermore, they are minimally affected by the regulations. Firms are defined as active in the herring fishery if they landed any herring in 2018. This section describes the directly regulated small entities in four classes: All permitted firms; all active firms; limited access permitted firms; and active limited access permitted firms.

In 2018, there were 1,205 firms (1,193 small) that held at least one herring permit. There were 62 (60 small) active firms that held at least one herring permit. There were 68 (62 small) firms that held at least one limited access permit, 31 (29 small) of which were active. Small entity limited access permit holders as a whole derived approximately 38 percent of total entity revenue from the herring fishery. All small entity herring permit holders as a whole derived approximately 29 percent of total entity revenue from the herring fishery.

Alternative 1 (no action) serves as a baseline as it would maintain the ACL from fishing year 2019 in 2020 and 2021 and would make no changes to the management uncertainty buffers. This analysis focuses on the ACL alternatives as the other specification alternatives would have minimal impacts on firms participating in the fishery. The proposed action would decrease the ACL in 2020 and 2021 from the baseline, as presented in Table 3.

TABLE 3—HERRING ACL FOR THE BASELINE (2019) COMPARED TO PROPOSED 2020 AND 2021 SPECIFICATIONS

Year	Baseline (mt)	2020 and 2021 specifications (mt)
ACL	15,066	11,571
Area 1A Sub-ACL (28.9%)	4,354	3,344
Area 1B Sub-ACL (4.3%)	647	498
Area 2 Sub-ACL (27.8%)	4,188	3,217
Area 3 Sub-ACL (39%)	5,876	4,513

To examine effects of the preferred alternative this analysis assumes catch is equal to ACL. Recent catch from the four herring management areas has frequently been below the ACL and sub-ACLs. However, recent ACLs have been much higher than the Council's preferred ACL and portions of the fishery have been restricted due to catch of non-target species (*i.e.,* river herring and shad). With decreasing ACLs but status quo non-target species catch caps, excessive catch of non-target species becomes less likely. The sub-ACL percentages remain constant between the baseline period (2019) through 2020 and 2021; therefore, there is an approximate 23-percent decrease in available catch in each management area from 2019 to 2021. Using this information we can evaluate the effects of the proposed action on small entity revenues. The average percentage of total small entity revenue derived from each management area is listed in Table 4.

TABLE 4—AVERAGE PERCENTAGE OF SMALL ENTITY REVENUE FROM EACH HERRING MANAGEMENT AREA

Management area	Overall average percent entity revenue
1A	44
1B	40
2	10
3	43

Seventeen small entities, mainly purse seine vessels, fished for herring in Area 1A in 2018. Ten of these small entities derived 30 percent or less of total entity revenue from Area 1A. Seven small entities derived more than 80 percent of total entity revenue from Area 1A. Area 1A generate revenue for more small entities than any other area; all other areas only have 3 entities deriving more than 80 percent of revenue from herring. Nine small entities fished for herring in Area 1B in 2018, with 5 entities deriving 30 percent or less from the area and 4 entities deriving between 70 and 100 percent from 1B. Thirty-nine small entities fished for herring in Area 2 in 2018. Twenty-seven of them derived between 0 and 1 percent of total entity revenue from Area 2, and another 6 entities derived less than 30 percent of entity revenue from Area 2. Four entities derived between 70 and 100 percent of total entity revenue from herring in Area 2. Finally, 8 small entities fished for herring in Area 3 in 2018. Four of those entities derived less than 30 percent of total entity revenue from Areas 3 and 4 entities derived between 70 and 100 percent of total entity revenue from Area 3.

While the overall fishery ACL will decline by 23 percent, NMFS does not expect that each of these small entities will have a 23-percent reduction in herring revenue. Rather, because of the low catch limits, some companies may decide not to fish for herring in 2020 and 2021 and would lose 100 percent of revenue from herring. If this happens, the remaining small entities who fish for herring in 2020 and 2021 may realize less than 23-percent reduction in revenue from herring, as there may be fewer vessels herring fishing. Because entities that catch herring are also active in other fisheries, the reduction in total revenue for small entities would likely be less than the reduction in herring revenue. Without being able to predict these specific shifts, Table 5 estimates the percent change for small entities in total revenue resulting from a 23-percent reduction in the herring ACL.

TABLE 5—ESTIMATES OF PERCENT REDUCTION IN TOTAL SMALL ENTITY REVENUE FROM THIS ACTION

Percent change in total small entity revenue	Count of small entities
0 to 1	17
1 to 7	4
18 to 23	8

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

This proposed rule does not introduce any new reporting, recordkeeping, or other compliance requirements.

Federal Rules Which May Duplicate, Overlap, or Conflict With the Proposed Rule

This action does not duplicate, overlap, or conflict with any other Federal rules.

Description of Significant Alternatives to the Proposed Action Which Accomplish the Stated Objectives of Applicable Statues and Which Minimize Any Significant Economic Impact on Small Entities

This rule proposes herring specifications for 2019–2021, consistent with the Herring FMP's objectives of preventing overfishing while maximizing social and economic benefits. Non-preferred alternatives would likely not accomplish these objectives for this action as well as the proposed action.

Alternative 1 (no action) exceeds the catch limit recommendations of the SSC and the Council. Alternative 1 is not expected to result in overfishing, but it has a higher likelihood of resulting in overfishing than either the proposed action (Alternative 2a) or Alternative 2b (non-preferred). Given the uncertainty around the stock assessment's estimates of herring biomass and recruitment, the Council and NMFS did not select Alternative 1 as the proposed action because of its higher risk of overfishing. The Council and NMFS determined that implementing lower catch limits in the short-term is important to reduce the serious adverse long-term biological and socioeconomic impacts that could occur if higher limits are implemented.

Alternative 2b used the same process to develop the OFL and ABC as Alternative 2a, but it incorporated an updated estimate of 2018 catch. The updated estimate of 2018 catch used to develop Alternative 2b was about 5,000 mt higher than the 2018 catch estimate used to develop the Alternative 2a (proposed action). The Council decided to include the updated catch estimate in a separate alternative (Alternative 2b), so that the most recent estimate of 2018 catch could be considered, even though the updated catch estimate was not available when the SSC met to make ABC recommendations for the 2019–2021. When the 2018 estimate of catch is increased by about 5,000 mt, it results in lowered OFL and ABC for 2020 and 2021 compared to Alternative 2a. The Council did not recommend Alternative 2b for several reasons. First, the SSC did not have the opportunity to weigh in on this alternative, as the final 2018 numbers were not available when the SSC met and made their recommendations in October 2018. In addition, Alternative 2b included a lower ABC and ACL than the proposed action. Given the negative economic impacts to the herring industry and other stakeholders are already expected to be substantial with Alternative 2a, the Council and NMFS determined that the additional small reduction in the risk of overfishing (1-percent risk with Alternative 2b instead of a 2-percent risk with Alternative 2a) did not warrant a further reduction in available catch and associated revenue.

This rule is also proposing changes to the overfished and overfishing definitions, suspending carryover of unharvested catch, and clarifying existing regulations. The changes to overfished and overfishing definitions and clarifications to existing regulations are not expected to have direct economic impacts on small entities. Suspending carryover of unharvested catch would reduce available herring catch and the associated revenue in the short-term, but is expected to have a low positive impact on small entities in the long-term. The amount of carryover from 2018 (just under 5,000 mt) is substantial relative to the ACL for 2020 and 2021 (11,571 mt), and could have unintended consequences on the stock or fishery. For example, if carryover is harvested in specific management areas early in the year, other areas that are typically fished later in the year may be constrained by the ACL such that the sub-ACLs in those areas cannot be fully harvested. To date, catch in 2019 is less than 85 percent of the ACL for 2019 (15,065 mt), so there may also be a substantial amount of unharvested catch that would have otherwise been carried over relative to the reduced ACL for 2021 (11,571 mt). Additionally, given the low estimate of herring biomass, concentrating fishing effort and catch in certain management areas could have negative impacts on the herring stock. Continuation of the suspension of carryover into 2021 is consistent the Council's conservative management due to the current status of the herring stock and the uncertainty surrounding estimates of biomass and recruitment. For these reasons, Alternative 1 (no action) would not meet the stated objective of this action, lowering the risk of overfishing and providing for a sustainable herring fishery, compared to suspending carryover for 2020 and 2021 under the proposed action.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: January 16, 2019.

Samuel D. Rauch, III,

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

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

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

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

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

■ 2. In § 648.4, revise paragraphs (a)(10)(ii), (iv), and (v) and remove paragraph (a)(10)(vi) to read as follows:

§ 648.4 Vessel permits.

(a) * * *

(10) * * *

(ii) *Atlantic herring carrier.* An Atlantic herring carrier must have been issued and have on board a herring permit and a letter of authorization to receive and transport Atlantic herring caught by another permitted fishing vessel or it must have been issued and have on board a herring permit and have declared an Atlantic herring carrier trip via VMS consistent with the requirements at § 648.10(m)(1). Once a vessel declares an Atlantic herring carrier trip via VMS, it is bound to the VMS operating requirements, specified at § 648.10, for the remainder of the fishing year. On Atlantic herring carrier trips under either the letter of authorization or an Atlantic herring carrier VMS trip declaration, an Atlantic herring carrier is exempt from the VMS, IVR, and VTR vessel reporting requirements, as specified in § 648.7 and subpart K of this part, except as otherwise required by this part. If not declaring an Atlantic herring carrier trip via VMS, an Atlantic herring carrier vessel must request and obtain a letter of authorization from the Regional Administrator, and there is a minimum enrollment period of 7 calendar days for a letter of authorization. Atlantic herring carrier vessels operating under a letter of authorization or an Atlantic herring carrier VMS trip declaration may not conduct fishing activities, except for purposes of transport, or possess any fishing gear on board the vessel capable of catching or processing herring, and they must be used exclusively as an Atlantic herring carrier vessel, and they must carry observers if required by NMFS. While operating under a valid letter of authorization or Atlantic herring carrier VMS trip declaration, such vessels are exempt from any herring possession limits associated with the herring vessel permit categories. Atlantic herring carrier vessels operating under a letter of authorization or an Atlantic herring carrier VMS trip declaration may not possess, transfer, or land any species other than Atlantic herring, except that they may possess Northeast multispecies transferred by vessels

issued either a Category A or B Herring Permit, consistent with the applicable possession limits for such vessels specified at § 648.86(a)(3) and (k).

* * * * *

(iv) *Limited access herring permits.* (A) A vessel of the United States that fishes for, possesses, or lands more than 6,600 lb (3 mt) of herring, except vessels that fish exclusively in state waters for herring, must have been issued and carry on board either one of the limited access herring permits described in paragraphs (a)(10)(iv)(A)(*1*) through (*3*) of this section or an open access Category E Herring Permit (as described in § 648.4(a)(10)(v)(B)), including both vessels engaged in pair trawl operations.

(*1*) *Category A Herring Permit (All Areas Limited Access Herring Permit).* A vessel may fish for, possess, and land unlimited amounts of herring from all herring areas, provided the vessel qualifies for and has been issued this permit, subject to all other regulations of this part.

(*2*) *Category B Herring Permit (Areas 2 and 3 Limited Access Herring Permit).* A vessel may fish for, possess, and land unlimited amounts of herring from herring Areas 2 and 3, provided the vessel qualifies for and has been issued this permit, subject to all other regulations of this part.

(*3*) *Category C Herring Permit (Limited Access Incidental Catch Herring Permit).* (*i*) A vessel that does not qualify for either of the permits specified in paragraphs (a)(10)(iv)(A)(*1*) and (*2*) of this section may fish for, possess, and land up to 55,000 lb (25 mt) of herring from any herring area, provided the vessel qualifies for and has been issued this permit, subject to all other regulations of this part.

(*ii*) A vessel that does not qualify for a Category A Herring Permit specified in paragraph (a)(10)(iv)(A)(*1*) of this section, but qualifies for the Category B Herring Permit specified in paragraph (a)(10)(iv)(A)(*2*) of this section, may fish for, possess, and land up to 55,000 lb (25 mt) of herring from Area 1, provided the vessel qualifies for and has been issued this permit, subject to all other regulations of this part.

(B) *Eligibility for Category A and B Herring Permits, and Confirmation of Permit History (CPH).* A vessel is eligible for and may be issued either a Category A or B Herring Permit if it meets the permit history criteria in paragraph (a)(10)(iv)(B)(*1*) of this section and the relevant landing requirements in paragraphs (a)(10)(iv)(B)(*2*) and (*3*) of this section.

(*1*) *Permit history criteria for Category A and B Herring Permits.* (*i*) The vessel must have been issued a Federal herring permit (Category 1 or 2) that was valid as of November 10, 2005; or

(*ii*) The vessel is replacing a vessel that was issued a Federal herring permit (Category 1 or 2) between November 10, 2003, and November 9, 2005. To qualify as a replacement vessel, the replacement vessel and the vessel being replaced must both be owned by the same vessel owner; or, if the vessel being replaced was sunk or destroyed, the vessel owner must have owned the vessel being replaced at the time it sunk or was destroyed; or, if the vessel being replaced was sold to another person, the vessel owner must provide a copy of a written agreement between the buyer of the vessel being replaced and the owner/seller of the vessel, documenting that the vessel owner/seller retained the herring permit and all herring landings history.

(*2*) *Landings criteria for the Category A Herring Permit*—(*i*) The vessel must have landed at least 500 mt of herring in any one calendar year between January 1, 1993, and December 31, 2003, as verified by dealer reports submitted to NMFS or documented through valid dealer receipts, if dealer reports were not required by NMFS. In those cases where a vessel has sold herring but there are no required dealer receipts, *e.g.,* transfers of bait at sea and border transfers, the vessel owner can submit other documentation that documents such transactions and proves that the herring thus transferred should be added to their landings history. The owners of vessels that fished in pair trawl operations may provide landings information as specified in paragraph (a)(10)(iv)(B)(*2*)(*iii*) of this section. Landings made by a vessel that is being replaced may be used to qualify a replacement vessel consistent with the requirements specified in paragraph (a)(10)(iv)(B)(*1*)(*ii*) of this section and the permit splitting prohibitions in paragraph (a)(10)(iv)(N) of this section.

(*ii*) *Extension of eligibility period for landings criteria for vessels under construction, reconstruction, or purchase contract.* An applicant who submits written evidence that a vessel was under construction, reconstruction, or was under written contract for purchase as of December 31, 2003, may extend the period for determining landings specified in paragraph (a)(10)(iv)(B)(*2*)(*i*) of this section through December 31, 2004.

(*iii*) Landings criteria for vessels using landings from pair trawl operations. To qualify for a limited access permit using landings from pair trawl operations, the owners of the vessels engaged in that operation must agree on how to divide such landings between the two vessels and apply for the permit jointly, as verified by dealer reports submitted to NMFS or valid dealer receipts, if dealer reports were not required by NMFS.

(*3*) *Landings criteria for the Category B Herring Permit.* (*i*) The vessel must have landed at least 250 mt of herring in any one calendar year between January 1, 1993, and December 31, 2003, as verified by dealer reports submitted to NMFS or documented through valid dealer receipts, if dealer reports were not required by NMFS. In those cases where a vessel has sold herring but there are no required dealer receipts, *e.g.,* transfers of bait at sea and border transfers, the vessel owner can submit other documentation that documents such transactions and proves that the herring thus transferred should be added to their landings history. The owners of vessels that fished in pair trawl operations may provide landings information as specified in paragraph (a)(10)(iv)(B)(*2*)(*iii*) of this section. Landings made by a vessel that is being replaced may be used to qualify a replacement vessel consistent with the requirements specified in paragraph (a)(10)(iv)(B)(*1*)(*ii*) of this section and the permit splitting prohibitions in paragraph (a)(10)(iv)(N) of this section.

(*ii*) *Extension of eligibility period for landings criteria for vessels under construction, reconstruction or purchase contract.* An applicant who submits written evidence that a vessel was under construction, reconstruction, or was under written contract for purchase as of December 31, 2003, may extend the period for determining landings specified in paragraph (a)(10)(iv)(B)(*3*)(*i*) of this section through December 31, 2004.

(*iii*) *Landings criteria for vessels using landings from pair trawl operations.* See paragraph (a)(10)(iv)(B)(*2*)(*iii*) of this section.

(*4*) *CPH.* A person who does not currently own a fishing vessel, but owned a vessel that satisfies the permit eligibility requirements in paragraph (a)(10)(iv)(B) of this section that has sunk, been destroyed, or transferred to another person, but that has not been replaced, may apply for and receive a CPH that allows for a replacement vessel to obtain the relevant limited access herring permit if the fishing and permit history of such vessel has been retained lawfully by the applicant as specified in paragraph (a)(10)(iv)(B)(*1*)(*ii*) of this section and consistent with (a)(10)(iv)(N) of this section.

(C) *Eligibility for Category C Herring Permit, and CPH.* A vessel is eligible for and may be issued a Category C Herring

Permit if it meets the permit history criteria specified in paragraph (a)(10)(iv)(C)(*1*) of this section and the landings criteria in paragraph (a)(10)(iv)(C)(*2*) of this section.

(*1*) *Permit history criteria.* (*i*) The vessel must have been issued a Federal permit for Northeast multispecies, Atlantic mackerel, Atlantic herring, longfin or *Illex* squid, or butterfish that was valid as of November 10, 2005; or

(*ii*) The vessel is replacing a vessel that was issued a Federal permit for Northeast multispecies, Atlantic mackerel, Atlantic herring, longfin or *Illex* squid, or butterfish that was issued between November 10, 2003, and November 9, 2005. To qualify as a replacement vessel, the replacement vessel and the vessel being replaced must both be owned by the same vessel owner; or, if the vessel being replaced was sunk or destroyed, the vessel owner must have owned the vessel being replaced at the time it sunk or was destroyed; or, if the vessel being replaced was sold to another person, the vessel owner must provide a copy of a written agreement between the buyer of the vessel being replaced and the owner/seller of the vessel, documenting that the vessel owner/seller retained the herring permit and all herring landings history.

(*2*) *Landings criteria for Category C Herring Permit.* (*i*) The vessel must have landed at least 15 mt of herring in any calendar year between January 1, 1988, and December 31, 2003, as verified by dealer reports submitted to NMFS or documented through valid dealer receipts, if dealer reports were not required by NMFS. In those cases where a vessel has sold herring but there are no required dealer receipts, *e.g.,* transfers of bait at sea and border transfers, the vessel owner can submit other documentation that documents such transactions and proves that the herring thus transferred should be added to the vessel's landings history. The owners of vessels that fished in pair trawl operations may provide landings information as specified in paragraph (a)(10)(iv)(B)(*2*)(*iii*) of this section. Landings made by a vessel that is being replaced may be used to qualify a replacement vessel consistent with the requirements specified in paragraph (a)(10)(iv)(B)(*1*)(*ii*) of this section and the permit splitting prohibitions in paragraph (a)(10)(iv)(N) of this section.

(*ii*) *Extension of eligibility period for landings criteria for vessels under construction, reconstruction or purchase contract.* An applicant who submits written evidence that a vessel was under construction, reconstruction, or was under written contract for purchase as of December 31, 2003, may extend the period for determining landings specified in paragraph (a)(10)(iv)(C)(*2*)(*i*) of this section through December 31, 2004.

(v) *Open access herring permits.* A vessel that has not been issued a limited access herring permit may obtain:

(A) A Category D Herring Permit (*All Areas Open Access Herring Permit*) to possess up to 6,600 lb (3 mt) of herring per trip from all herring management areas, limited to one landing per calendar day; and/or

(B) A Category E Herring Permit (*Areas ⅔ Open Access Herring Permit*) to possess up to 20,000 lb (9 mt) of herring per trip from Herring Management Areas 2 and 3, limited to one landing per calendar day, provided the vessel has also been issued a Limited Access Atlantic Mackerel permit, as defined at § 648.4(a)(5)(iii).

* * * * *

■ 3. In § 648.7, paragraph (b)(2) is revised to read as follows:

§ 648.7 Recordkeeping and reporting requirements.

* * * * *

(b) * * *

(2) *IVR system reports*—(i) *Atlantic herring vessel owners or operators issued a Category D Herring Permit.* The owner or operator of a vessel issued a Category D Herring Permit to fish for herring must report catch (retained and discarded) of herring via an IVR system for each week herring was caught, unless exempted by the Regional Administrator. IVR reports are not required for weeks when no herring was caught. The report shall include at least the following information, and any other information required by the Regional Administrator: Vessel identification; week in which herring are caught; management areas fished; and pounds retained and pounds discarded of herring caught in each management area. The IVR reporting week begins on Sunday at 0001 hr (12:01 a.m.) local time and ends Saturday at 2400 hr (12 midnight). Weekly Atlantic herring catch reports must be submitted via the IVR system by midnight each Tuesday, Eastern Time, for the previous week. Reports are required even if herring caught during the week has not yet been landed. This report does not exempt the owner or operator from other applicable reporting requirements of this section.

(ii) [Reserved]

* * * * *

■ 4. In § 648.10, paragraphs (b)(8) and (m) are revised to read as follows:

§ 648.10 VMS and DAS requirements for vessel owners/operators.

* * * * *

(b) * * *

(8) A vessel issued a limited access herring permit (*i.e.,* Category A, B, or C), or a vessel issued a Category E Herring Permit, or a vessel declaring an Atlantic herring carrier trip via VMS.

* * * * *

(m) *Atlantic herring VMS notification requirements.* (1) A vessel issued a limited access herring permit (*i.e.,* Category A, B, or C) or a Category E Herring Permit intending to declare into the herring fishery or a vessel issued a herring permit and intending to declare an Atlantic herring carrier trip via VMS must notify NMFS by declaring a herring trip with the appropriate gear code prior to leaving port at the start of each trip in order to harvest, possess, or land herring on that trip.

(2) A vessel issued a limited access herring permit (*i.e.,* Category A, B, or C) or a Category E Herring Permit or a vessel that declared an Atlantic herring carrier trip via VMS must notify NMFS Office of Law Enforcement through VMS of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish. The Regional Administrator may adjust the prior notification minimum time through publication of a document in the **Federal Register** consistent with the Administrative Procedure Act.

* * * * *

■ 5. In § 648.11, paragraphs (m)(1)(i), (iv), and (v) are revised to read as follows:

§ 648.11 Monitoring Coverage.

* * * * *

(m) *Atlantic herring monitoring coverage*—(1) *Monitoring requirements.* (i) At least 48 hours prior to the beginning of any trip on which a vessel may harvest, possess, or land Atlantic herring, a vessel issued a limited access herring permit or a vessel issued a Category E Herring Permit on a declared herring trip or a vessel issued a Category D Herring Permit fishing with midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined in § 648.200(f)(1) and (3), and herring carriers must provide notice of the following information to NMFS: Vessel name, permit category, and permit number; contact name for coordination of observer deployment; telephone number for contact; the date, time, and port of departure; gear type; target species; and intended area of fishing, including whether the vessel intends to engage in

fishing in the Northeast Multispecies Closed Areas (Closed Area I North (§ 648.81(c)(3)), Closed Area II (§ 648.81(a)(5)), Cashes Ledge Closure Area (§ 648.81(a)(3)), and Western GOM Closure Area (§ 648.81(a)(4))) at any point in the trip. Trip notification calls must be made no more than 10 days in advance of each fishing trip. The vessel owner, operator, or manager must notify NMFS of any trip plan changes at least 12 hours prior to vessel departure from port.

* * * * *

(iv) If a vessel issued a Category A or B Herring Permit slips catch for any of the reasons described in paragraph (m)(4)(i) of this section, the vessel operator must move at least 15 nm (27.78 km) from the location of the slippage event before deploying any gear again, and must stay at least 15 nm (27.78 km) away from the slippage event location for the remainder of the fishing trip.

(v) If catch is slipped by a vessel issued a Category A or B Herring Permit for any reason not described in paragraph (m)(4)(i) of this section, the vessel operator must immediately terminate the trip and return to port. No fishing activity may occur during the return to port.

* * * * *

■ 6. In § 648.14, revise paragraphs (k)(1)(i)(D); (r)(1)(vi)(A), (r)(1)(vii)(D) and (E), (r)(1)(viii)(B) and (C), (r)(2), and remove paragraph (r)(1)(viii)(D) to read as follows:

§ 648.14 Prohibitions.

* * * * *

(k) * * *

(1) * * *

(i) * * *

(D) Any haddock, and up to 100 lb (45 kg) of other regulated NE multispecies other than haddock, were harvested by a vessel issued a Category A or B Herring Permit on a declared herring trip, regardless of gear or area fished, or a vessel issued a Category C and/or a Category D or E Herring Permit that fished with midwater trawl gear, pursuant to the requirements in § 648.80(d) and (e), and such fish are not sold for human consumption.

* * * * *

(r) * * *

(1) * * *

(vi) *Area requirements.* (A) For the purposes of observer deployment, fail to notify NMFS at least 72 hours prior to departing on a declared herring trip with a vessel issued a Category A or B Herring Permit and fishing with midwater trawl or purse seine gear, or on a trip with a vessel issued a Category C and/or Category D or E Herring Permit that is fishing with midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined in § 648.200(f)(1) and (3), pursuant to the requirements in § 648.80(d) and (e).

* * * * *

(vii) * * *

(D) Transit Area 1A from June 1 through September 30 with more than 2,000 lb (907.2 kg) of herring while having on board midwater trawl gear that is not properly stowed or available for immediate use as defined in § 648.2.

(E) Discard haddock at sea that has been brought on deck, or pumped into the hold, of a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of gear or area fished, or on a trip with a vessel issued a Category C and/or Category D or E Herring Permit fishing with midwater trawl gear, pursuant to the requirements in § 648.80(d) and (e).

* * * * *

(viii) * * *

(B) Fail to notify NMFS Office of Law Enforcement through VMS of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish, if a vessel has been issued a limited access herring permit or a Category E Herring Permit or has declared an Atlantic herring carrier trip via VMS.

(C) Fail to declare via VMS into the herring fishery by entering the appropriate herring fishery code and appropriate gear code prior to leaving port at the start of each trip to harvest, possess, or land herring, if a vessel has been issued a Limited Access Herring Permit or issued a Category E Herring Permit or is intending to act as an Atlantic herring carrier.

* * * * *

(2) *Vessel and operator permit holders.* It is unlawful for any person owning or operating a vessel holding a valid Federal Atlantic herring permit, or issued an operator's permit, to do any of the following:

(i) Sell, purchase, receive, trade, barter, or transfer haddock or other regulated NE multispecies (cod, witch flounder, plaice, yellowtail flounder, pollock, winter flounder, windowpane flounder, redfish, white hake, and Atlantic wolffish); or attempt to sell, purchase, receive, trade, barter, or transfer haddock or other regulated NE multispecies for human consumption; if the regulated NE multispecies are landed by a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of gear or area fished, or by a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit fishing with midwater trawl gear pursuant to § 648.80(d).

(ii) Fail to comply with requirements for herring processors/dealers that handle individual fish to separate out, and retain, for at least 12 hours, all haddock offloaded from a vessel issued a Category A or B Herring Permit that fished on a declared herring trip regardless of gear or area fished, or by a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit that fished with midwater trawl gear pursuant to § 648.80(d).

(iii) Sell, purchase, receive, trade, barter, or transfer; or attempt to sell, purchase, receive, trade, barter, or transfer; to another person, any haddock or other regulated NE multispecies (cod, witch flounder, plaice, yellowtail flounder, pollock, winter flounder, windowpane flounder, redfish, white hake, and Atlantic wolffish) separated out from a herring catch offloaded from a vessel issued a Category A or B Herring Permit that fished on a declared herring trip regardless of gear or area fished, or by a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit that fished with midwater trawl gear pursuant to § 648.80(d).

(iv) While operating as an at-sea herring processor, fail to comply with requirements to separate out and retain all haddock offloaded from a vessel issued a Category A or B Herring Permit that fished on a declared herring trip regardless of gear or area fished, or by a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit that fished with midwater trawl gear pursuant to § 648.80(d).

(v) Fish with midwater trawl gear in any Northeast Multispecies Closed Area, as defined in § 648.81(a)(3) through (5) and (c)(3) and (4), without a NMFS-approved observer on board, if the vessel has been issued an Atlantic herring permit.

(vi) Slip or operationally discard catch, as defined at § 648.2, unless for one of the reasons specified at § 648.202(b)(2), if fishing any part of a tow inside the Northeast Multispecies Closed Areas, as defined at § 648.81(a)(3) through (5) and (c)(3) and (4).

(vii) Fail to immediately leave the Northeast Multispecies Closed Areas or comply with reporting requirements after slipping catch or operationally discarding catch, as required by § 648.202(b)(4).

(viii) Slip catch, as defined at § 648.2, unless for one the reasons specified at § 648.11(m)(4)(i).

(ix) For vessels with Category A or B Herring Permits, fail to move 15 nm (27.78 km), as required by § 648.11(m)(4)(iv) and § 648.202(b)(4)(iv).

(x) For vessels with Category A or B Herring Permits, fail to immediately return to port, as required by § 648.11(m)(4)(v) and § 648.202(b)(4)(iv).

(xi) Fail to complete, sign, and submit a Released Catch Affidavit as required by § 648.11(m)(8)(iii) and § 648.202(b)(4)(ii).

(xii) Fail to report or fail to accurately report a slippage event on the Atlantic herring daily VMS catch report, as required by § 648.11(m)(4)(iii) and § 648.202(b)(4)(iii). (xiii) For vessels with Category A or B Herring Permits, fail to comply with industry-funded monitoring requirements at § 648.11(m).

(xiv) For a vessel with a Category A or B Herring Permit, fail to comply with its NMFS-approved vessel monitoring plan requirements, as described at § 648.11(m).

* * * * *

■ 7. In § 648.15, paragraphs (d) and (e) are revised to read as follows:

§ 648.15 Facilitation of enforcement.

* * * * *

(d) *Retention of haddock by herring dealers and processors.* (1) Federally permitted herring dealers and processors, including at-sea processors, that cull or separate out from the herring catch all fish other than herring in the course of normal operations, must separate out and retain all haddock offloaded from a vessel issued a Category A or B Herring Permit that fished on a declared herring trip regardless of gear or area fished, or by a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit that fished with midwater trawl gear pursuant to § 648.80(d). Such haddock may not be sold, purchased, received, traded, bartered, or transferred, and must be retained, after they have been separated, for at least 12 hours for dealers and processors on land, and for 12 hours after landing by at-sea processors. The dealer or processor, including at-sea processors, must clearly indicate the vessel that landed the retained haddock or transferred the retained haddock to an at-sea processor. Authorized officers must be given access to inspect the haddock.

(2) All haddock separated out and retained is subject to reporting requirements specified at § 648.7.

(e) *Retention of haddock by herring vessels using midwater trawl gear.* A vessel issued a Category A or B Herring Permit fishing on a declared herring trip regardless of gear or area fished, or a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may not discard any haddock that has been brought on the deck or pumped into the hold.

■ 8. In § 648.80, paragraphs (d)(4) through (6), and (e)(4) through (6) are revised to read as follows:

§ 648.80 NE Multispecies regulated mesh areas and restrictions on gear and methods of fishing.

* * * * *

(d) * * *

(4) The vessel does not fish for, possess or land NE multispecies, except that a vessel issued a Category A or B Herring Permit and fishing on a declared herring trip, regardless of gear or area fished, or a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit and fishing with midwater trawl gear pursuant to paragraph (d) of this section, may possess and land haddock and other regulated multispecies consistent with the catch caps and possession restrictions in § 648.86(a)(3) and (k). Such haddock or other regulated NE multispecies may not be sold, purchased, received, traded, bartered, or transferred, or attempted to be sold, purchased, received, traded, bartered, or transferred for, or intended for, human consumption. Haddock or other regulated NE multispecies that are separated out from the herring catch pursuant to § 648.15(d) may not be sold, purchased, received, traded, bartered, or transferred, or attempted to be sold, purchased, received, traded, bartered, or transferred for any purpose. A vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of gear or area fished, or a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit and fishing with midwater trawl gear pursuant to paragraph (d) of this section, may not discard haddock that has been brought on the deck or pumped into the hold;

(5) To fish for herring under this exemption, a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, or a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit fishing with midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined in § 648.200(f)(1) and (3), must provide notice of the following information to NMFS at least 72 hours prior to beginning any trip into these areas for the purposes of observer deployment: Vessel name; contact name for coordination of observer deployment; telephone number for contact; the date, time, and port of departure; and whether the vessel intends to engage in fishing in Closed Area I, as defined in § 648.81(c)(3), at any point in the trip; and

(6) A vessel issued a Category A or B Herring Permit fishing on a declared herring trip with midwater trawl gear, or a vessel issued a Category C Herring Permit and fishing with midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined at § 648.200(f)(1) and (3), must notify NMFS Office of Law Enforcement through VMS of the time and place of offloading at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish. The Regional Administrator may adjust the prior notification minimum time through publication of a notice in the **Federal Register** consistent with the Administrative Procedure Act.

* * * * *

(e) * * *

(4) The vessel does not fish for, possess, or land NE multispecies, except that vessels that have a Category A or B Herring Permit fishing on a declared herring trip may possess and land haddock or other regulated species consistent with possession restrictions in § 648.86(a)(3) and (k), respectively. Such haddock or other regulated multispecies may not be sold, purchased, received, traded, bartered, or transferred, or attempted to be sold, purchased, received, traded, bartered, or transferred for, or intended for, human consumption. Haddock or other regulated species that are separated out from the herring catch pursuant to § 648.15(d) may not be sold, purchased, received, traded, bartered, or transferred, or attempted to be sold, purchased, received, traded, bartered, or transferred for any purpose. A vessel issued a Category A or B Herring Permit may not discard haddock that has been brought on the deck or pumped into the hold;

(5) To fish for herring under this exemption, vessels that have a Category A or B Herring Permit must provide notice to NMFS of the vessel name; contact name for coordination of observer deployment; telephone number for contact; and the date, time, and port of departure, at least 72 hours prior to beginning any trip into these areas for the purposes of observer deployment; and

(6) All vessels that have a Category A or B Herring Permit must notify NMFS Office of Law Enforcement through VMS of the time and place of offloading

at least 6 hours prior to landing or, if fishing ends less than 6 hours before landing, as soon as the vessel stops catching fish. The Regional Administrator may adjust the prior notification minimum time through publication of a notice in the **Federal Register** consistent with the Administrative Procedure Act.

* * * * *

■ 9. In § 648.83, paragraph (b)(4) is revised to read as follows:

§ 648.83 Multispecies minimum fish sizes.

* * * * *

(b) * * *

(4) Vessels that have a Category A or B Herring Permit may possess and land haddock and other regulated species that are smaller than the minimum size specified under § 648.83, consistent with the bycatch caps specified in §§ 648.86(a)(3) and 648.86(k). Such fish may not be sold for human consumption.

* * * * *

■ 10. In § 648.86, paragraphs (a)(3)(i), (a)(3)(ii)(A)(*1*), and paragraph (k) are revised to read as follows:

§ 648.86 NE Multispecies possession restrictions.

* * * * *

(a) * * *

(3)(i) *Incidental catch allowance for some Atlantic herring vessels.* A vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of gear or area fished, or a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may only possess and land haddock, in accordance with requirements specified in § 648.80(d) and (e).

(ii) *Haddock incidental catch cap.* (A)(*1*) When the Regional Administrator has determined that the incidental catch allowance for a given haddock stock, as specified in § 648.90(a)(4)(iii)(D), has been caught, no vessel issued an Atlantic herring permit and fishing with midwater trawl gear in the applicable stock area, *i.e.,* the Herring GOM Haddock Accountability Measure (AM) Area or Herring GB Haddock AM Area, as defined in paragraphs (a)(3)(ii)(A)(*2*) and (*3*) of this section, may fish for, possess, or land herring in excess of 2,000 lb (907.2 kg) per trip in or from that area, unless all herring possessed and landed by the vessel were caught outside the applicable AM Area and the vessel's gear is stowed and not available for immediate use as defined in § 648.2 while transiting the AM Area. Upon this determination, the haddock possession limit is reduced to 0 lb (0 kg) for a vessel issued a Federal Atlantic herring permit and fishing with midwater trawl gear or for a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of area fished or gear used, in the applicable AM area, unless the vessel also possesses a NE multispecies permit and is operating on a declared (consistent with § 648.10(g)) NE multispecies trip. In making this determination, the Regional Administrator shall use haddock catches observed by NMFS-approved observers by herring vessel trips using midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined in § 648.200(f)(1) and (3), expanded to an estimate of total haddock catch for all such trips in a given haddock stock area.

* * * * *

(k) *Other regulated NE multispecies possession restrictions for some Atlantic herring vessels.* A vessel issued a Category A or B Herring Permit on a declared herring trip, regardless of area fished or gear used, or a vessel issued a Category C Herring Permit and/or a Category D or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may possess and land haddock, and up to 100 lb (45 kg), combined, of other regulated NE multispecies, other than haddock, in accordance with the requirements in § 648.80(d) and (e). Such fish may not be sold for human consumption.

* * * * *

■ 11. In § 648.200, paragraphs (a), (b)(1), and (c) are revised to read as follows:

§ 648.200 Specifications.

(a) The Atlantic Herring Plan Development Team (PDT) shall meet at least every 3 years, but no later than July of the year before new specifications are implemented, with the Atlantic States Marine Fisheries Commission's (Commission) Atlantic Herring Technical Committee (TC) to develop and recommend the following specifications for a period of 3 years for consideration by the New England Fishery Management Council's Atlantic Herring Oversight Committee: Overfishing Limit (OFL), Acceptable Biological Catch (ABC), Annual Catch Limit (ACL), Optimum yield (OY), domestic annual harvest (DAH), domestic annual processing (DAP), U.S. at-sea processing (USAP), border transfer (BT), the sub-ACL for each management area, including seasonal periods as specified at § 648.201(d) and modifications to sub-ACLs as specified at § 648.201(f), the amount to be set aside for the RSA (from 0 to 3 percent of the sub-ACL from any management area), and river herring and shad catch caps, as specified in § 648.201(a)(4). Recommended specifications shall be presented to the New England Fishery Management Council.

(1) The PDT shall meet with the Commission's TC to review the status of the stock and the fishery and prepare a Stock Assessment and Fishery Evaluation (SAFE) report at least every 3 years. The Herring PDT will meet at least once during interim years to review the status of the stock relative to the overfishing definition if information is available to do so. When conducting a 3-year review and preparing a SAFE Report, the PDT/TC will recommend to the Council/Commission any necessary adjustments to the specifications for the upcoming 3 years.

(2) If the Council determines, based on information provided by the PDT/TC or other stock-related information, that the specifications should be adjusted during the 3-year time period, it can do so through the same process outlined in this section during one or both of the interim years.

(b) * * *

(1) OFL must be equal to catch resulting from applying the maximum fishing mortality threshold to a current or projected estimate of stock size. When the stock is not overfished and overfishing is not occurring, this is the fishing rate supporting maximum sustainable yield (F_{MSY} or proxy). Catch that exceeds this amount would result in overfishing. The stock is considered overfished if stock biomass is less than ½ the stock biomass associated with the MSY level or its proxy (*e.g.,* SSB_{MSY} or proxy). The stock is considered subject to overfishing if the fishing mortality rate exceeds the fishing mortality rate associated with the MSY level or its proxy (*e.g.,* F_{MSY} or proxy).

* * * * *

(c) The Atlantic Herring Oversight Committee shall review the recommendations of the PDT and shall consult with the Commission's Herring Board. Based on these recommendations and any public comment received, the Herring Oversight Committee shall recommend to the Council appropriate specifications for a 3-year period. The Council shall review these recommendations and, after considering public comment, shall recommend appropriate 3-year specifications to NMFS. NMFS shall review the recommendations, consider any comments received from the Commission, and publish notification in the **Federal Register** proposing 3-year specifications. If the proposed specifications differ from those recommended by the Council, the

reasons for any differences shall be clearly stated and the revised specifications must satisfy the criteria set forth in paragraph (b) of this section.

* * * * *

■ 12. In § 648.201, paragraphs (a)(2), (g), and (h) are revised to read as follows:

§ 648.201 AMs and harvest controls.

(a) * * *

(2) When the Regional Administrator has determined that the GOM and/or GB incidental catch cap for haddock in § 648.90(a)(4)(iii)(D) has been caught, no vessel issued a Federal Atlantic herring permit and fishing with midwater trawl gear in the applicable Accountability Measure (AM) Area, *i.e.,* the Herring GOM Haddock AM Area or Herring GB Haddock AM Area, as defined in § 648.86(a)(3)(ii)(A)(*2*) and (*3*) of this part, may fish for, possess, or land herring in excess of 2,000 lb (907.2 kg) per trip in or from the applicable AM Area, and from landing herring more than once per calendar day, unless all herring possessed and landed by a vessel were caught outside the applicable AM Area and the vessel's gear is not available for immediate use as defined in § 648.2 while transiting the applicable AM Area. Upon this determination, the haddock possession limit is reduced to 0 lb (0 kg) in the applicable AM area for a vessel issued a Federal Atlantic herring permit and fishing with midwater trawl gear or for a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of area fished or gear used, in the applicable AM area, unless the vessel also possesses a Northeast multispecies permit and is operating on a declared (consistent with § 648.10(g)) Northeast multispecies trip.

* * * * *

(g) *Carryover.* (1) Subject to the conditions described in this paragraph (g), unharvested catch in a herring management area in a fishing year (up to 10 percent of that area's sub-ACL) shall be carried over and added to the sub-ACL for that herring management area for the fishing year following the year when total catch is determined. For example, NMFS will determine total catch from Year 1 during Year 2, and will add carryover to the applicable sub-ACL(s) in Year 3. All such carryover shall be based on the herring management area's initial sub-ACL allocation for the fishing year, not the sub-ACL as increased by carryover or decreased by an overage deduction, as specified in paragraph (a)(3) of this section. All herring caught from a herring management area shall count against that area's sub-ACL, as increased by carryover. For example, if 500 mt of herring is added as carryover to a 5,000 mt sub-ACL, catch in that management area would be tracked against a total sub-ACL of 5,500 mt. NMFS shall add sub-ACL carryover only if the ACL, specified consistent with § 648.200(b)(3), for the fishing year in which there is unharvested herring, is not exceeded. The ACL, consistent with § 648.200(b)(3), shall not be increased by carryover specified in this paragraph (g).

(2) Carryover of unharvested catch as described in § 648.201(g) shall not be added to any herring management area's sub-ACL in the 2020 and 2021 herring fishing years.

(h) If NMFS determines that the New Brunswick weir fishery landed less than 2,942 mt of herring through October 1, NMFS will subtract 1,000 mt from management uncertainty and reallocate that 1,000 mt to the ACL and Area 1A sub-ACL. NMFS will notify the Council of this adjustment and publish the adjustment in the **Federal Register**.

■ 13. In § 648.202, paragraph (b)(4)(iv) is revised to read as follows:

§ 648.202 Season and area restrictions.

* * * * *

(b) * * *

(4) * * *

(iv) Comply with the measures to address slippage specified in § 648.11(m)(4)(iv) and (v) if the vessel was issued a Category A or B Herring Permit.

* * * * *

■ 14. In § 648.204, paragraph (a) is revised to read as follows:

§ 648.204 Possession restrictions.

(a) A vessel must be issued and possess a valid Category A, B, C, or E Herring Permit (as defined in § 648.4(a)(10)(iv) and (v)) to fish for, possess, or land more than 6,600 lb (3 mt) of Atlantic herring from any herring management area in the EEZ. A vessel must abide by any harvest restriction specified in § 648.201 that has been implemented.

(1) A vessel issued a Category A Herring Permit may fish for, possess, or land Atlantic herring with no possession restriction from any of the herring management areas defined in § 648.200(f), provided none of the accountability measures or harvest restrictions specified in § 648.201 have been implemented.

(2) A vessel issued only a Category B Herring Permit may fish for, possess, or land Atlantic herring with no possession restriction only from Area 2 or Area 3, as defined in § 648.200(f), provided none of the accountability measures or harvest restrictions specified in § 648.201 have been implemented. Such a vessel may fish in Area 1 only if issued a Category C or D Herring Permit, and only as authorized by the respective permit.

(3) A vessel issued a Category C Herring Permit may fish for, possess, or land up to, but no more than, 55,000 lb (25 mt) of Atlantic herring in any calendar day, and is limited to one landing of herring per calendar day, from any management area defined in § 648.200(f), provided none of the accountability measures or harvest restrictions specified in § 648.201 have been implemented.

(4) A vessel issued a Category D Herring Permit may fish for, possess, or land up to, but no more than, 6,600 lb (3 mt) of Atlantic herring from any herring management area per trip, and is limited to one landing of herring per calendar day, provided none of the accountability measures or harvest restrictions specified in § 648.201 have been implemented.

(5) A vessel issued a Category E Herring Permit may fish for, possess, or land up to, but no more than, 20,000 lb (9 mt) of Atlantic herring from only Area 2 or Area 3, as defined in § 648.200(f), per trip, and is limited to one landing of herring per calendar day, provided none of the accountability measures or harvest restrictions specified in § 648.201 have been implemented.

(6) A vessel issued a herring permit may possess herring roe provided that the carcasses of the herring from which it came are not discarded at sea.

* * * * *

■ 15. § 648.205 is revised to read as follows:

§ 648.205 VMS requirements.

The owner or operator any vessel issued a Category A, B, C, or E Herring Permit, with the exception of fixed gear fishermen, must install and operate a VMS unit consistent with the requirements of § 648.9. The VMS unit must be installed on board, and must be operable before the vessel may begin fishing. Atlantic herring carrier vessels are not required to have VMS. (See § 648.10(m) for VMS notification requirements.)

[FR Doc. 2020–01078 Filed 1–27–20; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 85, No. 18

Tuesday, January 28, 2020

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.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Sunshine Act Meeting

TIME AND DATE: January 29, 2020, 1:00 p.m. EDT.

PLACE: U.S. Chemical Safety Board, 1750 Pennsylvania Ave. NW, Suite 910, Washington, DC 20006.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: The Chemical Safety and Hazard Investigation Board (CSB) will convene a public meeting on Wednesday, January 29, 2020, at 1:00 p.m. EDT in Washington, DC, at the CSB offices located at 1750 Pennsylvania Avenue NW, Suite 910. The Board will discuss open investigations, the status of audits from the Office of the Inspector General, and financial and organizational updates. The Board plans to release a new safety video focusing on the 2017 fatal hot work incident at the Packaging Corporation of America (PCA) facility in Deridder, LA.

ADDITIONAL INFORMATION: The meeting is free and open to the public. If you require a translator or interpreter, please notify the individual listed below as the ''Contact Person for Further Information,'' at least three business days prior to the meeting.

A conference call line will be provided for those who cannot attend in person. Please use the following dial-in number to join the conference:

Audience members should use the following dial-in numbers to join the conference:

1 (800) 697–5978 Audience US Toll Free
1 (630) 691–2750 Audience US Toll
Passcode: 7898 239#

The CSB is an independent federal agency charged with investigating incidents and hazards that result, or may result, in the catastrophic release of extremely hazardous substances. The agency's Board Members are appointed by the President and confirmed by the Senate. CSB investigations look into all aspects of chemical accidents and hazards, including physical causes such as equipment failure as well as inadequacies in regulations, industry standards, and safety management systems.

PUBLIC COMMENT: The time provided for public statements will depend upon the number of people who wish to speak. Speakers should assume that their presentations will be limited to three minutes or less, but commenters may submit written statements for the record.

CONTACT PERSON FOR FURTHER INFORMATION: Hillary Cohen, Communications Manager, at *public@csb.gov* or (202) 446–8094. Further information about this public meeting can be found on the CSB website at: *www.csb.gov.*

Dated: January 23, 2020.

Raymond C. Porfiri,

Deputy General Counsel, Chemical Safety and Hazard Investigation Board.

[FR Doc. 2020–01490 Filed 1–24–20; 11:15 am]

BILLING CODE 6350–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Florida Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Florida Advisory Committee (Committee) will hold a public meeting on Thursday February 27, 2020, from 9 a.m.–4 p.m. Eastern Time, to hear testimony regarding voting rights in Florida.

DATES: The meeting will be held on Thursday February 27, 2020, from 9:00 a.m.–4:00 p.m. Eastern Time.

ADDRESSES: Embassy Suites Orlando, Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or 312–353–8311.

SUPPLEMENTARY INFORMATION: This meeting is open to the public. An open comment period will be provided to allow members of the public to make a statement as time allows. To request individual accommodations for persons with disabilities planning to attend, please contact the Regional Programs Unit at 312–353–8311 at least 10 days prior to the meeting.

Written comments may be mailed to the Regional Program Unit Office, U.S. Commission on Civil Rights, 230 S Dearborn St., Suite 2120, Chicago, IL 60604 within 30 days following the meeting. They may also be faxed to the Commission at (312) 353–8324 or may be emailed to Carolyn Allen at *callen@usccr.gov.* Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Florida Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Program Unit at the above email or street address.

Agenda

Opening Remarks and Introductions (9:00 a.m.–9:15 a.m.)
Panel 1: (9:15 a.m.–10:30 a.m.)
Panel 2: (10:45 a.m.–12:00 p.m.
Break (12:00 p.m.–1:30 p.m.)
Panel 3: (1:30 p.m.–2:45 p.m.)
Open Public Comment (2:45 p.m.–4:00 p.m.)
Closing Remarks (4:00 p.m.)

Dated: January 22, 2020.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2020–01381 Filed 1–27–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

America Crece Industry Roundtable and Request for Public Comment

AGENCY: International Trade Administration, Commerce.

ACTION: Request for public comments and notice of a roundtable discussion on energy and other infrastructure opportunities in Latin America and the Caribbean under the *America Crece* initiative.

SUMMARY: The International Trade Administration (ITA) of the Department of Commerce seeks individual comments from industry on government programs aimed at catalyzing U.S. private sector participation in commercial opportunities in energy and other infrastructure in Latin America and the Caribbean (LAC). Through this notice, ITA announces a request for written public comments and announces a roundtable discussion with industry representatives and U.S. government staff. This notice serves as an initial step in improving ITA's understanding of private sector interests and programmatic and policy needs in energy and other infrastructure sectors in the LAC region under the new *America Crece* initiative. This notice further sets forth topics for discussion and comment.

DATES:

Event: The roundtable will be held on February 20, 2020 from 9:00 a.m. to 12:00 p.m., Eastern Daylight Time.

Written Comments: To be ensured of consideration, written public comments must be received on or before February 28, 2020. Comments should not include any business confidential information.

Event Registration: ITA will evaluate registrations based on the submitted information (see below) and inform applicants of selection decisions, which will be made on a rolling basis until 30 participants have been selected.

ADDRESSES:

Event: The roundtable will be held at the Department of Commerce, Commerce Research Library, 1401 Constitution Ave. NW, Washington, DC 20230.

Comments: Written comments should be sent by electronic mail addressed to *AmericaCreceOutreach@trade.gov.* Comments may also be submitted by mail addressed to: Attn: America Crece, Deputy Assistant Secretary for the Western Hemisphere, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Ave. NW, Room 30019, Washington, DC 20230. Although comments may be submitted by mail, ITA prefers to receive comments via electronic mail.

For alternatives to online or mail submissions, please contact Christian Herman, International Trade Specialist, ITA, at (202) 482–5430

FOR FURTHER INFORMATION CONTACT: *AmericaCreceOutreach@trade.gov* or Christian Herman, International Trade Specialist, ITA, at (202) 482–5430

SUPPLEMENTARY INFORMATION: In 2018, the government of the United States launched the *America Crece* (Growth in the Americas) initiative to foster coordinated, whole-of-government efforts in support of all U.S. energy and infrastructure engagement in the LAC region. This request for comment and event notification seeks public comment on priorities and strategies to enhance commercial engagement in energy and other infrastructure in the LAC region through programs under the umbrella of the *America Crece* initiative.

The Department seeks individual input and views at the February 20, 2020 roundtable regarding the LAC region, including the following topics:

- The principal foreign regulatory and policy barriers to growing sales and exports to the LAC region and how to prioritize these barriers for USG engagement.
- The principal foreign barriers to investment in the energy and infrastructure sectors in LAC countries.
- The challenges U.S. companies face in seeking and/or providing competitive financing for projects in the LAC region.
- Proactive solutions or actions that the U.S. government could pursue that would have an impact on catalyzing U.S. private sector participation in commercial opportunities in LAC.
- Insights from working with USG agencies—such as State, Commerce, Treasury, Energy, USTDA, EXIM, OPIC, USAID—in doing business in LAC, including assessments of the strengths and weaknesses of the U.S. government tools to promote U.S. businesses in the energy and infrastructure sectors in LAC countries.

Event: The February 20, 2020 roundtable will provide an overview of the *America Crece* initiative and will include a discussion session during which participants will provide insights and feedback related to the initiative and energy and infrastructure in the LAC region. Due to limited space, the event is closed to press and observers. Industry participation is limited to 30 qualifying industry representatives.

Selection

To attend, participants should submit the below information to *AmericaCreceOutreach@trade.gov* by February 18, 2020. I&A will evaluate registrations based on the submitted information (and based on the criteria below) on a rolling basis until 30 participants have been selected and inform applicants of selection decisions.

Applicants are encouraged to send representatives at a sufficiently senior level to be knowledgeable about their organization's capabilities, interests and challenges in the LAC region.

Registrations should include the following information in their registration email:

- Name of attendee and short bio.
- Organization and brief organization description.
- A statement self-certifying how the organization meets each of the following criteria:

1. It is not majority owned by a foreign government entity (or entities).
2. Its existing products or services are either produced in the United States, or, if not, marketed under the name of a U.S. firm and have demonstrable U.S. content as a percentage of the value of the finished product or service and/or it is a major investor in projects in LAC in which companies with such products may compete.
3. It has already exported from the United States to or invested in the LAC region.
4. In the case of a trade association, academic or research institution, the applicant will only be representing companies during the roundtable that satisfy each of the criteria above.

Selection will be based on the following criteria:

- Suitability of the company's (or in the case of another organization, represented companies' or constituents') existing products or services to commercial opportunities in the energy and infrastructure sectors in the LAC region.
- Suitability of the company's (or in the case of another organization, represented companies' or constituents') experience pursuing commercial opportunities in the LAC region.
- Suitability of the representative's position and biography to be able to engage in the conversation.

Dated: January 23, 2020.

Man Cho,

Deputy Director, Office of Energy and Environmental Industries.

[FR Doc. 2020–01418 Filed 1–27–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–489–819]

Steel Concrete Reinforcing Bar From the Republic of Turkey: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

SUMMARY: As a result of this expedited sunset review, the Department of Commerce (Commerce) finds that revocation of the countervailing duty order on steel concrete reinforcing bar

(rebar) from the Republic of Turkey (Turkey) would be likely to lead to continuation or recurrence of countervailable subsidies at the levels as indicated in the ''Final Results of Sunset Review'' section of this notice.

DATES: Applicable January 28, 2020.

FOR FURTHER INFORMATION CONTACT: Charlotte Baskin-Gerwitz, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4880.

SUPPLEMENTARY INFORMATION:

Background

On November 6, 2014, Commerce published the countervailing duty order on rebar from Turkey in the **Federal Register**.[1] On October 1, 2019, Commerce published the notice of initiation of the first five-year (sunset) review of the *Order,* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[2] On October 16, 2019, Commerce received a notice of intent to participate from the Rebar Trade Action Coalition (RTAC) and its individual members [3] (collectively, the domestic interested parties), within the deadline specified in 19 CFR 351.218(d)(1)(i).[4] The domestic interested parties claimed interested party status under section 771(9)(F) of the Act as an association, a majority of whose members are composed of interested parties within the meaning of section 771(9)(C)—a manufacturer of the domestic like product.[5]

On October 30, 2019, Commerce received adequate substantive responses to the *Notice of Initiation* from the domestic interested parties and the Government of Turkey (GOT) within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).[6] Commerce received no substantive response from any respondent interested parties.

On November 22, 2019, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.[7] Accordingly, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order.*

Scope of the Order

The merchandise covered by the *Order* is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade. The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010.

The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0015, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6085, 7228.20.1000, and 7228.60.6000. Specifically excluded are plain rounds (*i.e.,* non-deformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (*e.g.,* mill mark, size, or grade) and without being subject to an elongation test. HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of countervailable subsidies and the net countervailable subsidy likely to prevail if the order were revoked.[8] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Services System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov,* and to all parties in the Central Records Unit in Room B8024 of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://enforcement.trade.gov/frn/index.html.* The signed and electronic versions of the Issues and Decision Memorandum are identical in content. A list of the issues discussed in the decision memorandum is attached at the Appendix to this notice.

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to continuation or recurrence of countervailable subsidies at the following rates:

Manufacturer/producer/exporter	Net countervailable subsidy (%)
Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S	4.02.
Kaptan Demir Celik Endustrisi ve Ticaret A.S. and Kaptan Metal Dis Ticaret ve Nakliyat A.S. (collectively, Kaptan) [9]	1.25.
Colakoglu Dis Ticaret A.S. and Colakoglu Metalurji A.S. (collectively, Colakoglu) [10]	1.25.
Produced and Exported by Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. (Habas) [11]	Excluded from the *Order.*
All Others	1.25.

[1] *See Steel Concrete Reinforcing Bar from the Republic of Turkey: Countervailing Duty Order,* 79 FR 65926, 65927 (November 6, 2014) (*Order*).

[2] *See Initiation of Five-Year (Sunset) Review,* 84 FR 52067 (October 1, 2019) (*Notice of Initiation*).

[3] RTAC's individual members are Nucor Corporation, Gerdau Ameristeel U.S. Inc., Commercial Metals Company, and Steel Dynamics, Inc.

[4] *See* Domestic Interested Parties' Letter, ''Steel Concrete Reinforcing Bars from the Republic of Turkey: Notice of Intent to Participate in Sunset Review,'' dated October 16, 2019.

[5] *Id.* at 2.

[6] *See* Domestic Interested Parties' Letter, ''Steel Concrete Reinforcing Bar from the Republic of Turkey: Substantive Response to Notice of Initiation,'' dated October 30, 2019; and *see also* GOT's Letter, ''Substantive Response of the Government of the Republic of Turkey in the First Sunset Review of the Countervailing Duty Order on Steel Concrete Reinforcing Bar,'' dated October 30, 2019.

[7] *See* Commerce's Letter, ''Sunset Review Initiated on October 1, 2019,'' dated November 22, 2019.

[8] *See* Memorandum, ''Issues and Decision Memorandum for the Expedited First Sunset Review of the Countervailing Duty Order on Drawn Stainless Steel Sinks from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[9] These companies were found to be cross-owned in a prior segment of this proceeding. *See Steel Concrete Reinforcing Bar from the Republic of Turkey: Final Results and Partial Rescission of Countervailing Duty Administrative Review; 2014,* 82 FR 26907 (June 12, 2017).

[10] These companies were found to be cross-owned in a prior segment of this proceeding. *See Steel Concrete Reinforcing Bar from the Republic of Turkey: Final Results and Partial Rescission of Countervailing Duty Administrative Review; 2015,* 83 FR 16051 (April 13, 2018).

[11] Merchandise either produced or exported by Habas (but not both) is subject to the all others rate.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

Commerce is issuing and publishing the final results and notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.

Dated: January 22, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. History of the *Order*
V. Legal Framework
VI. Discussion of the Issues
VII. Final Results of Sunset Review
VIII. Recommendation

[FR Doc. 2020–01434 Filed 1–27–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–900]

Diamond Sawblades and Parts Thereof From the People's Republic of China: Notice of Covered Merchandise Referral and Initiation of Scope Inquiry

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

SUMMARY: Pursuant to the Enforce and Protect Act of 2015 (EAPA), the Department of Commerce (Commerce) received a covered merchandise referral from U.S. Customs and Border Protection (CBP) in connection with a CBP EAPA investigation concerning the antidumping duty order on diamond sawblades and parts thereof (diamond sawblades) from the People's Republic of China (China). In accordance with EAPA, Commerce intends to determine whether the merchandise subject to the referral is covered by the scope of this order and promptly transmit its determination to CBP. Commerce is providing notice of the referral and inviting participation from interested parties.

DATES: Applicable January 28, 2020.

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun, 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) 482–5760.

SUPPLEMENTARY INFORMATION:

Background

On February 24, 2016, the Trade Facilitation and Trade Enforcement Act of 2015 was signed into law, which contains Title IV—Prevention of Evasion of Antidumping and Countervailing Duty Orders (short title ''Enforce and Protect Act of 2015'' or ''EAPA'') (Pub. L. 114–125, 130 Stat. 122, 155, Feb. 24, 2016). Effective August 22, 2016, section 421 of the EAPA added section 517 to the Tariff Act of 1930, as amended (the Act), which establishes a formal process for CBP to investigate allegations of the evasion of antidumping duty and/or countervailing duty orders. Section 517(b)(4)(A) of the Act provides that if, during the course of an EAPA investigation, CBP is unable to determine whether the merchandise at issue is covered merchandise within the meaning of section 517(a)(3) of the Act, it shall refer the matter to Commerce to make such a determination. Section 517(a)(3) of the Act defines covered merchandise as merchandise that is subject to an antidumping duty order issued under section 736 of the Act or a countervailing duty order issued under section 706 of the Act. Section 517(b)(4)(B) of the Act states that Commerce, after receiving a covered merchandise referral from CBP, shall determine whether the merchandise is covered merchandise and promptly transmit its determination to CBP. The Act does not establish a deadline within which Commerce must issue its determination.

On September 26, 2019, Commerce received a covered merchandise referral from CBP regarding CBP EAPA Investigation No. 7250,[1] which concerns the antidumping duty order on diamond sawblades from China. CBP explained that the petitioner's allegation involves diamond sawblades from China transshipped through Thailand and imported by Lyke Industrial Tool, LLC (Lyke). In response to the petitioner's allegation, CBP requested and obtained information from Lyke and Lyke's supplier of cores and segments, Like Tools Co. Ltd. (Like Thailand). CBP has requested that Commerce issue a determination as to whether the following categories of diamond sawblades are covered merchandise subject to the antidumping duty order:

Category 1: Core sourced from Thailand; segments from China; joined in Thailand.

Category 2: Core and segments both sourced from China; joined in Thailand.

Category 3: Core sourced from China; segments from Thailand; joined in Thailand.

In addition, on September 6, 2019, Lyke requested a scope ruling with respect to certain diamond sawblades that Lyke imported from Thailand.[2] Specifically, Lyke requested that Commerce determine whether diamond sawblades made by Like Thailand using Thai segments (regardless of the origin of the cores) are outside the scope of the antidumping duty order on diamond sawblades from China.[3] On September 19, 2019, the petitioner filed a response letter in opposition to Lyke's scope request.[4] We extended the time period for issuing a scope ruling or initiating a formal scope inquiry to January 21, 2020.[5]

Notification to Interested Parties

Commerce is hereby notifying interested parties that it has received the covered merchandise referral referenced above and will begin a new segment of the proceeding by initiating a scope inquiry concerning the merchandise imported by Lyke that were supplied by Like Thailand, in accordance with 19 CFR 351.225(b). Based on our finding in that scope inquiry, we intend to notify CBP as to whether the merchandise subject to the referral is covered merchandise within the meaning of

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[1] *See* CBP's Letter, ''Covered Merchandise Referral Request for Merchandise under EAPA Investigation 7250, Imported by Lyke Industrial Tool, LLC, and Concerning the Investigation of Evasion of the Antidumping Duty Order on Diamond Sawblades and Parts Thereof from the People's Republic of China (A–570–900),'' dated September 19, 2019. Commerce intends to make available this document and any supporting documents on Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS) within five days of publication of this notice.

[2] *See* Lyke's Letter, ''Diamond Sawblades and Parts Thereof from The People's Republic of China: Scope Inquiry Request,'' dated September 6, 2019.

[3] *See Diamond Sawblades and Parts Thereof from the People's Republic of China and the Republic of Korea: Antidumping Duty Orders,* 74 FR 57145 (November 4, 2009).

[4] *See* Petitioner's Letter, ''Diamond Sawblades and Parts Thereof from the People's Republic of China: Response to Request for Scope Ruling,'' dated September 19, 2019. The petitioner is Diamond Sawblades Manufacturers' Coalition.

[5] *See* Commerce's Letters to All Interested Parties dated October 21, 2019, and December 5, 2019.

section 517(a)(3) of the Act. Because the merchandise in Lyke's scope request overlaps with Category 3 above, information contained in Lyke's scope request will be incorporated into this new segment of the proceeding and considered in the context of the scope inquiry, which will cover all three categories of diamond sawblades described in the EAPA referral.

Additionally, Commerce intends to provide interested parties with the opportunity to participate in this segment of the proceeding, including through the submission of comments, and, if appropriate, new factual information and verification. Specifically, Commerce will notify parties on the segment-specific service list for this segment of the proceeding of a schedule for comments. In addition, Commerce may request factual information from any party to assist in making its determination, including soliciting information directly from Lyke and Like Thailand to conduct our analysis, and may verify submissions of factual information, if Commerce determines that such verification is appropriate. Commerce intends to issue a final determination within 120 days of the publication of this notice (this deadline may be extended if it is not practicable to complete the final determination within 120 days) and will promptly transmit its final determination to CBP in accordance with section 517(b)(4)(B) of the Act.

Commerce may consider conducting a separate anti-circumvention inquiry regarding the merchandise described in CBP's covered merchandise referral, if parties submit the necessary information addressing the criteria for an anti-circumvention inquiry in accordance with section 781 of the Act. Interested parties are requested to file such comments and information onto the record of this proceeding within 30 days of the publication of this notice in the **Federal Register**.

Interested parties that wish to participate in the scope inquiry being initiated now, and receive notice of the final determination, must submit their letters of appearance as discussed below. Further, any party desiring access to business proprietary information in this segment of the proceeding must file an application for access to business proprietary information under administrative protective order (APO), as discussed below.

Finally, we note that scope inquiries initiated in response to a CBP covered merchandise referral are a new type of proceeding at Commerce.[6] Commerce intends to develop its practice and procedures in this area as it gains more experience.

Scope of the Order

For a complete description of the scope of the orders, *see* the Appendix to this notice.

Filing Requirements

All submissions to Commerce must be filed electronically using ACCESS.[7] An electronically filed document must be received successfully in its entirety by the time and date it is due. Documents exempted from the electronic submission requirements must be filed manually (*i.e.,* in paper form) with Enforcement and Compliance's APO/Dockets Unit, Room 18022, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, and stamped with the date of receipt by the applicable deadlines.

Letters of Appearance and APO

Interested parties that wish to participate in this segment of the proceeding and be added to the public service list for this segment of the proceeding must file a letter of appearance in accordance with 19 CFR 351.103(d)(1), with one exception: The parties publicly identified by CBP in the covered merchandise referral (referenced above) are not required to submit a letter of appearance, and will be added to the public service list for this segment of the proceeding by Commerce.

Within 24 hours of this notice being signed, Commerce placed a request for an APO segment on the record[8] and established an APO segment for use in this proceeding. Commerce intends to place the business proprietary versions of the documents contained in the covered merchandise referral on the record of this proceeding in ACCESS within five days of publication of this notice.

Interested parties must submit applications for disclosure under the APO in accordance with the procedures outlined in Commerce's regulations at 19 CFR 351.305. Those procedures apply to this segment of the proceeding, with one exception: APO applicants representing the parties that have been identified by CBP as an importer in the covered merchandise referral (referenced above) are exempt from the additional filing requirements for importers pursuant to 19 CFR 351.305(d).

Dated: January 21, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Order

The products covered by the order are all finished circular sawblades, whether slotted or not, with a working part that is comprised of a diamond segment or segments, and parts thereof, regardless of specification or size, except as specifically excluded below. Within the scope of the order are semi-finished diamond sawblades, including diamond sawblade cores and diamond sawblade segments. Diamond sawblade cores are circular steel plates, whether or not attached to non-steel plates, with slots. Diamond sawblade cores are manufactured principally, but not exclusively, from alloy steel. A diamond sawblade segment consists of a mixture of diamonds (whether natural or synthetic, and regardless of the quantity of diamonds) and metal powders (including, but not limited to, iron, cobalt, nickel, tungsten carbide) that are formed together into a solid shape (from generally, but not limited to, a heating and pressing process).

Sawblades with diamonds directly attached to the core with a resin or electroplated bond, which thereby do not contain a diamond segment, are not included within the scope of the order. Diamond sawblades and/or sawblade cores with a thickness of less than 0.025 inches, or with a thickness greater than 1.1 inches, are excluded from the scope of the order. Circular steel plates that have a cutting edge of non-diamond material, such as external teeth that protrude from the outer diameter of the plate, whether or not finished, are excluded from the scope of the order. Diamond sawblade cores with a Rockwell C hardness of less than 25 are excluded from the scope of the order. Diamond sawblades and/or diamond segment(s) with diamonds that predominantly have a mesh size number greater than 240 (such as 250 or 260) are excluded from the scope of the order.

Merchandise subject to the order is typically imported under heading 8202.39.00.00 of the Harmonized Tariff Schedule of the United States (HTSUS). When packaged together as a set for retail sale with an item that is separately classified under headings 8202 to 8205 of the HTSUS,

[6] We initiated one such proceeding recently. *See Certain Hardwood Plywood From the People's Republic of China: Notice of Covered Merchandise Referral and Initiation of Scope Inquiry,* 85 FR 3024 (January 17, 2020).

[7] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011), as amended in *Enforcement and Compliance; Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements. Information on help using ACCESS can be found at *https://access.trade.gov/help.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[8] *See* Memorandum, ''Diamond Sawblades and Parts Thereof from the People's Republic of China: APO Request,'' dated January 21, 2020.

diamond sawblades or parts thereof may be imported under heading 8206.00.00.00 of the HTSUS. On October 11, 2011, Commerce included the 6804.21.00.00 HTSUS classification number to the customs case reference file, pursuant to a request by U.S. Customs and Border Protection.[9] Pursuant to requests by CBP, Commerce included to the customs case reference file the following HTSUS classification numbers: 8202.39.0040 and 8202.39.0070 on January 22, 2015, and 6804.21.0010 and 6804.21.0080 on January 26, 2015.[10]

The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.

[FR Doc. 2020–01433 Filed 1–27–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2018–HQ–0004]

Submission for OMB Review; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by February 27, 2020.

ADDRESSES: Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Seehra, DoD Desk Officer, at *oira_submission@omb.eop.gov.* Please identify the proposed information collection by DoD Desk Officer, Docket ID number, and title of the information collection.

FOR FURTHER INFORMATION CONTACT: Angela James, 571–372–7574, or *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Air Force Recruiting. Information Support System—Total Force (AFRISS–TF); OMB Control Number 0701–0150.

Type of Request: Reinstatement with change.

Number of Respondents: 100,000.

Responses per Respondent: 15.

Annual Responses: 1,500,000.

Average Burden per Response: 3 hours.

Annual Burden Hours: 4,500,000.

Needs and Uses: Recruiting requires the collection of specific information on prospective Air Force, Air National Guard, and Air Force Reserve Command enlistees, officers, and health profession personnel entering into duty. The information is used to create the initial personnel record that is used to prescreen and qualify enlistees, line officers, and health professionals fit for service and ultimately induction into one of the three Air Force commands. The information is also collected to process security clearances for those individuals requiring clearances for sensitive and classified positions. The respondents are recruiting applicants of the Air Force who may seek more information or request copies of their personal information. The collection instrument is by various forms as applicable. Form names and numbers are listed in accompanying System of Record Notice. Collections instruments are completed by applicants and recruiters into the system of record as applicable to their recruiting and application purposes. Forms are collected by recruiters after completion by the applicants. All completed instruments of collection reside in the system of record which has safeguards in place to protect privacy information. The end result of a successful information collection is the successful accession of an applicant in the Air Force and the safe keeping of said applicant's personal information.

Affected Public: Individuals or Households.

Frequency: On occasion.

Respondent's Obligation: Required to Obtain or Retain Benefits.

OMB Desk Officer: Ms. Jasmeet Seehra.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Angela James.

Requests for copies of the information collection proposal should be sent to Ms. James at *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

Dated: January 23, 2020.

Morgan E. Park,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2020–01394 Filed 1–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2020–OS–0014]

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary, Department of Defense (DoD).

ACTION: Notice of a modified System of Records.

SUMMARY: The Office of the Secretary of Defense (OSD) is modifying an existing System of Records, Defense Civilian Personnel Data System (DCPDS), DPR 34 DoD, by changing the system name and number to the Defense Civilian Human Resource Management System (DCHRMS), DHRA 23 DoD. The DCHRMS serves as the Department's enterprise civilian human resources (HR) automated system and supports one-third of the Federal work force. The Defense Civilian Personnel Advisory Service will manage the development, deployment, and administration of the DCHRMS operation. DCHRMS' operational activities will include the processing of all personnel transactions, position management, providing workforce analysis and reporting for the DoD and external government agencies, support for health insurance programs, managing benefits, performance management and reporting certification and training. DCHRMS will support the entire civilian HR life cycle, with transactions and information reflecting acquiring, assigning, training and development, sustaining and managing HR compensation, managing organizations, supporting benefits management, and separation or termination of civilian personnel.

DATES: This System of Records modification is effective upon publication; however, comments on the Routine Uses will be accepted on or before February 27, 2020. The Routine

[9] *See Diamond Sawblades and Parts Thereof from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review,* 76 FR 76128 (December 6, 2011).

[10] *See Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2016–2017,* 83 FR 64331 (December 14, 2018) and accompanying Issues and Decision Memorandum at 3.

Uses are effective at the close of the comment period.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: https://www.regulations.gov.*

Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Luz D. Ortiz, Chief, Records, Privacy and Declassification Division (RPDD), 1155 Defense Pentagon, Washington, DC 20311–1155, or by phone at (571) 372–0478.

SUPPLEMENTARY INFORMATION: The OSD is modifying this System of Records by changing the following sections: System name and number, system location, system manager(s), authority for maintenance of the system, purpose(s) of the system, categories of records in the system, administrative, technical, and physical safeguards, records source categories, routine uses, and notification procedures.

DCPDS is migrating to new software, a service/cloud based human capital management system, which will be referred to as DCHRMS. The DCHRMS implementation supports the 2018 President's Management Agenda Key Driver of Transformation to ''Build and maintain more modern, secure, and resilient information technology to enhance mission delivery and productivity'' while potentially reducing costs by minimizing variations from standard processes and design, increasing efficiencies, and enhancing customer satisfaction. The DCHRMS system will streamline and standardize personnel processes, such as hiring, reducing time, effort, and costs for the Department and users. The Software as a Service Cloud implementation will also provide more security as a single record source by eliminating duplicate record storage. Building a more modern, secure, and resilient system will enhance productivity and customer satisfaction. This includes an employee self-service system providing a single, comprehensive transactional record for civilian employees, resulting in more efficient and streamlined HR processes.

The OSD notices for Systems of Records subject to the Privacy Act of 1974, as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy, Civil Liberties, and Transparency Division website at *https://dpcld.defense.gov.*

The proposed systems reports, as required by the Privacy Act of 1974, as amended, were submitted on November 22, 2019, to the House Committee on Oversight and Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to Section 6 to OMB Circular No. A–108, ''Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act,'' revised December 23, 2016 (December 23, 2016, 81 FR 94424).

Dated: January 23, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

SYSTEM NAME AND NUMBER:

Defense Civilian Human Resource Management System (DCHRMS), DHRA 23 DoD.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Equinix Data Center, 1945 Lunt Avenue, Elk Grove Village, IL 60007; Secondary address: QTS Data Center, 44874 Moran Road, Sterling, VA 20166.

SYSTEM MANAGER(S):

Director, Enterprise Solutions and Integration Defense Civilian Personnel Advisory Service, 4800 Mark Center Drive, Suite 06E22, Arlington, VA 22350–6000, Email: *dodhra.mc-alex.dcpas.mbx.saco@mail.mil.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. Chapter 11, Office of Personnel Management; 5 U.S.C. Chapter 13, Special Authority; 5 U.S.C. Chapter 29, Commissions, Oaths, Records, and Reports; 5 U.S.C. Chapter 31, Authority for Employment; 5 U.S.C. Chapter 33, Examination, Selection, and Placement; 5 U.S.C. Chapter 41, Training; 5 U.S.C. Chapter 43, Performance Appraisal; 5 U.S.C. Chapter 51, Classification; 5 U.S.C. Chapter 53, Pay Rates and Systems; 5 U.S.C. Chapter 55, Pay Administration; 5 U.S.C. Chapter 61, Hours of Work; 5 U.S.C. Chapter 63, Leave; 5 U.S.C. Chapter 72, Antidiscrimination; Right to Petition Congress; 5 U.S.C. 7201, Antidiscrimination Policy; minority recruitment program; 5 U.S.C. Chapter 75, Adverse Actions; 5 U.S.C. Chapter 83, Retirement; 5 U.S.C. Chapter 84, Federal Employees' Retirement System, Antidiscrimination Policy; minority recruitment program; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; E.O. 9830, Amending the Civil Service Rules and Providing for Federal Personnel Administration, as amended; 29 CFR part 1614.601, EEO Group Statistics; and E.O. 9397 (SSN), as amended.

PURPOSE(S) OF THE SYSTEM:

Data within DCHRMS is used to maintain a System of Records providing human resource information and system support for the DoD civilian workforce worldwide that manages the HR processing and reporting, including position, compensation and benefits, and performance management, as well as create efficiencies in Human Capital Management. Data within the Corporate Management Information System data warehouse is also used for analysis in order to meet Congressional and Federal reporting requirements.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Civilian employees and job applicants selected for civilian appropriated/non-appropriated fund (NAF), local nationals, and National Guard civilian technician positions in the DoD.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personal information including name, date of birth, place of birth, citizenship, gender, marital status, DoD identification number (DoD ID), Social Security Number (SSN), employee number, emergency contact information (contact person's name, home phone, work phone, cell phone, email address), employee work email address, employee phone numbers to include home, work, pager, fax and mobile; security clearance information; ethnicity and race; disability code; and foreign language capability. Position authorization and control information; position data and performance elements; personnel data and projected suspense information for personnel actions; pay, benefits, and entitlements data. Historical information on employees, including job experience, education, training, and training transaction data; performance plans, interim appraisals, final appraisals,

closeouts and ratings; professional accounting or other certifications or licenses; awards information and merit promotion information; separation and retirement data; civilian deployment information, and adverse and disciplinary action data. In addition, the Corporate Management Information System data (which is comprised of each employee current and historical record, to include all person, assignment, position, and personnel actions/updates) will be maintained and refreshed for agencies' historical and congressional reporting purposes.

RECORD SOURCE CATEGORIES:

Resumes, applicant record, Standard Form (SF) 181, Ethnicity and Race Identification, SF 256, ''Self-Identification of Disability,'' SF 144, ''Statement of Prior Federal Service''; OF 306, ''Declaration for Federal Employment''; DD 214, ''Certificate of Release or Discharge from Active Duty''; SF 813, ''Verification of a Military Retiree's Service In Non Wartime Campaigns or Expeditions''; SF 15, ''Application for 10-Point Veteran Preference''; SF 52, ''Request for Personnel Action''; SF 50, ''Notification of Personnel Action''; SF 61, ''Appointment Affidavit''; DD X739, ''Civilian Employee's Military Reserve, Guard, or Retiree Data''; DD 2888, ''DoD Critical Acquisition Position Service Agreement''; DD 2889, ''DoD Critical Acquisition Position Service Agreement Key Leadership Position (KLP)''; DD 2365, ''DoD Expeditionary Civilian Agreement: Emergency-Essential Positions and Non-Combat Essential Positions''; DD 3031, ''Department of Defense Senior Executive Service Probation Period''; SF 2809, ''Employees' Health Benefits Election''; SF 2817, ''Federal Employees' Retirement System Election''; SF 75, ''Request for Preliminary Employment Data''; employee or supervisor generated training requests; human resources generated records; employee generated data recorded as self-certified; and other employee or supervisor generated records. Data is also received from various interfaces with systems including, the Joint Personnel Adjudication System; Fourth Estate Manpower Tracking System; Defense Civilian Payroll System; the Air Force Manpower Programming and Execution System; NAF Payroll; Thrift Savings Plan hardship; Interactive Voice Recognition System; USA Staffing; and employee completed training data provided by respective Component agencies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, these records contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

a. To the Equal Employment Opportunity Commission for the purpose of providing Equal Employment Opportunity group statistics in accordance with 29 CFR part 1614.601, EEO Group Statistics.

b. To the Office of Personnel Management (OPM) for the purpose of addressing civilian pay and leave, benefits, retirement deduction, and any other information necessary for the OPM to carry out its legally authorized government-wide personnel management functions and studies.

c. To educational institutions and commercial training providers for the purpose of selecting and registering applicants approved by a DoD component to attend a specified program, and, when applicable, to provide for payment.

d. To contractors responsible for performing or working on contracts for the DoD when necessary to accomplish an agency function related to this System of Records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure that apply to DoD officers and employees.

e. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

f. To any component of the Department of Justice, for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.

g. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

h. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

i. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

j. To appropriate agencies, entities, and persons when (1) the DoD suspects or has confirmed that there has been a breach of the System of Records; (2) the DoD has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

k. To another Federal agency or Federal entity, when the DoD determines that information from this System of Records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Electronic storage media.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by name, DoD ID, or SSN.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

DCHRMS records are retained for 25 years after an individual separates from the government and then the records are purged; Corporate Management Information System records are cutoff and destroyed when no longer needed for business use.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Records are accessed and or maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. Common Access Cards (CACs) are employed to ensure access is limited to authorized

personnel only. Role based access is used to ensure HR Personnel and system administrators have access to only the records they are entitled to see. Employees are able to access and view only their records and update certain personal information to them via two-factor authentication or CAC. Additional technical controls include encryption of data at rest and in transit, firewall, virtual private network, intrusion detection system, DoD Public Key Infrastructure Certificates, and least privilege access. Security systems and or security guards protect buildings where records are accessed or maintained. Additional physical access controls include, biometric access systems, multiple layers of locked access control doors and mantraps, closed-circuit television, and physical intrusion alarms.

RECORD ACCESS PROCEDURES:

Individuals seeking access to records about themselves contained in this system should address written inquiries to the Office of the Secretary of Defense/Joint Staff, Freedom of Information Act Requester Service Center, Office of Freedom of Information, 1155 Defense Pentagon, Washington, DC 20301–1155. Signed written requests should contain name and number of this System of Records Notice along with the individuals' full name, date of birth, SSN, and or DoD ID, and dates of employment (or approximate), and last employing agency. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

CONTESTING RECORD PROCEDURES:

The DoD rules for accessing records, for contesting contents, and for appealing initial agency determinations are contained in 32 CFR part 310, or may be obtained from the system manager.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Defense Civilian Personnel Advisory Service, 4800 Mark Center Drive, Suite 06E22, Arlington, VA 22350–6000. Signed written requests should contain individual's full name, date of birth, SSN, and or DoD ID, last employing agency, and dates of employment (or approximate). In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

November 15, 2010, 75 FR 69642.

[FR Doc. 2020–01431 Filed 1–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2019–OS–0125]

Submission for OMB Review; Comment Request

AGENCY: Office of the Assistant to the Secretary Defense for Public Affairs, DoD.

ACTION: 30-Day information collection notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by February 27, 2020.

ADDRESSES: Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Seehra, DoD Desk Officer, at *oira_submission@omb.eop.gov.* Please identify the proposed information collection by DoD Desk Officer, Docket ID number, and title of the information collection.

FOR FURTHER INFORMATION CONTACT: Angela James, 571–372–7574, or *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Joint Civilian Orientation Conference Program (JCOC) Eligibility of Nominators and Candidates; JCOC Nomination Form; JCOC Registration Form; OMB Control Number 0704–0562.

Type of Request: Renewal.

Number of Respondents: 100.

Responses per Respondent: 1.

Annual Responses: 100.

Average Burden per Response: 15 minutes.

Annual Burden Hours: 25.

Needs and Uses: Respondents are individuals authorized to nominate candidates for participation in JCOC, and candidates nominated for and selected to participate in JCOC. The JCOC Nomination Form and Registration Form each record the nominator's credentials and contact information and the candidate's credentials and contact information. The completed forms are used to administer the JCOC program, verify the eligibility of nominators and candidates, and to select those nominated individuals for participation in JCOC, which is impossible to do without this information. Ensuring the credentials of nominators and candidates is vital to the integrity and accountability of the JCOC program.

Affected Public: Individuals or households.

Frequency: Annually.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Seehra.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Angela James.

Requests for copies of the information collection proposal should be sent to Ms. James at *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

Dated: January 23, 2020.

Morgan E. Park,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2020–01393 Filed 1–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2020–HQ–0002]

Proposed Collection; Comment Request

AGENCY: The Office of the Secretary of the Navy, DoD.

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by March 30, 2020.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Office of the Department of the Navy Information Management Control Officer, 2000 Navy Pentagon, Rm. 4E563, Washington, DC 20350, Ms. Barbara Figueroa or call 703–614–7885.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Enterprise Military Housing II; OMB Control Number 0703–0066.

Needs and Uses: 10 United States Code, Section 1056 requires the provision of relocation assistance to military members and their families. Requirements include provision of information on housing costs/availability and home finding services. The Enterprise Military Housing System (eMH) includes a public website (*HOMES.mil*) which collects information needed to facilitate military personnel searching for suitable community rental housing within close proximity to military installations.

Affected Public: Individuals or households; Business or other for-profit.

Annual Burden Hours: 17,213.

Number of Respondents: 10,328.

Responses per Respondent: 5.

Annual Responses: 51,640.

Average Burden per Response: 20 minutes.

Frequency: On occasion.

Dated: January 22, 2020.

Morgan E. Park,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2020–01391 Filed 1–27–20; 8:45 am]

BILLING CODE 5001–06–P

DELAWARE RIVER BASIN COMMISSION

Notice of Public Hearing and Business Meeting February 12 and March 11, 2020

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, February 12, 2020 at the Commission's office building, 25 Cosey Road, West Trenton, New Jersey 08628. A business meeting will be held the following month on Wednesday, March 11, 2020 at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, Pennsylvania. The hearing and meeting are open to the public.

Public Hearing. The public hearing on February 12, 2020 will begin at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges, and other projects that could have a substantial effect on the basin's water resources; and a resolution authorizing the Executive Director to adopt the Fiscal Year 2020 Water Resources Program.

The list of projects scheduled for hearing, including project descriptions, and the text of the proposed resolution will be posted on the Commission's website, *www.drbc.gov,* in a long form of this notice at least ten days before the hearing date.

Written comments on matters scheduled for hearing on February 12, 2020 will be accepted through 5:00 p.m. on February 17.

The public is advised to check the Commission's website periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review, and items may be added up to ten days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

Public Meeting. The public business meeting on March 11, 2020 will begin at 10:30 a.m. and will include: Adoption of the Minutes of the Commission's December 11, 2019 Business Meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel, a resolution to adopt the Fiscal Year 2020–2022 Water Resources Program, and consideration of any items for which a hearing has been completed or is not required.

After all scheduled business has been completed and as time allows, the Business Meeting will be followed by up to one hour of Open Public Comment, an opportunity to address the Commission on any topic concerning management of the basin's water resources outside the context of a duly noticed, on-the-record public hearing.

There will be no opportunity for additional public comment for the record at the March 11 Business Meeting on items for which a hearing was completed on February 12 or a previous date. Commission consideration on March 11 of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial, or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already

received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance Sign-Up for Oral Comment. Individuals who wish to comment on the record during the public hearing on February 12 or to address the Commissioners informally during the Open Public Comment portion of the meeting on March 11 as time allows, are asked to sign-up in advance through EventBrite. Links to EventBrite for the Public Hearing and the Business Meeting are available at *www.drbc.gov.* For assistance, please contact Ms. Giselle Hernandez of the Commission staff, at *giselle.hernandez@drbc.gov.*

Addresses for Written Comment. Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at *www.drbc.gov.* Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need, by writing to the attention of the Commission Secretary, DRBC, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628–0360. For assistance, please contact Giselle Hernandez at *giselle.hernandez@drbc.gov.*

Accommodations for Special Needs. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the meeting or hearing should contact the Commission Secretary directly at 609–883–9500 ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how we can accommodate your needs.

Additional Information, Contacts. Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh, 609–883–9500, ext. 240. For other questions concerning hearing items, please contact David Kovach, Project Review Section Manager at 609–883–9500, ext. 264.

Dated: January 22, 2020.

Pamela M. Bush,

Commission Secretary and Assistant General Counsel.

[FR Doc. 2020–01437 Filed 1–27–20; 8:45 am]

BILLING CODE 6360–01–P

DELAWARE RIVER BASIN COMMISSION

Notice of Proposed Methodology for the 2020 Delaware River and Bay Water Quality Assessment Report

AGENCY: Delaware River Basin Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the methodology proposed to be used in the 2020 Delaware River and Bay Water Quality Assessment Report is available for review and comment.

DATES: Comments on the assessment methodology or recommendations for the consideration of data sets should be submitted in writing before 5:00 p.m. EST on March 6, 2020.

ADDRESSES: Comments will be accepted *via* email to *john.yagecic@drbc.nj.gov,* with ''Water Quality Assessment 2020'' as the subject line; *via* fax to 609–883–9522; *via* U.S. Mail to DRBC, Attn: Water Quality Assessment 2016, P.O. Box 7360, West Trenton, NJ 08628–0360; *via* private carrier to DRBC, Attn: Water Quality Assessment 2020, 25 Cosey Road, West Trenton, NJ 08628–0360; or by hand to the latter address. All submissions should have the phrase ''Water Quality Assessment 2020'' in the subject line and should include the name, address (street address optional) and affiliation, if any, of the commenter.

FOR FURTHER INFORMATION CONTACT: Mr. John Yagecic, Manager, Water Quality Assessment, *john.yagecic@drbc.nj.gov,* 609–883–9500, ext. 271.

SUPPLEMENTARY INFORMATION: The Delaware River Basin Commission (''DRBC'' or ''Commission'') is an interstate and federal compact agency that was created in 1961 by concurrent legislation of the States of Delaware, New Jersey, and New York, the Commonwealth of Pennsylvania and the United States Government for purpose of jointly managing the water resources of the Delaware River Basin.

DRBC currently is compiling data for the *2020 Delaware River and Bay Water Quality Assessment Report* (''2020 Assessment'') required by the federal Clean Water Act (''CWA''). The 2020 Assessment will present the extent to which waters of the Delaware River and Bay are attaining designated uses in accordance with Section 305(b) of the CWA and the Commission's Water Quality Regulations, 18 CFR part 410, and will identify impaired waters, which consist of waters in which surface water quality standards are not being met.

The proposed assessment methodology to be used in the 2020 Assessment is available for review at the following URL: *https://www.nj.gov/drbc/library/documents/WQAssessmentReport2020_MethodologyDRAFTjan20.pdf.*

Dated: January 22, 2020.

Pamela M. Bush,

Commission Secretary.

[FR Doc. 2020–01436 Filed 1–27–20; 8:45 am]

BILLING CODE 6360–01–P

DEPARTMENT OF EDUCATION

President's Board of Advisors on Historically Black Colleges and Universities; Meeting

AGENCY: Office of Undersecretary, President's Board of Advisors on Historically Black Colleges and Universities, Department of Education.

ACTION: Announcement of an open meeting.

SUMMARY: This notice sets forth the agenda for the February 14, 2020, meeting of the President's Board of Advisors on Historically Black Colleges and Universities (PBA) and provides information to members of the public about the meeting. Notice of the meeting is required by § 10(a)2) of the Federal Advisory Committee Act and is intended to notify the public of its opportunity to attend.

DATES: The PBA meeting will be held on February 14, 2020, from 10:00 a.m. to 2:00 p.m. E.D.T. at the U.S. Department of Education, 400 Maryland Avenue SW, Barnard Auditorium, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Sedika Franklin, Designated Federal Official, U.S. Department of Education, White House Initiative on Historically Black Colleges and Universities, 400 Maryland Avenue SW, Washington, DC 20202; telephone: (202) 453–5630, or email *sedika.franklin@ed.gov.*

SUPPLEMENTARY INFORMATION:

PBA's Statutory Authority and Function: The PBA is established by Executive Order 13779 (February 28, 2017) and is continued by Executive Order 138891 (September 27, 2019). The PBA is governed by the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2) which sets forth standards for the formation and use of advisory committees. The purpose of the PBA is to advise the President, through the White House Initiative on Historically Black Colleges and Universities (Initiative), on all matters pertaining to strengthening the educational capacity of Historically

Black Colleges and Universities (HBCUs).

The PBA shall advise the President, through the Initiative, on all matters pertaining to strengthening the educational capacity of HBCUs, in particular, in the following areas: (i) Improving the identity, visibility, and distinctive capabilities and overall competitiveness of HBCUs; (ii) engaging the philanthropic, business, government, military, homeland-security, and education communities in a national dialogue regarding new HBCU programs and initiatives; (iii) improving the ability of HBCUs to remain fiscally secure institutions that can assist the nation in reaching its goal of having the highest proportion of college graduates by 2020; (iv) elevating the public awareness of HBCUs; and (v) encouraging public-private investments in HBCUs.

Meeting Agenda: The meeting agenda will include welcoming remarks; legislative updates as they pertain the HBCU matters; a short discussion with the U.S. Department of Education; federal presentations; and group discussion. The public comment period will begin immediately following the conclusion of the federal reports.

Members of the public who wish to listen to the meeting via telephone may dial (202) 991–0393, 894863025#.

Members of the public who wish to attend the meeting in person must submit an RSVP by email to the *whirsvps@ed.gov* mailbox. RSVPs must be received by close of business on February 11, 2020. In the subject line of the email, insert ''Meeting RSVP: President's Board of Advisors on Historically Black Colleges and Universities.'' The email must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number, of the person(s) requesting to attend.

Submission of Requests to Make an Oral Comment: There are two methods the public may use to provide an oral comment pertaining to the work of the PBA at the February 14, 2020 meeting.

Method One: Submit a request by email to the *whirsvps@ed.gov* mailbox. Please do not send materials directly to PBA members. Requests must be received by February 11, 2020. In the subject line of the email request insert ''Oral Comment Request: (Organization Name).'' The email must include the name(s), title, organization/affiliation, mailing address, email address, telephone number, of the person(s) requesting to speak, and a brief summary (not to exceed one page) of the principal point(s) to be made. All individuals submitting an advance request in accordance with this notice will be afforded an opportunity to speak for no more than three minutes during the public comment period.

Method Two: Register at the meeting location on February 14, 2020, to make an oral comment during the public comment period. The requestor must provide his or her name, title, organization/affiliation, mailing address, email address, and telephone number. Individuals will be selected on a first-come, first-served basis. If selected, each commenter will have an opportunity to speak for no more than three minutes.

All oral comments made will become part of the official record of the PBA. Similarly, written materials distributed during oral presentations will become part of the official record of the meeting.

Submission of Written Comments: Members of the public may submit written comments, which will be read during the public comment segment of the meeting. Written comments received by February 11, 2020, in the *whirsvps@ed.gov* mailbox will be read during the meeting. In the subject line insert ''Written Comments: Public Comment.'' The email must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number, of the person(s) submitting the comment. Written comments should be submitted as a Microsoft Word document or in a medium compatible with Microsoft Word (not a PDF file) that is attached to an electronic mail message email or provided in the body of an email message. Please do not send material directly to PBA members. In general, written comments pertaining to the work of the PBA may be sent to *oswhi-hbcu@ed.gov.*

Access to Records of the Meeting: The Department will post the official transcript of the meeting on the PBA website 90 days after the meeting at *www.ed.gov.* Pursuant to FACA, the public may also inspect the materials at 400 Maryland Avenue SW, Washington, DC, by emailing *oswhi-hbcu@ed.gov* or by calling (202) 453–5634 to schedule an appointment.

Reasonable Accommodations: The meeting site is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (*e.g.,* interpreting service, assistive listening device, or materials in an alternate format), notify the contact person listed in this notice by February 6, 2020. We will attempt to meet all requests received by the due date, we may not be able to make available the requested auxiliary aid or service because of insufficient time to arrange it.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Authority: Executive Order 13779, continued by Executive Order 13889.

Diane Auer Jones,

Principal Deputy Under Secretary delegated the duties of Under Secretary.

[FR Doc. 2020–01402 Filed 1–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Developing Hispanic-Serving Institutions Program

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice; correction.

SUMMARY: On December 27, 2019, we published in the **Federal Register** a notice inviting applications for the Developing Hispanic Serving Institutions (DHSI) Program for fiscal year (FY) 2020. This notice revises the deadline for transmittal of applications and the deadline for intergovernmental review. All other requirements and conditions in the notice remain the same.

DATES: The correction is applicable January 28, 2020.

Deadline for Transmittal of Applications: February 24, 2020.

Deadline for Intergovernmental Review: April 24, 2020.

FOR FURTHER INFORMATION CONTACT: Njeri Clark, U.S. Department of Education, 400 Maryland Avenue SW, Room 260–14, Washington, DC 20202–4260. Telephone: (202) 453–6224. Email: *Njeri.Clark@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay

Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: On December 27, 2019, we published in the **Federal Register** a notice inviting applications for the DHSI Program (84 FR 71395). This notice revises the deadline for transmittal of applications and the deadline for intergovernmental review. All other requirements and conditions in the notice remain the same.

Correction

In FR Doc. 2019–27984, in the **Federal Register** of December 27, 2019, we make the following revisions:

(a) On page 71395, in the middle column, under **DATES** and after ''Deadline for Transmittal of Applications'', we remove the date ''February 10, 2020'' and replace it with the date ''February 24, 2020''.

(b) On page 71395, in the middle column, under **DATES** and after ''Deadline for Intergovernmental Review'', we remove the date ''April 10, 2020'' and replace it with the date ''April 24, 2020''.

Accessible Format: Individuals with disabilities can obtain this notice and a copy of the application in an accessible format (*e.g.,* braille, large print, audio tape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Robert L. King,

Assistant Secretary for the Office of Postsecondary Education.

[FR Doc. 2020–01462 Filed 1–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2020–SCC–0018]

Agency Information Collection Activities; Comment Request; Consolidation Loan Rebate Fee Report

AGENCY: Department of Education (ED), Federal Student Aid (FSA).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before March 30, 2020.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2020–SCC–0018. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 6W–208D, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202–377–4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Consolidation Loan Rebate Fee Report.

OMB Control Number: 1845–0046.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 3,456.

Total Estimated Number of Annual Burden Hours: 3,744.

Abstract: The information collected on the Consolidation Loan Rebate Fee Report will be used to document Federal Consolidation loans held by lenders who are responsible for sending interest payment rebate fees to the Secretary of Education using ED Form 4–619.

Dated: January 23, 2020.

Kate Mullan,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer.

[FR Doc. 2020–01432 Filed 1–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Asian American and Native American Pacific Islander-Serving Institutions Program

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2020 for the Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI) Program, Catalog of Federal Domestic Assistance (CFDA) number 84.031L. This notice relates to the approved

information collection under OMB control number 1840–0798.

DATES:

Applications Available: January 28, 2020.

Deadline for Transmittal of Applications: February 27, 2020.

Deadline for Intergovernmental Review: April 27, 2020.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 13, 2019 (84 FR 3768), and available at *www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf.*

FOR FURTHER INFORMATION CONTACT: Pearson Owens, U.S. Department of Education, 400 Maryland Avenue SW, Room 250–12, Washington, DC 20202–4260. Telephone: (202) 453–7997. Email: *Pearson.Owens@edgov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The AANAPISI Program provides grants to eligible institutions of higher education (IHEs) to enable them to improve and expand their capacity to serve Asian American and Native American Pacific Islander students. Institutions may use these grants to plan, develop, or implement activities that strengthen the institution.

Priorities: This notice contains two competitive preference priorities. These priorities are from the Secretary's Notice of Final Supplemental Priorities and Definitions for Discretionary Grant Programs, published in the **Federal Register** on March 2, 2018 (83 FR 9096) (Supplemental Priorities).

Competitive Preference Priorities: For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i), we award up to an additional five points to an application, depending on how well the application responds to one of the following priorities. Applicants should clearly identify which competitive preference priority, if any, they intend to address and will only receive points for addressing one of the following priorities.

These priorities are:

Competitive Preference Priority 1—Fostering Knowledge and Promoting the Development of Skills that Prepare Students to be Informed, Thoughtful, and Productive Individuals and Citizens (up to 5 points).

Projects that are designed to address supporting instruction in personal financial literacy, knowledge of markets and economics, knowledge of higher education financing and repayment (*e.g.,* college savings and student loans), or other skills aimed at building personal financial understanding and responsibility.

Competitive Preference Priority 2—Promoting Science, Technology, Engineering, or Math (STEM) Education, With a Particular Focus on Computer Science (up to 5 points).

Projects designed to improve student achievement or other educational outcomes in one or more of the following areas: Science, technology, engineering, math, or computer science (as defined in this notice). These projects must address the following priority area: Increasing access to STEM coursework, including computer science, and hands-on learning opportunities, such as through expanded course offerings, dual-enrollment, high-quality online coursework, or other innovative delivery mechanisms.

Definitions: The definitions below are from 34 CFR 77.1, except the definition of ''computer science'' is from the Supplemental Priorities.

Computer science means the study of computers and algorithmic processes and includes the study of computing principles and theories, computational thinking, computer hardware, software design, coding, analytics, and computer applications.

Computer science often includes computer programming or coding as a tool to create software, including applications, games, websites, and tools to manage or manipulate data; or development and management of computer hardware and the other electronics related to sharing, securing, and using digital information. In addition to coding, the expanding field of computer science emphasizes computational thinking and interdisciplinary problem-solving to equip students with the skills and abilities necessary to apply computation in our digital world.

Computer science does not include using a computer for everyday activities, such as browsing the internet; use of tools like word processing, spreadsheets, or presentation software; or using computers in the study and exploration of unrelated subjects.

Demonstrates a rationale means a key project component included in the project's logic model is informed by research or evaluation findings that suggest the project component is likely to improve relevant outcomes.

Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (*i.e.,* the active ''ingredients'' that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes.

Note: In developing logic models, applicants may want to use resources such as the Regional Educational Laboratory Program's (REL Pacific) Education Logic Model Application, available at *https://ies.ed.gov/ncee/edlabs/regions/pacific/elm.asp,* to help design their logic models. Other sources include: *https://ies.ed.gov/ncee/edlabs/regions/pacific/pdf/REL_2014025.pdf, https://ies.ed.gov/ncee/edlabs/regions/pacific/pdf/REL_2014007.pdf,* and *https://ies.ed.gov/ncee/edlabs/regions/northeast/pdf/REL_2015057.pdf.*

Project component means an activity, strategy, intervention, process, product, practice, or policy included in a project. Evidence may pertain to an individual project component or to a combination of project components (*e.g.,* training teachers on instructional practices for English learners and follow-on coaching for these teachers).

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program.

Program Authority: 20 U.S.C. 1059d (title III, part A, of the Higher Education Act of 1965, as amended (HEA)).

Note: In 2008, the HEA was amended by the Higher Education Opportunity Act of 2008 (HEOA), Public Law 110–315. Please note that the regulations for the AANAPISI Program in 34 CFR part 607 have not been updated to reflect these statutory changes.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for

Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The regulations for this program in 34 CFR part 607. (e) The Supplemental Priorities.

II. Award Information

Type of Award: Discretionary grants. Five-year Individual Development Grants and Cooperative Arrangement Development Grants will be awarded in FY 2020.

Note: A cooperative arrangement is an arrangement to carry out allowable grant activities between an institution eligible to receive a grant under this part and another eligible or ineligible IHE, under which the resources of the cooperating institutions are combined and shared to better achieve the purposes of this part and avoid costly duplication of effort.

Estimated Available Funds: $4,444,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of unfunded applications from this competition.

Individual Development Grants

Estimated Range of Awards: $200,000–$300,000 per year.

Estimated Average Size of Awards: $250,000 per year.

Maximum Award: We will not make an award exceeding $300,000 for a single budget period of 12 months.

Estimated Number of Awards: 12.

Cooperative Arrangement Development Grants

Estimated Range of Awards: $300,000–$400,000 per year.

Estimated Average Size of Awards: $350,000 per year.

Maximum Award: We will not make an award exceeding $400,000 for a single budget period of 12 months.

Estimated Number of Awards: 4.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. a. *Eligible Applicants:*

This program is authorized by title III, part A, of the HEA. At the time of submission of their applications, applicants must certify their total undergraduate headcount enrollment and that 10 percent of the IHE's enrollment is Asian American or Native American Pacific Islander. An assurance form, which is included in the application materials for this competition, must be signed by an official for the applicant and submitted.

To qualify as an eligible institution under the AANAPISI Program, an institution must—

(i) Be accredited or preaccredited by a nationally recognized accrediting agency or association that the Secretary has determined to be a reliable authority as to the quality of education or training offered;

(ii) Be legally authorized by the State in which it is located to be a junior or community college or to provide an educational program for which it awards a bachelor's degree; and

(iii) Be designated as an ''eligible institution,'' as defined in 34 CFR 600.2, by demonstrating that it: (1) Has an enrollment of needy students as described in 34 CFR 607.3; and (2) has low average educational and general expenditures per full-time equivalent (FTE) undergraduate student as described in 34 CFR 607.4.

Note: The notice announcing the FY 2020 process for designation of eligible institutions, and inviting applications for waiver of eligibility requirements, was published in the **Federal Register** on December 16, 2019 (84 FR 68434). Only institutions that the Department determines are eligible, or which are granted a waiver under the process described in that notice, may apply for a grant in this program.

b. *Relationship between the Title III, Part A Programs and the Developing Hispanic-Serving Institutions (HSI) Program:*

A grantee under the HSI Program, which is authorized under title V of the HEA, may not receive a grant under any HEA, title III, part A program. The title III, part A programs are: The Strengthening Institutions Program; the Tribally Controlled Colleges and Universities Program; the Asian American and Native American Pacific Islander-Serving Institutions Program; the Alaska Native and Native Hawaiian-Serving Institutions Program; and the Native American-Serving Nontribal Institutions Program. Furthermore, a current HSI Program grantee may not give up its HSI Program grant in order to be eligible to receive a grant under the AANAPISI Program or any title III, part A program as described in 34 CFR 607.2(g)(1).

An eligible HSI that is not a current grantee under the HSI Program may apply for a FY 2020 grant under all title III, part A programs for which it is eligible, as well as receive consideration for a grant under the HSI Program. However, a successful applicant may receive only one grant as described in 34 CFR 607.2(g)(1).

An eligible IHE that submits applications for an Individual Development Grant and a Cooperative Arrangement Development Grant in this competition may be awarded both in the same fiscal year. However, we will not award a second Cooperative Arrangement Development Grant to an otherwise eligible IHE for an award year for which the IHE already has a Cooperative Arrangement Development Grant award under the AANAPISI Program. A grantee with an Individual Development Grant or a Cooperative Arrangement Development Grant may be a subgrantee in one or more Cooperative Arrangement Development Grants. The lead institution in a Cooperative Arrangement Development Grant must be an eligible institution. Partners or subgrantees are not required to be eligible institutions.

2. a. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

b. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements. Grant funds must be used so that they supplement and, to the extent practical, increase the funds that would otherwise be available for the activities to be carried out under the grant and in no case supplant those funds (34 CFR 607.30(b)).

3. *Subgrantees:* A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application.

IV. Application and Submission Information

1. *Application Submission Instructions:* Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 13, 2019 (84 FR 3768), and available at *www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf,* which contain requirements and information on how to submit an application.

2. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

3. *Funding Restrictions:* We specify unallowable costs in 34 CFR 607.10(c). We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

4. *Recommended Page Limit:* The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your

application. We recommend that you (1) limit the application narrative to no more than 50 pages for Individual Development Grants and no more than 65 pages for Cooperative Arrangement Development Grants and (2) use the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger, and no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract and the bibliography. However, the recommended page limit does apply to all of the application narrative.

Note: The Budget Information-Non-Construction Programs Form (ED 524) Sections A–C are not the same as the narrative response to the Budget section of the selection criteria.

V. Application Review Information

1. *Selection Criteria:* The following selection criteria for this competition are from 34 CFR 75.210. Applicants should address each of the following selection criteria separately for each proposed activity. The selection criteria are worth a total of 100 points; the maximum score for each criterion is noted in parentheses.

(a) *Need for project.* (Maximum 20 points) The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers:

(1) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project. (10 points)

(2) The extent to which the proposed project will focus on serving or otherwise addressing the needs of disadvantaged individuals. (5 points)

(3) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses. (5 points)

(b) *Quality of the project design.* (Maximum 25 points) The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

(1) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable. (10 points)

(2) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs. (5 points)

(3) The extent to which the proposed project demonstrates a rationale (as defined in this notice). (10 points)

(c) *Quality of project services.* (Maximum 10 points) The Secretary considers the quality of the services to be provided by the proposed project.

(1) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability. (3 points)

(2) In addition, the Secretary considers:

(i) The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services. (3 points)

(ii) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice. (4 points)

(d) *Quality of project personnel.* (Maximum 10 points) The Secretary considers the quality of the personnel who will carry out the proposed project.

(1) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability. (3 points)

(2) In addition, the Secretary considers:

(i) The qualifications, including relevant training and experience, of the project director or principal investigator. (4 points)

(ii) The qualifications, including relevant training and experience, of key project personnel. (3 points)

(e) *Adequacy of resources.* (Maximum 5 points) The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers:

(1) The extent to which the budget is adequate to support the proposed project. (3 points)

(2) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project. (2 points)

(f) *Quality of the management plan.* (Maximum 15 points) The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks. (5 points)

(2) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project. (5 points)

(3) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project. (5 points)

(g) *Quality of the project evaluation.* (Maximum 15 points) The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers:

(1) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project. (10 points)

(2) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible. (5 points)

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs

or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

A panel of two non-Federal reviewers will review and score each application in accordance with the selection criteria. A rank order funding slate will be made from this review. Awards will be made in rank order according to the average score received from the peer review and from the competitive preference priority addressed by the applicant.

In tie-breaking situations for development grants, under 34 CFR 607.23(b), we award one additional point to an application from an IHE that has an endowment fund of which the current market value, per FTE enrolled student, is less than the average current market value of the endowment funds, per FTE enrolled student, at comparable type institutions that offer similar instruction. We award one additional point to an application from an IHE that has expenditures for library materials per FTE enrolled student that are less than the average expenditure for library materials per FTE enrolled student at similar type institutions. We also add one additional point to an application from an IHE that proposes to carry out one or more of the following activities:

(1) Faculty development.

(2) Funds and administrative management.

(3) Development and improvement of academic programs.

(4) Acquisition of equipment for use in strengthening management and academic programs.

(5) Joint use of facilities.

(6) Student services.

For the purpose of these funding considerations, we use 2018–2019 data.

If a tie remains after applying the tie-breaker mechanism above, priority will be given to applicants that have the lowest endowment values per FTE enrolled student.

3. *Risk Assessment and Specific Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose specific conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently $250,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds $10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed $10,000,000.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Open Licensing Requirements:* Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

5. *Performance Measures:* The Secretary has established the following key performance measures for assessing the effectiveness of the AANAPISI Program:

(a) The percentage of first-time, full-time degree-seeking undergraduate students at four-year AANAPISIs who were in their first year of postsecondary enrollment in the previous year and are enrolled in the current year at the same AANAPISI.

(b) The percentage of first-time, full-time degree-seeking undergraduate students at two-year AANAPISIs who were in their first year of postsecondary enrollment in the previous year and are enrolled in the current year at the same AANAPISI.

(c) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at four-year AANAPISIs who graduate within six years of enrollment.

(d) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at two-year

AANAPISIs who graduate within three years of enrollment.

6. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Robert L. King,

Assistant Secretary for the Office of Postsecondary Education.

[FR Doc. 2020–01464 Filed 1–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Electricity Advisory Committee; Meeting

AGENCY: Office of Electricity, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Electricity Advisory Committee. The Federal Advisory Committee Act (FACA) requires that public notice of these meetings be announced in the **Federal Register**.

DATES:

Wednesday, February 26, 2019; 12:00 p.m.–6:00 p.m. EST

Thursday, February 27, 2019; 8:00 a.m.–12:15 p.m. EST

ADDRESSES: National Rural Electric Cooperative Association, First Floor Conference Room, 4301 Wilson Blvd., Arlington, Virginia 22203 (Ballston Metro Stop).

FOR FURTHER INFORMATION CONTACT: Christopher Lawrence, Designated Federal Officer, Office of Electricity, U.S. Department of Energy, Forrestal Building, Room 8G–017, 1000 Independence Avenue SW, Washington, DC 20585; Telephone: (202) 586–5260 or Email: *Christopher.lawrence@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The Electricity Advisory Committee (EAC) was established in accordance with the provisions of the Federal Advisory Committee Act (FACA), to provide advice to the U.S. Department of Energy (DOE) in implementing the Energy Policy Act of 2005, executing certain sections of the Energy Independence and Security Act of 2007, and modernizing the nation's electricity delivery infrastructure. The EAC is composed of individuals of diverse backgrounds selected for their technical expertise and experience, established records of distinguished professional service, and their knowledge of issues that pertain to the electric sector.

Tentative Agenda

February 26, 2020

12:00 p.m.–1:00 p.m. Registration
1:00 p.m.–1:20 p.m. Welcome, Introductions, Developments since the October 2019 Meeting
1:20 p.m.–1:40 p.m. Update on Office of Electricity Programs and Initiatives
1:40 p.m.–2:00 p.m. Update from Federal Energy Regulatory Commission
2:10 p.m.–2:30 p.m. Overview of Grid Modernization Laboratory Consortium (GMLC) Goals, Capacity, and Capabilities
2:30 p.m.–2:45 p.m. Break
2:45 p.m.–3:15 p.m. Overview of Grid Modernization Laboratory Consortium (GMLC) Advanced Sensors and Data Analytics Portfolio and Goals
3:15 p.m.–4:00 p.m. Select Advanced Sensors and Data Analytics Project Presentations
4:00 p.m.–4:15 p.m. Break
4:15 p.m.–5:45 p.m. Moderated Roundtable Discussion Between DOE, GMLC, and EAC Regarding Advanced Sensors and Data Analytics Portfolio
5:45 p.m.–6:00 p.m. Wrap-up and Adjourn Day 1

February 27, 2020

8:00 a.m.–8:10 a.m. Day 2 Opening Remarks
8:10 a.m.–8:40 a.m. Overview of the U.S. Department of Energy's Energy Storage Grand Challenge Structure
8:40 a.m.–9:40 a.m. Moderated Discussion of Technology Development Track
9:40 a.m.–10:00 a.m. Break
10:00 a.m.–11:00 a.m. Moderated Discussion of Policy and Valuation Track
11:00 a.m.–11:15 a.m. Break
11:15 a.m.–11:30 a.m. Energy Storage Subcommittee Update
11:30 a.m.–11:45 a.m. Smart Grid Subcommittee Update
11:45 a.m.–12:00 p.m. Public Comments
12:00 p.m.–12:15 p.m. Wrap-up and Adjourn

The meeting agenda may change to accommodate EAC business. For EAC agenda updates, see the EAC website at: *http://energy.gov/oe/services/electricity-advisory-committee-eac.*

Public Participation: The EAC welcomes the attendance of the public at its meetings, no advanced registration is required. Individuals who wish to offer public comments at the EAC meeting may do so on Thursday, February 27, but must register at the registration table in advance. Approximately 15 minutes will be reserved for public comments. Time allotted per speaker will depend on the number who wish to speak but is not expected to exceed three minutes. Anyone who is not able to attend the meeting, or for whom the allotted public comments time is insufficient to address pertinent issues with the EAC, is invited to send a written statement identified by ''Electricity Advisory Committee Open Meeting,'' to Christopher Lawrence at (202) 586–1472 (Fax) or email: *Christopher.lawrence@hq.doe.gov.*

Minutes: The minutes of the EAC meeting will be posted on the EAC web page at *http://energy.gov/oe/services/electricity-advisory-committee-eac.* They can also be obtained by contacting Mr. Christopher Lawrence at the address above.

Signed in Washington, DC, on January 23, 2020.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2020–01430 Filed 1–27–20; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–848–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Hampshire Power Corporation

This is a supplemental notice in the above-referenced proceeding of Hampshire Power Corporation'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 February 11, 2020.

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: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01449 Filed 1–27–20; 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:

Docket Numbers: CP20–42–000.
Applicants: Tennessee Gas Pipeline Company, L.L.C.
Description: Abbreviated Application to Abandon Transportation and Compression Service of Tennessee Gas Pipeline Company, L.L.C.
Filed Date: 1/15/20.
Accession Number: 20200115–5177.
Comments Due: 5 p.m. ET 2/5/20.

Docket Numbers: RP19–1353–006.
Applicants: Northern Natural Gas Company.
Description: Compliance filing 20200121 Market-Based-Rate Adjustment to be effective 1/1/2020.
Filed Date: 1/21/20.
Accession Number: 20200121–5033.
Comments Due: 5 p.m. ET 2/3/20.

Docket Numbers: RP20–442–000.
Applicants: Gulf South Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Filing to Incorporate Approved Changes and Correct Priority Codes to be effective 1/21/2020.
Filed Date: 1/21/20.
Accession Number: 20200121–5025.
Comments Due: 5 p.m. ET 2/3/20.

Docket Numbers: RP20–443–000.
Applicants: Pixelle Specialty Solutions LLC, Verso Minnesota Wisconsin LC, Verso Androscoggin LLC.
Description: Joint Petition for Temporary Waiver of Commission Capacity Release Regulations and Policies, et al. of Pixelle Specialty Solutions LLC, et al. under RP20–443.
Filed Date: 1/17/20.
Accession Number: 20200117–5251.
Comments Due: 5 p.m. ET 1/29/20.

Docket Numbers: RP20–444–000.
Applicants: Rockies Express Pipeline LLC.
Description: § 4(d) Rate Filing: REX 2020–01–21 Negotiated Rate Agreement to be effective 1/22/2020.
Filed Date: 1/21/20.
Accession Number: 20200121–5074.
Comments Due: 5 p.m. ET 2/3/20.

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: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01442 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. OR20–6–000]

Medallion Pipeline Company, LLC; Notice of Petition for Declaratory Order

Take notice that on January 14, 2020, pursuant to Rule 207(a)(2) of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.207(a)(2) (2019), Medallion Pipeline Company, LLC (Medallion or Petitioner) filed a petition for a declaratory order seeking approval of the open season procedures, transportation services agreement

provisions, overall rate structure, and terms of service offered by Medallion for committed firm service on a proposed expansion of the Medallion pipeline system, all 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 Petitioner.

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: 5:00 p.m. Eastern Time on February 14, 2020.

Dated: January 22, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01415 Filed 1–27–20; 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: EC19–120–000.
Applicants: El Paso Electric Company, Sun Jupiter Holdings LLC.
Description: Second Supplement to August 13, 2019 Joint Application for Authorization Under Section 203 of the Federal Power Act of El Paso Electric Company, et al.
Filed Date: 1/17/20.
Accession Number: 20200117–5252.
Comments Due: 5 p.m. ET 1/27/20.

Docket Numbers: EC20–18–000; EC20–19–000.
Applicants: Pattern Energy Group Inc., Canada Pension Plan Investment Board, Riverstone Holdings LLC.
Description: Supplement to November 22, 2019 Application for Authorization(s) Under Section 203 of the Federal Power Act, et al. of Pattern Energy Group Inc., et al. under EC20–18, et al.
Filed Date: 1/17/20.
Accession Number: 20200117–5223
Comments Due: 5 p.m. ET 1/27/20.

Docket Numbers: EC20–33–000.
Applicants: Panda Liberty LLC, Panda Patriot LLC, Hamilton Projects Acquiror, LLC.
Description: Application for Authorization Under Section 203 of the Federal Power Act, et al.
Filed Date: 1/17/20.
Accession Number: 20200117–5254.
Comments Due: 5 p.m. ET 2/7/20.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER15–704–010.
Applicants: Pacific Gas and Electric Company.
Description: Compliance filing: Compliance filing City and County of San Francisco WDT SA and IA (SA 275) to be effective 7/23/2015.
Filed Date: 1/17/20.
Accession Number: 20200117–5208.
Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER15–704–011.
Applicants: Pacific Gas and Electric Company.
Description: Compliance filing: Compliance filing City and County of San Francisco WDT SA and IA (SA 275) to be effective 7/1/2015.
Filed Date: 1/17/20.
Accession Number: 20200117–5211.
Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER19–1900–002.
Applicants: Golden Spread Electric Cooperative, Inc.
Description: Compliance filing: Order No. 845 Compliance Filing to be effective 5/20/2019.
Filed Date: 1/21/20.
Accession Number: 20200121–5026.
Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–278–001.
Applicants: Avista Corporation.
Description: Tariff Amendment: Avista Corp Deficiency Response and Cancellation of RS CG2 to be effective 4/2/2020.
Filed Date: 1/21/20.
Accession Number: 20200121–5011.
Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–359–002.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Tariff Amendment: 2020–01–21_Deficiency Response for Pro Forma FSA to be effective 12/31/9998.
Filed Date: 1/21/20.
Accession Number: 20200121–5046.
Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–405–002.
Applicants: Golden Spread Electric Cooperative, Inc.
Description: Tariff Amendment: Second Amendment ER20–405 Filing to be effective 1/1/2020.
Filed Date: 1/21/20.
Accession Number: 20200121–5041.
Comments Due: 5 p.m. ET 1/31/20.

Docket Numbers: ER20–847–000.
Applicants: Golden Fields Solar III, LLC.
Description: § 205(d) Rate Filing: Certificate of Concurrence to be effective 1/17/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5202.
Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER20–848–000.
Applicants: Hampshire Power Corporation.
Description: Baseline eTariff Filing: Hampshire Power Baseline MBR Tariff Filing to be effective 1/17/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5203.
Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER20–849–000.
Applicants: Old Dominion Electric Cooperative
Description: § 205(d) Rate Filing: Old Dominion Electric Cooperative Superseding Cost-of-Service Rate Schedule to be effective 3/17/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5205.
Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER20–850–000.
Applicants: Bulb US LLC.
Description: Baseline eTariff Filing: Bulb US Application for Market Based Rate to be effective 1/18/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5212.
Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER20–851–000.
Applicants: Bulb Energy Incorporated.
Description: Baseline eTariff Filing: Bulb Energy Application for MBR Filing to be effective 1/18/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5214.

Comments Due: 5 p.m. ET 2/7/20.

Docket Numbers: ER20–854–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: First Revised ISA No. 4618; Queue No. 4618 to be effective 12/19/2019.

Filed Date: 1/21/20.

Accession Number: 20200121–5076.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–855–000.

Applicants: Midcontinent Independent System Operator, Inc., Northern Indiana Public Service Company.

Description: § 205(d) Rate Filing: 2020–01–21_NIPSCO Depreciation Rate Filing to be effective 1/1/2020.

Filed Date: 1/21/20.

Accession Number: 20200121–5091.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–856–000.

Applicants: Alabama Power Company.

Description: § 205(d) Rate Filing: Washington County Solar LGIA Filing to be effective 1/9/2020.

Filed Date: 1/21/20.

Accession Number: 20200121–5097.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–857–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2020–01–21_Regional Cost Allocation Filing to be effective 3/22/2020.

Filed Date: 1/21/20.

Accession Number: 20200121–5099.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–858–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2020–01–21_Revisions to the TOA to Expand and Clarify Cost Allocation to be effective 3/22/2020.

Filed Date: 1/21/20.

Accession Number: 20200121–5109.

Comments Due: 5 p.m. ET 2/11/20.

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: January 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01363 Filed 1–27–20; 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: ER15–1641–003.

Applicants: Dynegy Fayette II, LLC.

Description: Report Filing: Refund Report—Dynegy Fayette II to be effective N/A.

Filed Date: 1/21/20.

Accession Number: 20200121–5160.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER15–1642–003.

Applicants: Dynegy Hanging Rock II, LLC.

Description: Report Filing: Refund Report—Dynegy Hanging Rock II to be effective N/A.

Filed Date: 1/21/20.

Accession Number: 20200121–5161.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER15–1648–003.

Applicants: Dynegy Washington II, LLC.

Description: Report Filing: Refund Report—Dynegy Washington II to be effective N/A.

Filed Date: 1/21/20.

Accession Number: 20200121–5165.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER18–452–001.

Applicants: Liberty Electric Power, LLC.

Description: Report Filing: Refund Report—Liberty Electric Power to be effective N/A.

Filed Date: 1/21/20.

Accession Number: 20200121–5163.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER18–453–001.

Applicants: Ontelaunee Power Operating Company, LLC.

Description: Report Filing: Refund Report—Ontelaunee Power Operating Co. to be effective N/A.

Filed Date: 1/21/20.

Accession Number: 20200121–5164.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER19–465–003.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Compliance filing: 2020–01–21_Compliance filing for Order 841 ESR to be effective 12/31/9998.

Filed Date: 1/21/20.

Accession Number: 20200121–5104.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER19–468–002.

Applicants: California Independent System Operator Corporation.

Description: Compliance filing: 2020–01–21 Order No. 841 Compliance Filing to be effective 12/3/2019.

Filed Date: 1/21/20.

Accession Number: 20200121–5095.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER19–878–001.

Applicants: Enel Green Power Hilltopper Wind, LLC.

Description: Report Filing: Refund Report Filing to be effective N/A.

Filed Date: 1/22/20.

Accession Number: 20200122–5009.

Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER19–1924–001.

Applicants: Cheyenne Light, Fuel and Power Company.

Description: Compliance filing: Compliance Filing to Order No. 845 Compliance Filing-Amendments to OATT to be effective 5/22/2019.

Filed Date: 1/22/20.

Accession Number: 20200122–5011.

Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER19–1925–001.

Applicants: Black Hills Colorado Electric, LLC.

Description: Compliance filing: Compliance Filing to Order No. 845 Compliance Filing-Amendments to OATT to be effective 5/22/2019.

Filed Date: 1/21/20.

Accession Number: 20200121–5149.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER19–1926–001.

Applicants: Black Hills Power, Inc.

Description: Compliance filing: Compliance Filing to Order No. 845 Compliance Filing-Amendments to OATT to be effective 5/22/2019.

Filed Date: 1/22/20.

Accession Number: 20200122–5038.

Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER19–1927–002.

Applicants: Portland General Electric Company.

Description: Compliance filing: Order 845 Compliance Filing to be effective 5/22/2019.

Filed Date: 1/21/20.

Accession Number: 20200121–5143.

Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–170–001.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Tariff Amendment: 2020–01–21_Deficiency Resp. to Schedule 50 for Cost Recovery of Oper. and Main. to be effective 1/1/2020.

Filed Date: 1/21/20.
Accession Number: 20200121–5119.
Comments Due: 5 p.m. ET 2/11/20.

Docket Numbers: ER20–286–001.
Applicants: Puget Sound Energy, Inc.
Description: Tariff Amendment: Columbia Grid Deficiency Filing to be effective 4/2/2020.
Filed Date: 1/22/20.
Accession Number: 20200122–5000.
Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER20–336–001.
Applicants: Jersey Central Power & Light Company, PJM Interconnection, L.L.C.
Description: Compliance filing: JCP&L submits Compliance Filing in ER20–336 re: IA SA No. 4920 to be effective 1/6/2020.
Filed Date: 1/22/20.
Accession Number: 20200122–5063.
Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER20–512–000.
Applicants: Click Energy LLC.
Description: Supplement to December 4, 2019 Click Energy LLC tariff filing.
Filed Date: 1/14/20.
Accession Number: 20200114–5219.
Comments Due: 5 p.m. ET 1/27/20.

Docket Numbers: ER20–822–000.
Applicants: AEP Generation Resources Inc.
Description: Petition for Waiver, et al. of American Electric Power Service Corporation, on behalf of AEP Generation Resources Inc.
Filed Date: 1/15/20.
Accession Number: 20200115–5169.
Comments Due: 5 p.m. ET 1/27/20.

Docket Numbers: ER20–853–000.
Applicants: Pacific Gas and Electric Company.
Description: Request for One-Time Limited Tariff Waiver, et al. of Pacific Gas and Electric Company.
Filed Date: 1/17/20.
Accession Number: 20200117–5241.
Comments Due: 5 p.m. ET 1/27/20.

Docket Numbers: ER20–859–000.
Applicants: Outlaw Wind Project, LLC.
Description: Baseline eTariff Filing: Baseline tariff to be effective 3/22/2020.
Filed Date: 1/22/20.
Accession Number: 20200122–5053.
Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER20–860–000.
Applicants: Green River Wind Farm Phase 1, LLC.
Description: Baseline eTariff Filing: Rate Schedule FERC No. 2—Reactive Power Compensation to be effective 3/22/2020.
Filed Date: 1/22/20.
Accession Number: 20200122–5066.
Comments Due: 5 p.m. ET 2/12/20.

Docket Numbers: ER20–861–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Assignment of WMPAs Nos. 4916, 4911, 4918, 4953; Q#AC2–070, AC2–071, AC2–072, AC2–074 to be effective 1/26/2018.
Filed Date: 1/22/20.
Accession Number: 20200122–5069.
Comments Due: 5 p.m. ET 2/12/20.

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: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01447 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM16–17–000]

Notice of Technical Workshop: Data Collection for Analytics and Surveillance and Market-Based Rate Purposes

Take notice that on February 27, 2020, staff of the Federal Energy Regulatory Commission (Commission) will hold a technical workshop on the relational database being built in accordance with Order No. 860 (MBR Database).[1] The meeting will take place from 9:00 a.m. to 12:30 p.m. (EST) in the Commission Meeting Room, at 888 First Street NE, Washington, DC 20426. All interested persons are invited to attend. For those unable to attend in person, access to the meeting will be available via webcast.

This workshop provides a forum for dialogue between Commission staff and interested parties to discuss development and implementation of the MBR Database, including the data dictionary, XML, XSD, submission process, and test environment. Staff welcomes suggestions for discussion topics prior to the workshop. Individuals may suggest agenda topics for consideration by emailing *mbrdatabase@ferc.gov.* An agenda of the meeting will be provided in a subsequent notice.

Due to the nature of the discussion, those interested in participating are encouraged to attend in person. All interested persons (whether attending in person or via webcast) are asked to register at *https://www.ferc.gov/whats-new/registration/02-27-20-form.asp.* There is no registration fee. Anyone with internet access can listen to the meeting by navigating to *www.ferc.gov*'s Calendar of Events, locating the MBR Data Technical Workshop, and clicking on the link to the webcast. The webcast will allow persons to listen to the technical conference and they may email questions during the meeting to *mbrdatabase@ferc.gov.*

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov,* call toll free 1–866–208–3372 (voice) or 202–502–8659 (TTY), or send a fax to 202–208–2106 with the required accommodations.

For more information about the technical workshop, please contact Ryan Stertz at (202) 502–6473, or send an email to *mbrdatabase@ferc.gov.*

Dated: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01448 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

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[1] *Data Collection for Analytics and Surveillance and Market-Based Rate Purposes,* Order No. 860, 168 FERC ¶ 61,039 (2019).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF19–4–000]

Venture Global Delta LNG, LLC and Venture Global Delta Express, LLC; Supplemental Notice of Intent for the Planned Delta LNG and Delta Express Pipeline Project Request for Comments on Environmental Issues Related to Project Modifications Under Consideration

As previously noticed on July 30 and October 16, 2019, and supplemented herein, the staff of the Federal Energy Regulatory Commission (FERC or

Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of the Delta LNG and Delta Express Pipeline Project (Project) involving construction and operation of facilities by Venture Global Delta LNG, LLC and Venture Global Delta Express, LLC (collectively referred to as Delta LNG) in Richland, Franklin, Catahoula, Concordia, Avoyelles, St. Landry, Pointe Coupee, West Baton Rouge, Iberville, Ascension, Assumption, Lafourche, Jefferson, and Plaquemines Parishes, Louisiana.

With this Supplemental Notice of Intent (Notice) we [1] are specifically seeking comments on modifications to the Delta Express Pipeline proposed by Delta LNG on January 10, 2020. Delta LNG incorporated the modifications based on comments from regulatory agencies and landowners, and detailed environmental and constructability considerations. The Commission is issuing this Notice to provide previously and newly identified landowners and other stakeholders an opportunity to comment on the Project modifications.

This Notice is being sent to the Commission's current environmental mailing list for this Project, including newly affected landowners. State and local government representatives should notify their constituents of this planned Project and encourage them to comment on their areas of concern.

If you are a newly affected landowner receiving this Notice, a Delta LNG representative may have already contacted you or may contact you soon about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, that approval conveys with it the right of eminent domain. Therefore, if the easement negotiations fail to produce an agreement, the company could initiate condemnation proceedings in accordance with applicable law.

The FERC is the lead federal agency responsible for conducting the environmental review of the Project. As mentioned above, the Commission's staff is preparing an EIS that discusses the environmental impacts of the Project. The EIS will be used to inform the Commission as it determines whether to approve the Project.

This Notice announces the opening of an additional scoping period the Commission will use to gather input from landowners potentially affected by the Project. Comments may be submitted in writing as described in the public participation section of this Notice. Please note that comments on this Notice should be filed with the Commission by February 20, 2020. If you sent comments on this Project prior to the opening of this additional comment period, you do not need to refile your comments. We have received your comments and will use the information in the preparation of the EIS.

Information in this Notice was prepared to notify previously and newly affected landowners of the Project modifications, inform them about the Commission's environmental review process, and instruct them on how to submit comments.

To help potentially affected landowners better understand the Commission and its environmental review process, the ''For Citizens'' section of the FERC website (*www.ferc.gov*) provides information about getting involved in FERC jurisdictional projects. A citizens' guide entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need to Know?'' is also available in this section of the Commission's website. This guide addresses a number of frequently asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Summary of the Proposed Project Changes

The Project would involve the construction of a liquefied natural gas (LNG) export terminal in Plaquemines Parish, Louisiana and the approximately 285-mile-long Delta Express Pipeline located within 14 parishes in Louisiana. Domestically sourced natural gas would be transported by the Delta Express Pipeline to the Delta LNG terminal, which would produce, store, and deliver up to 24 million tons per annum of LNG to LNG carriers for export overseas.

Delta LNG previously proposed to construct two parallel 42-inch-diameter pipelines within a single right-of-way and four natural gas-fired compressor stations. Delta LNG no longer proposes to construct the Monterey Compressor Station at milepost (MP) 70.3 in Concordia Parish; the Fordoche Compressor Station at MP 137.9 in Pointe Coupee Parish; or the Belle Rose Compressor Station at MP 200.8 in Assumption Parish.

No modifications of the terminal are proposed. Delta LNG has reduced the facilities associated with the Delta Express Pipeline and now proposes to construct:

- A single 48-inch-diameter pipeline along the previously proposed route; and
- two natural gas-fired compressor stations.

The two compressor stations would consist of the previously planned Alto Compressor Station at MP 0.0 in Richland Parish and the newly proposed Melville Compressor Station at MP 131.2 in Pointe Coupee Parish.

A map depicting the location of the newly proposed Melville Compressor Station is included in appendix 1.[2]

Delta LNG is not proposing any modifications to the planned route of the Delta Express Pipeline.

Public Participation

The Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files, which can reduce the amount of time you spend researching proceedings. To sign up go to *www.ferc.gov/docs-filing/esubscription.asp.*

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature, which is located on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature, which is located on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must

[1] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the FERC's Office of Energy Projects.

[2] The appendices referenced in this Notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this Notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502–8371.

first create an account by clicking on ''*eRegister.*'' You will be asked to select the type of filing you are making; a comment on a particular project is considered a ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the Project docket number (PF19–4–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Please note this is not your only public input opportunity; please refer to the review process flow chart in appendix 2.

The EIS Process

The EIS will discuss impacts that could occur as a result of the construction and operation of the planned Project under these general headings:

- Geology and soils;
- water resources and wetlands;
- vegetation, fisheries, and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- socioeconomics;
- air quality and noise;
- public safety; and
- cumulative impacts.

Commission staff will also evaluate possible alternatives to the planned Project or portions of the Project and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, Commission staff have initiated a NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the Commission receives an application. As part of the pre-filing review, Commission staff have contacted federal and state agencies to discuss their involvement in the scoping process and the preparation of the EIS.

The EIS will present Commission staffs' independent analysis of the issues. The draft EIS will be available in electronic format in the public record through eLibrary [3] and the Commission's website (*https://www.ferc.gov/industries/gas/enviro/eis.asp*). If eSubscribed, you will receive instant email notification when the draft EIS is issued. The draft EIS will be issued for an allotted public comment period. After the comment period on the draft EIS, Commission staff will consider all timely comments and revise the document, as necessary, before issuing a final EIS. To ensure Commission staff have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 3.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this Notice to initiate consultation with the applicable State Historic Preservation Office, and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the Project's potential effects on historic properties.[4] The EIS for this Project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Currently Identified Environmental Issues

Commission staff have already identified several issues that deserve attention based on a preliminary review of the planned facilities and the environmental information provided by Delta LNG. This preliminary list of issues may change based on your comments and our analysis:

- Impacts on wetlands including coastal marsh and forested wetlands;
- cumulative impacts on air quality, noise, wetlands, socioeconomics, and other resources associated with construction and operation of the planned Delta LNG export terminal and the nearby Plaquemines LNG export terminal and other large projects at various stages of planning and construction in the region;
- LNG terminal site alternatives;
- Delta Express Pipeline route alternatives;
- Environmental Justice impacts; and
- alternative construction methods and workspace configurations that would avoid or reduce impacts.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for Project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the Project. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the planned Project.

A *Notice of Availability* of the draft EIS will be sent to the environmental mailing list and will provide instructions to access the electronic document on the FERC's website (*www.ferc.gov*). If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please return the attached ''Mailing List Update Form'' (appendix 3).

Becoming an Intervenor

Once Delta LNG files its application with the Commission, you may want to become an ''intervenor,'' which is an official party to the Commission's proceeding. Only intervenors have the right to seek rehearing of the Commission's decision and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214). Motions to intervene are more fully described at *http://www.ferc.gov/resources/guides/how-to/intervene.asp*. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the Project, after which the Commission will issue a public notice that establishes an intervention deadline.

Additional Information

Additional information about the Project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on ''General Search'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.,*

[3] For instructions on connecting to eLibrary, refer to the last page of this Notice.

[4] The Advisory Council on Historic Preservation regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

PF19–4). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits, if any are planned, will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: January 22, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01416 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP20–37–000]

Notice of Application: Texas Eastern Transmission, LP

Take notice that on January 10, 2020, Texas Eastern Transmission, LP (Texas Eastern), 5400 Westheimer Court, Houston, TX 77056, filed an application under section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's rules and regulations to replace four existing compressor units at its Lilly Compressor Station, located in Cambria County, Pennsylvania (Lilly Compressor Units Replacement Project). Specifically, Texas Eastern is requesting authorization to replace a total of four existing compressor units with a total certificated horsepower (hp) of 34,800 hp with two new 18,100 hp natural gas-fired units totaling 36,200 hp and related auxiliary facilities, all as more fully described in the application which is on file with the Commission and open to public inspection. The filing may also 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, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Texas Eastern also states that they will install software controls on the two new units, limiting the total horsepower at the compressor station to 34,800 hp in order to maintain the current designed horsepower and delivery capacity at the Lilly Compressor Station.

Any questions regarding this application should be directed to Lisa A. Connolly, Director, Rates and Certificates, Texas Eastern Transmission, LP, P.O. Box 1642, Houston, Texas 77251–1642, or call (713) 627–4102, fax (713) 627–5947, or email: *lisa.connolly@enbridge.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 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 commentors 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 commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors 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: 5:00 p.m. Eastern Time on February 12, 2020.

Dated: January 22, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01417 Filed 1–27–20; 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).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–780–000]

Sooner Wind, 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 Sooner Wind, 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 February 10, 2020.

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: January 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01364 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–844–000]

Hamilton Projects Acquiror, 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 Hamilton Projects Acquiror, 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 February 10, 2020.

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: January 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01362 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL20–19–000]

Notice of Complaint: Coalition of MISO Transmission Customers, Industrial Energy Consumers of America, LS Power Midcontinent, LLC v. Midcontinent Independent System Operator, Inc.

Take notice that on January 21, 2020, pursuant to sections 206, 306 and 309 of the Federal Power Act, 16 U.S.C. 824e, 825e and 825h and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206 (2019), Coalition of MISO Transmission Customers, Industrial Energy Consumers of America and LS Power Midcontinent, LLC (collectively, Complainants) filed a formal complaint against Midcontinent Independent System Operator, Inc. (MISO or Respondent) requesting that the Commission direct MISO to revise the cost allocation methodology for Baseline Reliability Projects, all as more fully explained in the complaint.

Complainant certifies that copies of the Complaint were served on the contacts for MISO as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of

intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 Eastern Time on February 10, 2020.

Dated: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01443 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e) (1) (v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic 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 access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket No.	File date	Presenter or requester
Prohibited:		
None.		
Exempt:		
1. CP16–9–000	1–10–2020	U.S. Congressman Joseph P. Kennedy, III.
2. CP16–10–000	1–14–2020	U.S. Senator Tim Kaine.

Dated: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01446 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP20–10–000]

Rover Pipeline LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Wick Meter & Regulator Station Project and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Wick Meter and Regulator (Wick M&R) Station Project involving construction and operation of facilities by Rover Pipeline LLC (Rover) in Tyler County, West Virginia. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies about issues regarding the project. The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity.

NEPA also requires the Commission to discover concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of issues to address in the EA. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on February 20, 2019.

You can make a difference by submitting your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Commission staff will consider all filed comments during the preparation of the EA.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

Public Participation

The Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. To sign up go to *www.ferc.gov/docs-filing/esubscription.asp.* For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature, which is located on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature, which is located on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.*'' You will be asked to select the type of filing you are making; a comment on a particular project is considered a ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP20–10–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Summary of the Proposed Project

Rover proposes to construct, own, and operate a new meter station on Rover's Sherwood Lateral in Tyler County, West Virginia (''Wick M&R Station Project,'' or ''Project''). The Project consists of an ultrasonic meter skid and other ancillary facilities, including piping and valves, electronic flow measurement devices, flow conditioners, instrumentation, telemetry, gas analysis devices, gas quality monitoring devices, flow control valves, condensate storage tank, and other related equipment, as necessary. The proposed Project will would be located on along Rover's existing Sherwood Lateral Pipeline in Tyler County, West Virginia.

The general location of the project facilities is shown in appendix 1.[1]

Land Requirements for Construction

Rover has recently executed an Interconnect and Operating Agreement with Eureka Midstream, LLC (Eureka) for the installation of the Wick M&R Station Project, to allow for the delivery of natural gas supplies from gathering facilities under development by Eureka, for transportation on the Rover pipeline system.

Approximately 2.1 acres of land would be used to construct the station, of which 0.9 acre would be fenced and maintained for operation of the station and tap along the existing Sherwood Lateral Pipeline.

The EA Process

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- air quality and noise;
- public safety; and
- cumulative impacts.

Commission staff will also evaluate reasonable alternatives to the proposed project and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present Commission staffs' independent analysis of the issues. The EA will be available in electronic format in the public record through eLibrary[2] and the Commission's website (*https://www.ferc.gov/industries/gas/enviro/eis.asp*). If eSubscribed, you will receive instant email notification when the EA is issued. The EA may be issued for an allotted public comment period. Commission staff will consider all comments on the EA before making recommendations to the Commission. To ensure Commission staff have the opportunity to address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the EA. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office, and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[3] The EA

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[2] For instructions on connecting to eLibrary, refer to the last page of this notice.

[3] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included

Continued

for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) whose property may be used temporarily for project purposes, or who own property within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If the Commission issues the EA for an allotted public comment period, a *Notice of Availability* of the EA will be sent to the environmental mailing list and will provide instructions to access the electronic document on the FERC's website (*www.ferc.gov*). If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please return the attached ''Mailing List Update Form'' (appendix 2).

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the eLibrary link. Click on the eLibrary link, click on ''General Search'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.,* CP20–10–000). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: January 21, 2020.

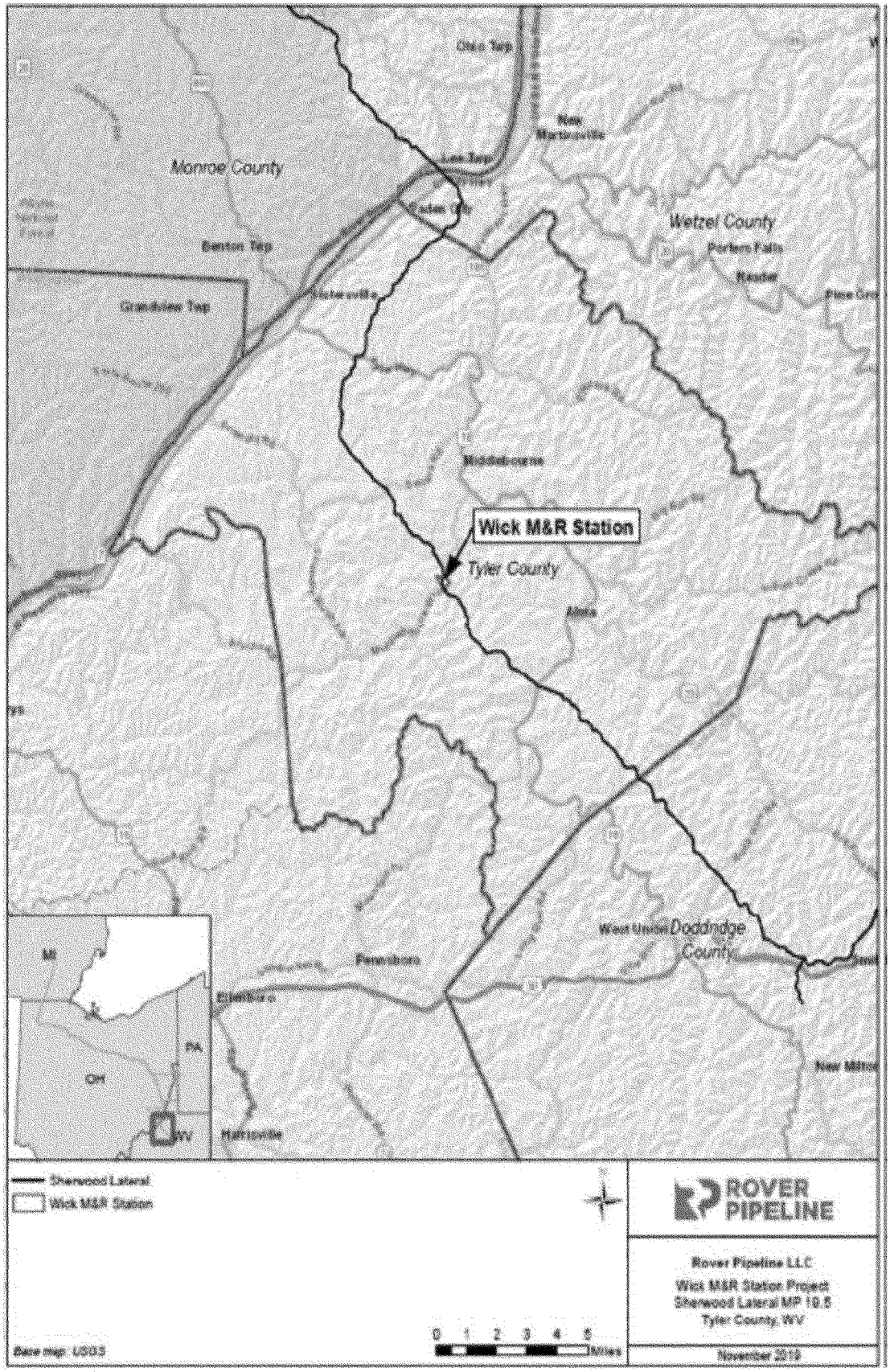
Kimberly D. Bose,

Secretary.

Appendix 1

BILLING CODE 6717–01–P

in or eligible for inclusion in the National Register of Historic Places.


Monroe County
Wetzel County
Wick M&R Station
Tyler County
Doddridge County
Sherwood Lateral
Wick M&R Station
ROVER PIPELINE
Rover Pipeline LLC
Wick M&R Station Project
Sherwood Lateral MP 10.5
Tyler County, WV
November 2019
0 1 2 3 4 5 Miles
Base map: USGS

MAILING LIST UPDATE FORM

Wick Meter and Regulator Station Project

Name_____

Agency_____

Address_____

City_____**State**_____ **Zip Code**_____

☐ **Please update the mailing list**

☐ **Please remove my name from the mailing list**

FROM_____

_____

_____

_____

ATTN: OEP - Gas 2, PJ - 11.2

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

(Docket No. CP20-10-000, Rover Meter and Regulator Station Project)

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[FR Doc. 2020–01405 Filed 1–27–20; 8:45 am]
BILLING CODE 6717–01–C

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1957–060]

Wisconsin Public Service Corporation; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Capacity Amendment of License.

b. *Project No:* 1957–060.

c. *Date Filed:* December 5, 2019.

d. *Applicant:* Wisconsin Public Service Corporation (WPS).

e. *Name of Project:* Otter Rapids Hydroelectric Project.

f. *Location:* The project is located on the Wisconsin River in Vilas and Oneida counties, Wisconsin.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Todd Jastremski, Asset Manager, We Energies, 800 Industrial Park Drive, Iron Mountain, MI 49801, (906) 779–4099, *todd.jastremski@we-energies.com.*

i. *FERC Contact:* Christopher Chaney, (202) 502–6778, *christopher.chaney@ferc.gov.*

j. Deadline for filing comments, motions to intervene, and protests is 30 days from the issuance date of this notice by the Commission.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/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–1957–060. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* WPS proposes to implement the Otter Rapids Powerhouse Stability Project, which includes: (1) Modifying Unit 1 by adding a draft tube and filling the remainder of the draft tube bay with mass concrete; (2) retiring and removing the 200-kilowatt Unit 2; and (3) installing three 4-foot-diameter conduits in the Unit 2 bay, and filling the remainder of the area with mass concrete and concrete slabs. The Stability Project will require the closure of some recreation facilities for the duration of the project including: The tailrace fishing pier, limited-mobility fishing area, the self-guided tour and hunting area, and parking at the downstream informal fishing areas. Additionally, the canoe portage trail will be rerouted during the project. The closures are expected to be in place from Spring through Fall 2020, with the recreation facilities reopened for the 2021 recreation season.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE, Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: January 22, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01419 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meeting Notice

The following notice of meeting is published pursuant to section 3(a) of the government in the Sunshine Act (Pub. L. 94–409), 5 U.S.C. 552b:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

DATE AND TIME: January 30, 2020, 10:00 a.m.

PLACE: Room 2C, 888 First Street NE, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

* Note—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kimberly D. Bose, Secretary, Telephone (202) 502–8400.

For a recorded message listing items struck from or added to the meeting, call (202) 502–8627.

This is a list of matters to be considered by the Commission. It does not include a listing of all documents relevant to the items on the agenda. All public documents, however, may be viewed on line at the Commission's website at *http://ferc.capitolconnection.org/* using the eLibrary link, or may be examined in the Commission's Public Reference Room.

1064TH MEETING—OPEN MEETING

[January 30, 2020, 10:00 a.m.]

Item No.	Docket No.	Company
	ADMINISTRATIVE	
A–1	AD20–1–000	Agency Administrative Matters.
A–2	AD20–2–000	Customer Matters, Reliability, Security and Market Operations.
	CERTIFICATES	
C–1	RP20–41–000	PennEast Pipeline Company, LLC.

Issued: January 23, 2020.

Kimberly D. Bose,

Secretary.

A free webcast of this event is available through *http://ferc.capitolconnection.org/.* Anyone with internet access who desires to view this event can do so by navigating to *www.ferc.gov's* Calendar of Events and locating this event in the Calendar. The event will contain a link to its webcast. The Capitol Connection provides technical support for the free webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit *http://ferc.capitolconnection.org/* or contact Shirley Al-Jarani at 703–993–3104.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters, but will not be telecast through the Capitol Connection service.

[FR Doc. 2020–01601 Filed 1–24–20; 4:15 pm]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–851–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Bulb Energy Incorporated

January 22, 2020.

This is a supplemental notice in the above-referenced proceeding of Bulb Energy Incorporated'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 February 11, 2020.

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.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01445 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP20–35–000]

Notice of Application: WBI Energy Transmission, Inc.

Take notice that on January 8, 2020, WBI Energy Transmission, Inc. (WBI

Energy), 1250 West Century Avenue, Bismarck, North Dakota 58503, filed in the above referenced docket an application pursuant to section 7(b) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations requesting authorization for the abandonment by sale of all WBI Energy's gathering facilities and related service located in the state if Montana and North Dakota as a result of the sale of its gathering assets to Scout Energy Group, II, LP. 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, (866) 208–3676 or TYY, (202) 502–8659.

Any questions concerning this application may be directed to Lori Myerchin, Director, Regulatory Affairs and Transportation Services, WBI Energy Transmission, Inc., 1250 West Century Avenue, Bismarck, North Dakota 58503, by telephone at (701) 530–1563, or by email to *lori.myerchin@wbienergy.com.*

WBI Energy filed an application for authorization to abandon by sale, to Scout Energy Group II, LP, its remaining gathering facilities, which includes approximately 400 miles of natural gas gathering pipeline and appurtenant facilities, and related land rights associated with WBI Energy's existing gathering operations in the Baker Field, located in Fallon County, Montana and Bowman County, North Dakota. Following the proposed abandonment WBI Energy will no longer provide any gathering services.

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 seven copies of filings made in the proceeding with the Commission and must mail 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 commentors 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 commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors 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 7 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on February 11, 2020.

Dated: January 21, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01404 Filed 1–27–20; 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:

Docket Numbers: RP19–1340–000.
Applicants: Viking Gas Transmission Company.
Description: Report Filing: Test Period Updates.
Filed Date: 1/16/20.
Accession Number: 20200116–5047.
Comments Due: 5 p.m. ET 1/28/20.

Docket Numbers: RP20–439–000.
Applicants: Garden Banks Gas Pipeline, LLC.
Description: § 4(d) Rate Filing: GB-Modification to Non-Conforming Agreement listing to be effective 2/15/2020.
Filed Date: 1/16/20.
Accession Number: 20200116–5015.
Comments Due: 5 p.m. ET 1/28/20.

Docket Numbers: RP20–303–001.
Applicants: ANR Storage Company.
Description: Compliance filing Market-Based Rates Implementation Compliance Filing to be effective 1/1/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5201.
Comments Due: 5 p.m. ET 1/29/20.

Docket Numbers: RP20–440–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: § 4(d) Rate Filing: Rate Schedule S–2 Tracker Filing eff 2–1–2020 to be effective 2/1/2020.
Filed Date: 1/17/20.
Accession Number: 20200117–5011.
Comments Due: 5 p.m. ET 1/29/20.

Docket Numbers: RP20–441–000.
Applicants: Algonquin Gas Transmission, LLC.

Description: § 4(d) Rate Filing: Negotiated Rates—Boston Gas 510798 Releases eff 1–18–2020 to be effective 1/18/2020.

Filed Date: 1/17/20.

Accession Number: 20200117–5082.

Comments Due: 5 p.m. ET 1/29/20.

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 date(s). Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: January 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01365 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–850–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: Bulb US LLC

This is a supplemental notice in the above-referenced proceeding of Bulb US 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 February 11, 2020.

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: January 22, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–01444 Filed 1–27–20; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2013–0335; FRL–10004–04–OMS]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NESHAP for Aerospace Manufacturing and Rework Facilities (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), NESHAP for Aerospace Manufacturing and Rework Facilities (EPA ICR Number 1687.12, OMB Control Number 2060–0314), to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through March 31, 2020. Public comments were previously requested, via the **Federal Register**, on May 6, 2019 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before February 27, 2020.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OECA–2013–0335, to: (1) EPA online using *www.regulations.gov* (our preferred method), or by email to *docket.oeca@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460; and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

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: Patrick Yellin, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 564–2970; fax number: (202) 564–0050; email address: *yellin.patrick@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed either 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.*

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Aerospace Manufacturing and Rework Facilities (40 CFR part 63, subpart GG) apply to existing and new aerospace manufacturing and rework facilities where the total hazardous air pollutants (HAP) emitted are greater than or equal to 10 tons per year of any combination of HAP, or where the total HAP emitted are greater than or equal to 25 tons per year of any combination of HAP. New facilities include those that commenced construction or reconstruction after the date of proposal. Operations covered include: Cleaning, primer and top coat application, depainting, chemical milling maskant application, handling and storage of waste, and specialty coating operations. This information is being collected to assure compliance with 40 CFR part 63, subpart GG.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

Form Numbers: None.

Respondents/affected entities: Aerospace manufacturing and rework facilities.

Respondent's obligation to respond: Mandatory (40 CFR part 63 Subpart GG).

Estimated number of respondents: 144 (total).

Frequency of response: Initially, occasionally, and semiannually.

Total estimated burden: 154,000 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $15,500,000 (per year), which includes $144,000 in annualized capital/startup and/or operation & maintenance costs.

Changes in the Estimates: There is no change in the burden hours or cost in this ICR compared to the hours and costs described in supporting statement for the previous ICR. This is due to two considerations. First, the regulations have had no significant changes over the past three years and are not anticipated to change over the next three years. Secondly, the growth rate for the industry is very low, negative or non-existent, so there is no significant change in the overall burden. Since there are no changes in the regulatory recordkeeping and reporting requirements and there is no significant industry growth, the labor hours and cost figures in the previous ICR are used in this ICR and there is no change in burden to industry.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2020–01421 Filed 1–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2019–0456; FRL–10003–42]

Agency Information Collection Activities; Proposed Renewal of an Existing Collection (EPA ICR No. 2446.03 and OMB Control No. 2070–0185); Comment Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this document announces that EPA is planning to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB). The ICR, entitled: ''Formaldehyde Standards for Composite Wood Products Act'' and identified by EPA ICR No. 2446.03 and OMB Control No. 2070–0185, represents the renewal of an existing ICR that is scheduled to expire on June 30, 2020. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

DATES: Comments must be received on or before March 30, 2020.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OPPT–2019–0456 by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

FOR FURTHER INFORMATION CONTACT: Todd Coleman, National Program Chemicals Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–1208; email address: *coleman.todd@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. What information is EPA particularly interested in?

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

II. What information collection activity or ICR does this action apply to?

Title: Formaldehyde Standards for Composite Wood Products Act.

EPA ICR number: EPA ICR No. 2446.03.

OMB control number: OMB Control No. 2070–0185.

ICR status: This ICR is currently approved through June 30, 2020. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA regulations in title 40 of the Code of Federal Regulations (CFR) are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection

instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: This ICR renewal covers the recordkeeping and reporting requirements for all aspects of the TSCA Title VI implementing regulations and regulations relating to accreditation bodies (ABs) and third-party certifiers (TPCs) that wish to participate in this third-party certification program. As part of maintaining recognition in the TSCA Title VI program, these ABs and TPCs must submit initial applications for recognition and update those applications every three and two years respectively using the Agency's Central Data Exchange (CDX) system. In addition, ABs and TPCs must submit annual reports which relay certain information to the Agency on the TSCA Title VI certification and testing activities both ABs and TPCs have performed over the last year. Through the CDX, Product ABs are responsible for reporting various notifications and annual reports pursuant to 40 CFR 770.7(a) and Laboratory ABs are responsible for reporting various notifications and annual reports pursuant to 40 CFR 770.7(b). Should an AB conduct both product and laboratory AB services for any of its TPCs, that AB would be responsible for satisfying the reporting obligations for both Product and Laboratory AB roles.

TPCs are responsible for the certification of regulated composite wood products at the mill level through the oversight of panel producers, routine quarterly testing of composite wood products, and physical inspections of the panel production facilities. Through the Agency's CDX, TPCs are responsible for reporting information including various notifications and annual reports pursuant to 40 CFR 770.7(c). TPCs are also responsible for notifying the Agency of any approval of a no-added formaldehyde limited exemption or an ultra-low emitting formaldehyde exemption of reduced testing approval which they issue to the mills they certify after submitting the required information to the Agency.

Panel producers are responsible for communicating routine testing documentation to their respective TPC pursuant to their responsibilities under 40 CFR 770.20 and 40 CFR 770.40. Panel producers are also responsible for providing certain records to downstream entities and purchasers of regulated composite wood products as well as the Agency, upon request.

Importers, fabricators, distributors, and retailers are responsible for maintaining records pursuant to 40 CFR 770.30 and 40 CFR 770.40(d).

Burden statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 84,793 hours (per year). Burden is defined in 5 CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

Respondents/affected entities: Panel producers, fabricators, distributors, retailers, TPCs, and ABs.

Respondent's obligation to respond: Mandatory (15 U.S.C. 2697).

Estimated total number of potential respondents: 990,269 firms (total).

Frequency of response: On occasion.

Estimated total annual burden: 84,793 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Estimated total annual costs: $19,638,018 (per year), with no annualized capital or operation and maintenance costs.

III. Are there changes in the estimates from the last approval?

There is an overall decrease of 1,396,732 hours in the total estimated combined respondent burden compared with the ICR currently approved by OMB. This decrease is due to adjustments in EPA's estimates of the burden, reflecting activities that only had one-time burdens associated with the initial implementation of the rule, and revisions to the estimated number of respondents based on the actual number of participants in the TSCA Title VI program. This change is an adjustment.

IV. What is the next step in the process for this ICR?

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 pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: January 17, 2020.

Alexandra Dapolito Dunn,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2020–01344 Filed 1–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2016–0654; FRL–10003–73]

Agency Information Collection Activities; Proposed Renewal of an Existing Collection (EPA ICR No. 2559.03; OMB Control No. 2070–0202); Comment Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this document announces that EPA is planning to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB). The ICR, entitled: ''Procedures for Requesting a Chemical Risk Evaluation under TSCA'' and identified by EPA ICR No. 2559.03 and OMB Control No. 2070–0202, which represents the renewal of an existing ICR that is scheduled to expire on September 30, 2020. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

DATES: Comments must be received on or before March 30, 2020.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2016–0654, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Susanna Blair, Immediate Office, (Mail Code 7401M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–564–4371; email address: *blair.susanna@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. What information is EPA particularly interested in?

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

II. What information collection activity or ICR does this action apply to?

Title: Procedures for Requesting a Chemical Risk Evaluation under TSCA.

ICR number: EPA ICR No. 2559.03.

OMB control number: OMB Control No. 2070–0202.

ICR status: This ICR is currently scheduled to expire on September 30, 2020. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: The information collection activities covered by this ICR renewal are those carried out by a chemical manufacturer in requesting a specific chemical risk evaluation under the Toxic Substance Control Act (TSCA) be conducted by EPA. EPA established the process for conducting risk evaluations under TSCA. Chemicals that will undergo this evaluation include chemicals the Agency has prioritized, as well as chemicals for which EPA has granted requests made by manufacturers to have the chemicals evaluated under EPA's risk evaluation process. EPA has established criteria and information chemical manufacturers must provide for EPA to consider a chemical substance for risk evaluation. This information is necessary in order for EPA to review information covered by chemical manufacturers and determine if the chemical substance is suitable for risk evaluation.

Legal authority: The Toxic Substances Control Act (TSCA), 15 U.S.C. 2605(b)(4).

Burden statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to 419.15 hours. Burden is defined in 5 CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

Respondents/Affected Entities: Entities potentially affected by this ICR are persons that manufacture chemical substances and request a chemical be considered for risk evaluation by EPA.

Estimated total number of potential respondents: 5.

Frequency of response: On occasion.

Estimated total average number of responses for each respondent: 1.

Estimated total annual burden hours: 419.15 hours.

Estimated total annual costs: $283,570. This includes an estimated burden cost of $283,570 and an estimated cost of $0 for capital investment or maintenance and operational costs.

III. Are there changes in the estimates from the last approval?

There is no change in burden hours, and an increase of $709 in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This increase reflects the increase in wage rates since the initial ICR. This change is an adjustment.

IV. What is the next step in the process for this ICR?

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 pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: January 17, 2020.

Alexandra Dapolito Dunn,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2020–01346 Filed 1–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2010–0572; FRL–10003–00]

Agency Information Collection Activities; Proposed Renewal of an Existing Collection (EPA ICR No. 2517.03 and OMB Control No. 2070–0194); Comment Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this document announces that EPA is planning to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB). The ICR, entitled: ''Chemical-Specific Rules under the Toxic Substances Control Act Section 8(a); Certain Nanoscale Materials'' and identified by EPA ICR No. 2517.03 and OMB Control No. 2070–0194, represents the renewal of an

existing ICR that is scheduled to expire on August 31, 2020. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

DATES: Comments must be received March 30, 2020.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2010–0572, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Jim Alwood, Chemical Control Division, Mail Code: 7405M, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–8974; email address: *alwood.jim@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. What information is EPA particularly interested in?

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.

2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

3. Enhance the quality, utility, and clarity of the information to be collected.

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

II. What information collection activity or ICR does this action apply to?

Title: Chemical-Specific Rules under the Toxic Substances Control Act Section 8(a); Certain Nanoscale Materials.

ICR number: EPA ICR No. 2517.03.

OMB control number: OMB Control No. 2070–0194.

ICR status: This ICR is currently scheduled to expire on 8/31/2020. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: This information collection request (ICR) covers reporting and recordkeeping requirements for persons who manufacture or process chemical substances as nanoscale materials and is related to a final rule issued under the authority of section 8(a) of the Toxic Substances Control Act (TSCA). Although approved as an ICR addendum to revise an existing approved ICR to incorporate reporting and recordkeeping requirements in the TSCA section 8(a) rule for Certain Nanoscale Materials (identified under RIN 2070–AJ54), it was not incorporated into the existing ICR after its approval. As a result, EPA is seeking to renew the approval of the addendum and will work to consolidate the ICRs during the next approval time period.

TSCA section 8(a) authorizes EPA to promulgate rules that require persons who manufacture or process chemical substances and mixtures, or who propose to manufacture or process chemical substances and mixtures, to maintain such records and submit such reports to EPA as may be reasonably required. Information that may be collected under TSCA section 8(a) includes, but is not limited to, chemical names, categories of use, production volume, byproducts of chemical production, existing information on health and environmental effects, exposure information, and disposal information. This information is collected by the Office of Pollution Prevention and Toxics (OPPT) and may be used by other EPA offices and/or Federal agencies to ensure knowledge of specific practices that may affect human health and the environment.

Under TSCA section 8(a), EPA is establishing reporting and recordkeeping requirements for certain chemical substances as nanoscale materials. The rule requires that persons who manufacture or process these nanoscale materials notify EPA of certain information which includes production volume, methods of manufacture and processing, exposure and release information, and available health and safety information. The reporting of these activities will provide EPA with an opportunity to evaluate the information and consider appropriate action under TSCA to reduce any risk to human health or the environment. The information will also inform EPA's assessments of new chemical nanoscale materials submitted to EPA under TSCA section 5.

EPA's OPPT, other EPA Offices and/or other Federal agencies will generally be the primary groups for which information will be collected. However, to the extent that reported information is not considered to be confidential business information (CBI), environmental groups, environmental justice advocates, state and local government entities and other members of the public will have access to this information for their own use.

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

Respondents/affected entities: Entities potentially affected by this ICR are nanomaterial manufacturers and nanomaterial processors.

Estimated total number of potential respondents: 285 per year.

Frequency of response: On occasion.

Estimated total average number of responses for each respondent: 0.78 per year.

Estimated total annual burden hours: 40,089 hours.

Estimated total annual costs: $3,067,546. This includes an estimated burden cost of $3,067,546 and an estimated cost of $0 for capital investment or maintenance and operational costs.

Burden statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 121 hours per response. Burden is defined in 5 CFR 1320.3(b).

III. Are there changes in the estimates from the last approval?

There is decrease of 26,861 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects EPA's expectation of decreased submissions. In the previous ICR period, the rule required an initial one-time reporting on current nanomaterials, while the reporting covered in this period only requires the reporting of new nanomaterials. Furthermore, burden estimates assume that the same manufacturers will report each year and, therefore, will have already undertaken rule familiarization in the previous ICR period. Wage rates were also updated to reflect 2018 dollars. This change is an adjustment in estimates.

IV. What is the next step in the process for this ICR?

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 pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: January 17, 2020.

Alexandra Dapolito Dunn,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2020–01345 Filed 1–27–20; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m. on Thursday, January 30, 2020.

PLACE: The meeting will be held in the Board Room located on the Sixth Floor of the FDIC Building located at 550 17th Street NW, Washington, DC.

This Board meeting will be Webcast live via the internet and subsequently made available on-demand approximately one week after the event. Visit *http://fdic.windrosemedia.com* to view the live event. Visit *http://fdic.windrosemedia.com/index.php?category=FDIC+Board+Meetings* after the meeting. If you need any technical assistance, please visit our Video Help page at: *https://www.fdic.gov/video.html.*

The FDIC will provide attendees with auxiliary aids (*e.g.,* sign language interpretation) required for this meeting. Those attendees needing such assistance should call 703–562–2404 (Voice) or 703–649–4354 (Video Phone) to make necessary arrangements.

STATUS: Open.

MATTERS TO BE CONSIDERED: Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session to consider the following matters:

Summary Agenda:

No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of Minutes of a Board of Directors' Meeting Previously Distributed.

Memorandum and resolution re: Final Rule to Revise Securitization Safe Harbor Rule.

Reports of the Office of Inspector General.

Discussion Agenda:

Memorandum and resolution re: Notice of Proposed Rulemaking: Proposed Revisions to Prohibitions and Restrictions on Proprietary Trading and Certain Interests in, and Relationships with, Hedge Funds and Private Equity Funds.

CONTACT PERSON FOR MORE INFORMATION: Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at 202–898–7043.

Dated at Washington, DC, on January 23, 2020.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2020–01523 Filed 1–24–20; 11:15 am]

BILLING CODE 6714–01–P

FEDERAL TRADE COMMISSION

Revised Jurisdictional Thresholds for Section 7A of the Clayton Act

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission announces the revised thresholds for the Hart-Scott-Rodino Antitrust Improvements Act of 1976 required by the 2000 amendment of Section 7A of the Clayton Act.

DATES: February 27, 2020.

FOR FURTHER INFORMATION CONTACT: Nora Whitehead (202–326–3100), Federal Trade Commission, Bureau of Competition, Premerger Notification Office, 400 7th Street SW, Room 5301, Washington, DC 20024.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by the Hart-Scott-Rodino Antitrust Improvements Act of 1976, Public Law 94–435, 90 Stat. 1390 (''the Act''), requires all persons contemplating certain mergers or acquisitions, which meet or exceed the jurisdictional thresholds in the Act, to file notification with the Commission and the Assistant Attorney General and to wait a designated period of time before consummating such transactions. Section 7A(a)(2) requires the Federal Trade Commission to revise those thresholds annually, based on the change in gross national product, in accordance with Section 8(a)(5). Note that while the filing fee thresholds are revised annually, the actual filing fees are not similarly indexed and, as a result, have not been adjusted for inflation in over a decade. The new thresholds, which take effect 30 days after publication in the **Federal Register**, are as follows:

Subsection of 7A	Original threshold (million)	Adjusted threshold (million)
7A(a)(2)(A)	$200	$376
7A(a)(2)(B)(i)	50	94
7A(a)(2)(B)(i)	200	376
7A(a)(2)(B)(ii)(i)	10	18.8
7A(a)(2)(B)(ii)(i)	100	188
7A(a)(2)(B)(ii)(II)	10	18.8
7A(a)(2)(B)(ii)(II)	100	188
7A(a)(2)(B)(ii)(III)	100	188
7A(a)(2)(B)(ii)(III)	10	18.8
Section 7A note: Assessment and Collection of Filing Fees [1] (3)(b)(1)	100	188
Section 7A note: Assessment and Collection of Filing Fees (3)(b)(2)	100	188
Section 7A note: Assessment and Collection of Filing Fees (3)(b)(2)	500	940.1
Section 7A note: Assessment and Collection of Filing Fees (3)(b)(3)	500	940.1

[1] Public Law 106–553, Sec. 630(b) amended Sec. 18a note.

Any reference to these thresholds and related thresholds and limitation values in the HSR rules (16 CFR parts 801–803) and the Antitrust Improvements Act Notification and Report Form (''the HSR Form'') and its Instructions will also be adjusted, where indicated by the term ''(as adjusted)'', as follows:

Original threshold	Adjusted threshold (million)
$10 million	$18.8
$50 million	94
$100 million	188
$110 million	206.8
$200 million	376
$500 million	940.1
$1 billion	1,880.2

By direction of the Commission.

April J. Tabor,

Acting Secretary.

[FR Doc. 2020–01423 Filed 1–27–20; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the proposed information collection project: ''*Consumer Assessment of Healthcare Providers and Systems (CAHPS) Health Plan Survey Database.*'' In accordance with the Paperwork Reduction Act of 1995, AHRQ invites the public to comment on this proposed information collection.

DATES: Comments on this notice must be received by 60 days after date of publication.

ADDRESSES: Written comments should be submitted to: Doris Lefkowitz, Reports Clearance Officer, AHRQ, by email at *doris.lefkowitz@AHRQ.hhs.gov.*

Copies of the proposed collection plans, data collection instruments, and specific details on the estimated burden can be obtained from the AHRQ Reports Clearance Officer.

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427–1477, or by email at *doris.lefkowitz@AHRQ.hhs.gov.*

SUPPLEMENTARY INFORMATION:

Proposed Project

Consumer Assessment of Healthcare Providers and Systems (CAHPS) Health Plan Survey Database

AHRQ requests that OMB reapprove AHRQ's collection of information for the AHRQ Consumer Assessment of Healthcare Providers and Systems (CAHPS) Health Plan Survey Database: OMB Control number 0935–0165, expiration May 31, 2020 (the CAHPS Health Plan Database). The CAHPS Health Plan Database consists of data from the AHRQ CAHPS Health Plan Survey. Health plans in the U.S. are asked to voluntarily submit data from the survey to AHRQ, through its contractor, Westat. The CAHPS Health Plan Database was developed by AHRQ in 1998 in response to requests from health plans, purchasers, and the Centers for Medicare & Medicaid Services (CMS) to provide comparative data to support public reporting of health plan ratings, health plan accreditation and quality improvement.

This research has the following goals:

(1) To maintain the CAHPS Health Plan Database using data from AHRQ's standardized CAHPS Health Plan Survey to provide results to health care purchasers, consumers, regulators and policy makers across the country.

(2) To offer several products and services, including aggregated results presented through an Online Reporting System, summary chartbooks, custom analyses, and data for research purposes.

(3) To provide data for AHRQ's annual National Healthcare Quality and Disparities Report.

(4) To provide state-level data to CMS for public reporting on *Medicaid.gov* and *Data.Medicaid.gov* that does not display the name of the health plans.

Survey data from the CAHPS Health Plan Database is used to produce four types of products: (1) An annual chartbook available to the public on the CAHPS Database website (*https://www.cahpsdatabase.ahrq.gov/CAHPSIDB/Public/Chartbook.aspx*); (2) individual participant reports that are confidential and customized for each participating organization (*e.g.,* health plan, Medicaid agency) that submits their data; (3) a research database available to researchers wanting to conduct additional analyses; and (4) data tables provided to AHRQ for inclusion in the National Healthcare Quality and Disparities Reports.

This study is being conducted by AHRQ through its contractor, Westat, pursuant to AHRQ's statutory authority to conduct and support research on healthcare and on systems for the delivery of such care, including activities with respect to the quality, effectiveness, efficiency, appropriateness and value of healthcare services; quality measurement and development, and database development. 42 U.S.C. 299a(a)(1), (2) and (8).

Method of Collection

To achieve the goals of this project the following data collections will be implemented:

• Health Plan Registration Form—The point-of-contact (POC), often the sponsor from Medicaid agencies and health plans, completes a number of data submission steps and forms, beginning with the completion of the online registration form. The purpose of this form is to collect basic contact information about the organization and initiate the registration process.

• Data Use Agreement—The purpose of the data use agreement, completed by the participating sponsor organization, is to state how data submitted by health plans will be used and provide confidentiality assurances.

• Health Plan Information Form—The purpose of this form, completed by the participating sponsor organization, is to collect background characteristics of the health plan.

• Questionnaire Submission—POCs upload a copy of the questionnaire used to ensure that it meets CAHPS Health Plan Survey standards (the survey instrument must include all core questions, not alter the wording of any core questions, and must not omit any of the survey items related to respondent characteristics that are used for case mix adjustment.)

• Data Files Submission—POCs upload their data file using the Health Plan data file specifications to ensure that users submit standardized and consistent data in the way variables are named, coded, and formatted.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated burden hours for the respondents to participate in the database. The burden hours pertain only to the collection of Medicaid data from State Medicaid agencies and individual Medicaid health plans because those are the only entities that submit data through the data submission process (other data are obtained from CMS). The 85 POCs in Exhibit 1 are a combination of an estimated 75 State Medicaid agencies and individual health plans, and 10 vendor organizations.

Each State Medicaid agency, health plan or vendor will register online for submission. The online registration form will require about 5 minutes to complete. Each submitter will also complete a health plan information form about each health plan, such as the name of the plan, the product type (*e.g.,* HMO, PPO), and the population surveyed (*e.g.,* adult Medicaid or child Medicaid). Each year, the prior year's plan data are preloaded in the plan table to lessen burden on the POC. The POC is responsible for updating the plan table to reflect the current year's plan information. The online health plan information form takes on average 30 minutes to complete per health plan with each POC completing the form for four plans on average. The data use agreement will be completed by the 75 participating State Medicaid agencies or individual health plans. Vendors do not sign or submit DUAs. The DUA requires about 5 minutes to sign and upload. Each submitter will provide a copy of their questionnaire and the survey data file in the required file format. Survey data files must conform to the data file layout specifications provided by the CAHPS Health Plan Database. Since the unit of analysis is at the health plan level, submitters will upload one data file per health plan. Once a data file is uploaded the file will be checked automatically to ensure it conforms to the specifications and a data file status report will be produced and made available to the submitter. Submitters will review each report and will be expected to fix any errors in their data file and resubmit if necessary. It will take about 1 hour to submit the questionnaire and data for each plan, and each POC will submit data for four plans on average. The total burden is estimated to be 463 hours annually.

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents/ POCs	Number of responses per POC	Hours per response	Total burden hours
Registration Form	85	1	5/60	7
Health Plan Information Form	75	4	30/60	150
Data Use Agreement	75	1	5/60	6
Questionnaire and Data Files Submission	75	4	1	300
Total	310	NA	NA	463

Exhibit 2 shows the estimated annualized cost burden based on the respondents' time to complete one submission process. The cost burden is estimated to be $22,083 annually.

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Number of respondents	Total burden hours	Average hourly wage rate *	Total cost burden
Registration Form	85	7	[a] 54.68	$383
Health Plan Information Form	75	150	[a] 54.68	8,202
Data Use Agreement	75	6	[b] 96.22	577
Questionnaire and Data Files Submission	75	300	[c] 43.07	12,921
Total	310	463	NA	22,083

* National Compensation Survey: Occupational wages in the United States May 2018, "U.S. Department of Labor, Bureau of Labor Statistics."
[a] Based on the mean hourly wage for Medical and Health Services Managers (11–9111).
[b] Based on the mean hourly wage for Chief Executives (11–1011).
[c] Based on the mean hourly wages for Computer Programmer (15–1131).

Request for Comments

In accordance with the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ health care research and health care information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) 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 upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Dated: January 22, 2020.

Virginia L. Mackay-Smith,

Associate Director.

[FR Doc. 2020–01385 Filed 1–27–20; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–20–0822]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''The National Intimate Partner and Sexual Violence Survey (NISVS)'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on October 9, 2019 to obtain comments from the public and affected agencies. CDC received two anonymous non-substantive comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) 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;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

The National Intimate Partner and Sexual Violence Survey (NISVS) (OMB Control No. 0920–0822, Exp. 02/29/2020)—Revision—National Center for Injury Prevention and Control (NCIPC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

This is a revision request for the currently approved National Intimate Partner and Sexual Violence Survey (NISVS, OMB# 0920–0822). In 2010, the National Intimate Partner and Sexual Violence Surveillance System (NISVS) reported that approximately 6.9 million women and 5.6 million men experienced rape, physical violence and/or stalking by an intimate partner within the last year. The health care costs of IPV exceed $5.8 billion each year, nearly $3.9 billion of which is for direct medical and mental health care services. In order to address this important public health problem, CDC implemented, beginning in 2010, the National Intimate Partner and Sexual Violence Surveillance System that produces national and state level estimates of Intimate Partner Violence (IPV), Sexual Violence (SV) and stalking on an annual basis.

This revision request describes the planned testing of a redesign of the National Intimate Partner and Sexual Violence Survey (NISVS) and the approach for collecting NISVS data using multiple data collection modes and sampling strategies. More specifically, this revision request is to; (1) Conduct feasibility testing to assess several alternative design features, including the sample frame (address-based sample [ABS], random digit dial [RDD], web panel), mode of response (telephone, web, paper), and incentive structures that help garner participation and help reduce nonresponse. (2) Conduct experiments that inform the development of a protocol for alternative sampling and weighting methods for multi-modal data collection that will result in the ability to calculate accurate and reliable national and state-level estimates of SV, IPV, and stalking, and (3) Conduct a pilot data collection to ensure that the selected optimal alternative sampling methods and multi-modal data collection approaches for NISVS are ready for full-scale implementation.

These data will be used only to inform future NISVS data collections. Results from the feasibility phase experiments may be prepared for publication, as the findings related to optimal data collection modes, sampling frames, and incentive structures are likely to be useful to other federal agencies currently conducting national data collections. No national prevalence estimates will be generated from the data collected during the NISVS redesign project. The feasibility study involves testing of the CATI, paper, and web versions of the NISVS survey using a variety of sampling frames and single vs. multiple modes, all for the purpose of determining a new design for NISVS, and the pilot test of the new design. Data are analyzed using appropriate statistical software to account for the complexity of the survey design to compute weighted counts, percentages, and confidence intervals using national-level data.

OMB approval is requested for three years. The total estimated annualized burden hours are 1,189. There is no cost to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Individuals and Households.	Phase 2 Screener—RDD (CATI)	958	1	3/60
	Phase 2 Screener—ABS, web	333	1	3/60
	Phase 2 Screener—ABS, paper—Roster method	389	1	3/60
	Phase 2 Screener—ABS, paper—YMOF Method	389	1	3/60
	Phase 2 Questionnaire—RDD (CATI)	667	1	40/60
	Phase 2—Questionnaire—ABS, web	427	1	25/60
	Phase 2 Questionnaire—ABS, paper	211	1	25/60
	Phase 2 Questionnaire—ABS, in-bound CATI	29	1	40/60
	Phase 2 Questionnaire—Panel, web	667	1	25/60
	Phase 2 Cognitive Testing Protocol—Cognitive testing	40	1	1
	Phase 3 Screener—RDD (CATI)	27	1	3/60
	Phase 3 Screener—ABS, web	27	1	3/60
	Phase 3 Screener—ABS, paper—Roster method	14	1	3/60
	Phase 3 Screener ABS, paper—YMOF Method	13	1	3/60
	Phase 3 Questionnaire—RDD (CATI)	22	1	40/60
	Phase 3 Questionnaire—ABS, web	29	1	25/60
	Phase 3 Questionnaire—ABS, paper	14	1	25/60
	Phase 3 Questionnaire—ABS, in-bound CATI	2	1	40/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2020–01378 Filed 1–27–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–20–20EU; Docket No. CDC–2019–0119]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies the opportunity to comment on a proposed and/or continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Capacity Building Assistance Program: Data Management, Monitoring, and Evaluation. The purpose of this data collection is to evaluate the CDC cooperative agreement program entitled CDC–RFA–PS19–1904: Capacity Building Assistance (CBA) for High Impact HIV Prevention Program Integration.

DATES: CDC must receive written comments on or before March 30, 2020.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2019–0119 by any of the following methods:

- *Federal eRulemaking Portal: Regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *Regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (regulations.gov) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (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. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.
5. Assess information collection costs.

Proposed Project

Capacity Building Assistance Program: Data Management, Monitoring,

and Evaluation—New—National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention (NCHHSTP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC) partners with the national HIV prevention workforce to (1) ensure that persons with HIV (PWH) are aware of their infection and successfully linked to medical care and treatment to achieve viral suppression and (2) expand access to pre-exposure prophylaxis (PrEP), condoms, and other proven strategies for persons at risk of becoming infected. CDC funds state and local health departments and community-based organizations (CBOs) to optimally plan, integrate, implement, and sustain comprehensive HIV prevention programs and services for people with and at greatest risk of HIV infection, including blacks/African Americans; Hispanics/Latinos; all races/ethnicities of gay, bisexual, and other men who have sex with men (MSM); people who inject drugs (PWID); and transgender persons.

Through the CDC cooperative agreement program entitled CDC–RFA–PS19–1904: Capacity Building Assistance (CBA) for High Impact HIV Prevention Program Integration, the CDC Division of HIV/AIDS Prevention (DHAP) funds the CBA Provider Network (CPN) to deliver CBA to CDC-funded health departments and CBOs. CBA provided by the CPN include trainings and technical assistance (TA) that enable the HIV prevention workforce to optimally plan, implement, integrate, and sustain high-impact prevention interventions and strategies to reduce HIV infections and HIV-related morbidity, mortality, and health disparities across the United States and its territories. This information collection evaluates CDC–RFA–PS19–1904. Specifically, the CDC is requesting the Office of Management and Budget (OMB) to grant a three-year approval to collect data through the use of four web-based instruments that will be administered to recipients of CBA services and their program managers: (1) Learning Group Registration; (2) Post-Training Evaluation (PTE); (3) Post-Technical Assistance Evaluation (PTAE); and (4) Training and Technical Assistance Follow-up Survey (TTAFS).

CBA training participants will complete the Learning Group Registration Form as part of the process for enrolling in a CBA training. The Learning Group Registration Form collects demographic information about training participants including: (1) Business contact information (*e.g.,* email and telephone number); (2) primary [employment] functional role; (3) employment setting; and (4) programmatic and population areas of focus. After an online or in-person training event is completed, training participants are invited to complete the PTE. The PTE is designed to elicit information from training participants about their satisfaction with the training delivery method and course content.

Similar to the PTE, the PTAE consists of questions designed to elicit information from TA participants about their satisfaction with aspects of TA such as the relevance of the materials provided or created, responsiveness of the TA provider, TA participants' changes in knowledge or skills as a result of the TA, and barriers and facilitators to implementation of interventions/public health strategies. The TTAFS collects organizational-level data every 6 months from the program managers within CDC-funded programs. Program managers provide information about the implementation status of the intervention/public health strategy for which their staff received training and/or TA. Program managers are also asked to describe how their organization applied the training and TA (*e.g.,* planning or adapting an intervention/public health strategy).

The Learning Group Registration Form, PTE, and PTAE will be administered to CDC-funded program staff who participate in a training or TA event offered by a CBA provider funded under PS19–1904. The TTAFS will be administered to the program managers of state and local health department staff and CBO staff who participate in a CBA training or TA event. Respondents will provide information electronically through an online survey. The option to complete surveys via a telephone interview will be offered to respondents who do not complete the online survey within seven days.

The number of respondents is calculated based on an average of the number of health professionals, including doctors, nurses, health educators, and disease intervention specialists, trained by CBA providers during the years 2016–2018. We estimate 3,800 health professionals will provide one response for the Learning Group Registration; 3,800 health professionals will provide a response for the PTE for each training episode; 3,650 health professionals will provide a response for the PTAE for each TA episode; and 189 program managers will provide two responses to the TTAFS in the web-based or telephone survey per year. The total annualized burden is 1,671 hours. There are no other costs to respondents other than their time.

The information collected will allow CDC to:

(1) Identify and respond to public health program performance issues identified through feedback from health departments and CBOs;

(2) Identify and respond to new HIV prevention training and TA needs of health departments and CBOs;

(3) Provide a timely and accurate response to federal, state, and local agencies and other stakeholders seeking information about the types and quality of CBA services delivered. No other federal agency collects this type of national HIV prevention capacity building data.

CDC is requesting approval for an estimated 1,671 burden hours annually. There is no cost to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number responses per respondent	Average burden per response (in hours)	Total burden hours
Healthcare Professionals	Learning Group Registration	3,800	1	5/60	317
Healthcare Professionals	Post-Training Evaluation	3,800	2	5/60	633
Healthcare Professionals	Post-Technical Assistance Evaluation.	3,650	2	5/60	608
Program Managers	Training and TA Follow-up Survey	139	2	18/60	83
Program Managers	Training and TA Telephone Script	50	2	18/60	30
Total					1,671

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2020–01387 Filed 1–27–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–20–0278; Docket No. CDC–2020–0004]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies the opportunity to comment on a proposed and/or continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled the National Hospital Ambulatory Medical Care Survey (NHAMCS). NHAMCS collects facility and visit information on ambulatory care services utilization in non-Federal, short stay hospitals in the United States.

DATES: CDC must receive written comments on or before March 30, 2020.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2020–0004 by any of the following methods:

- *Federal eRulemaking Portal: Regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *Regulations.gov*.

*Please note: Submit all comments through the Federal eRulemaking portal (*regulations.gov*) or by U.S. mail to the address listed above.*

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (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. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.
5. Assess information collection costs.

Proposed Project

National Hospital Ambulatory Medical Care Survey (NHAMCS) (OMB Control No. 0920–0278, Exp. 06/30/2021)—Revision—National Center for Health Statistics (NCHS), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Section 306 of the Public Health Service (PHS) Act (42 U.S.C. 242k), as amended, authorizes that the Secretary of Health and Human Services (DHHS), acting through NCHS, shall collect statistics on ''utilization of health care'' in the United States. The National Hospital Ambulatory Medical Care Survey (NHAMCS) has been conducted annually since 1992. NCHS is seeking OMB approval to extend this survey for an additional three years.

The target universe of the NHAMCS is in-person visits made to emergency departments (EDs) of non-Federal, short-stay hospitals (hospitals with an average length of stay of less than 30 days) that have at least 6 beds for inpatient use, and with a specialty of general (medical or surgical) or children's general.

NHAMCS was initiated to complement the National Ambulatory Medical Care Survey (NAMCS, OMB No. 0920–0234, Exp. Date 05/31/2022), which provides similar data concerning patient visits to physicians' offices. NAMCS and NHAMCS are the principal sources of data on ambulatory care provided in the United States. NHAMCS provides a range of baseline data on the characteristics of the users and providers of hospital ambulatory medical care. Data collected include patients' demographic characteristics, reason(s) for visit, providers' diagnoses, diagnostic services, medications, and disposition. These data, together with trend data, may be used to monitor the effects of change in the health care system, for the planning of health services, improving medical education, determining health care work force needs, and assessing the health status of the population.

Starting 2018, NHAMCS was modified to assess only hospital emergency departments. The survey components that assessed hospital outpatient departments and ambulatory surgery locations were discontinued. No substantive changes or supplements are expected for the survey for the three years being requested.

Users of NHAMCS data include, but are not limited to, congressional offices, Federal agencies, state and local governments, schools of public health, colleges and universities, private industry, nonprofit foundations, professional associations, clinicians, researchers, administrators, and health planners. There are no costs to the respondents other than their time. The total estimated annualized burden hours are 1,124.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Hospital Chief Executive Officer	Hospital Induction Data Collection	410	1	30/60	205
Ancillary Service Executive	Ambulatory Unit Induction (ED only)	820	1	15/60	205
Medical Record Clerk	Retrieving Patient Records (ED only).	410	100	1/60	683
Ancillary Service Executive—Re-interview.	Reabstraction Telephone interview (ED only).	125	1	15/60	31
Total					1,124

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2020–01383 Filed 1–27–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–20–1158]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled, ''CDC Ideation Catalyst (I-Catalyst) Program and Customer Engagement Information Collection'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on October 25, 2019 to obtain comments from the public and affected agencies. CDC received one comment. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) 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;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395–5806. Written comments should be received within 30 days of this notice.

Proposed Project

CDC Ideation Catalyst (I-Catalyst) Program and Customer Engagement Information Collection (OMB Control No. 0920–1158, Exp. 1/31/2020)—Revision—Office of Science, Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The CDC Office of Technology and Innovation (OTI), located within CDC's Office of Science (OS), fosters innovative science and promotes the testing and implementation of innovative ideas that improve CDC's ability to have public health impact. To arm CDC staff with an expanded skill-set and tools to evaluate and translate their insights and ideas into solutions, CDC developed an experiential innovation curriculum and consultation service called Ideation Catalyst (I-Catalyst). The program was created with the belief that innovation should be customer-driven, based on user research, and enhanced by the engagement of people at all levels of an organization. CDC also obtained OMB approval for a generic clearance to support the collection of information from stakeholders and customers, utilizing I-Catalyst program principles and methodology (CDC I-Catalyst Program, OMB No. 0920–1158, exp. date 1/31/2020).

The goal of the I-Catalyst program and service is to help CDC explore, develop, and test new approaches to solving public health problems through a discovery, ideation, and prototyping process. I-Catalyst offers a process for defining problems and engaging stakeholders that improves the quality, efficiency, and performance of innovative solutions. Through the I-Catalyst process, teams of CDC program representatives, in consultation with OTI, work with stakeholders to define and articulate a problem and to identify potentially effective solutions. Participating teams go through a hypothesis-testing, scientific method of discovery to gather important insights and identify technical or contextual issues associated with defining a problem or implementing a solution. Teams are forced ''out of the classroom'' to conduct interviews, study customer/stakeholder needs, collect feedback, and find partnership opportunities. Only conversations with potential customers/stakeholders can provide the facts from which hypotheses are proven or disproven about whether a solution (*i.e.,* a product, process, etc.) creates value for the intended customer/stakeholder.

CDC estimates that an average of 10–20 project teams will participate in the I-Catalyst process per year. On average, each team will collect information from approximately 25 customers/stakeholders (a total of 500 respondents per year). Information will be collected primarily through on-site, unstructured interviews with individuals who represent the customers or stakeholders CDC teams are attempting to serve or benefit. CDC may also collect

information through telephone interviews, questionnaires, or web-based surveys. The estimated average burden per response may vary from 20–60 minutes, with an average of 30 minutes. Information to be collected includes respondents' perspectives regarding needs, values, and barriers relevant to developing potential solutions.

CDC expects that teams participating in the I-Catalyst process and OTI consultations will be empowered to implement innovative strategies and solutions that create value for their stakeholders. The ultimate goal is to provide CDC staff with real-world, hands-on training and the skills needed to create value-based solutions that benefit society and broaden the agency's impact.

In this Revision request, CDC seeks approval for minor changes to the I-Catalyst generic clearance. (1) The total number of respondents and burden hours will decrease based on participation in the I-Catalyst process during the period 2017–2019. Project-specific estimates will be included with each submission under the I-Catalyst generic clearance. (2) CDC/ATSDR programs may request OTI approval to use the I-Catalyst generic if (a) program representatives completed relevant OTI training in 2017–2019, (b) program representatives participate in relevant OTI training or mentored technical assistance in 2020–2022, or (c) OTI determines that project goals and methodology are consistent with the I-Catalyst process. These changes will allow OTI to make the OMB approval process easier for a broader pool of qualified customer discovery projects. (3) The title of the clearance is being updated to reflect its use by additional CDC/ATSDR project teams approved by OTI.

The I-Catalyst clearance will continue to be used for information collections necessary to explore the needs and preferences of specific stakeholder groups, and to improve the impact of CDC products, programs, and technologies. All projects submitted to OMB for approval under the I-Catalyst generic clearance will be consistent with CDC/OTI goals for promoting scientific innovation and customer engagement in public health.

OMB approval is requested for three years. Participation is voluntary and there are no costs to respondents other than their time. The total estimated annualized burden hours are 250.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
External Partners, Stakeholders, or Customers.	Interview Guides, Questionnaires, and Surveys.	500	1	30/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2020–01380 Filed 1–27–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–416 and CMS–10227]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. 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 or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by February 27, 2020.

ADDRESSES: When commenting on the proposed information collections, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be received by the OMB desk officer via one of the following transmissions: OMB, Office of Information and Regulatory Affairs, Attention: CMS Desk Officer, Fax Number: (202) 395–5806 *OR*, Email: *OIRA_submission@omb.eop.gov*.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html*.

1. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov*.

2. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (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. The term ''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 publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection

of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Annual Early and Periodic Screening, Diagnostic and Treatment (EPSDT) Participation Report; *Use:* The collected baseline data is used to assess the effectiveness of state early and periodic screening, diagnostic and treatment (EPSDT) programs in reaching eligible children (by age group and basis of Medicaid eligibility) who are provided initial and periodic child health screening services, referred for corrective treatment, and receiving dental, hearing, and vision services. This assessment is coupled with the state's results in attaining the participation goals set for the state. The information gathered from this report, permits federal and state managers to evaluate the effectiveness of the EPSDT law on the basic aspects of the program. *Form Number:* CMS–416 (OMB control number 0938–0354); *Frequency:* Yearly and on occasion; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 56; *Total Annual Responses:* 56; *Total Annual Hours:* 1,512. (For policy questions regarding this collection contact Karen Matsuoka at 410–786–9726.)

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* PACE State Plan Amendment Preprint; *Use:* If a state elects to offer PACE as an optional Medicaid benefit, it must complete a state plan amendment preprint packet described as ''Enclosures 3, 4, 5, 6, and 7.'' CMS will review the information provided in order to determine if the state has properly elected to cover PACE services as a state plan option. In the event that the state changes something in the state plan, only the affected page must be updated. *Form Number:* CMS–10227 (OMB control number: 0938–1027); *Frequency:* Once and occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 7; *Total Annual Responses:* 2; *Total Annual Hours:* 140. (For policy questions regarding this collection contact Angela Cimino at 410–786–2638.)

Dated: January 22, 2020.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2020–01348 Filed 1–27–20; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10725]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by March 30, 2020.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number __, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at website address at *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10725 Pharmacy Benefit Manager Transparency

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. The term ''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 requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* New information collection (Request for a new OMB control number); *Title of Information Collection:* Pharmacy Benefit Manager Transparency; *Use:* The Patient Protection and Affordable Care Act

(Pub. L. 111–148) and the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) (collectively, the Patient Protection and Affordable Care Act (PPACA)) were signed into law in 2010. The PPACA established competitive private health insurance markets, called Marketplaces or Exchanges, which give millions of Americans and small businesses access to qualified health plans (QHPs), including stand-alone dental plans (SADPs)—private health and dental insurance plans that are certified as meeting certain standards. The PPACA added section 1150A of the Social Security Act, which requires pharmacy benefit managers (PBMs) to report prescription benefit information to the Department of Health and Human Services (HHS). PBMs are third-party administrators of prescription programs for a variety of types of health plans, including QHPs. The Centers for Medicare and Medicaid Services (CMS) files this information collection request (ICR) in connection with the prescription benefit information that PBMs must provide to HHS under section 1150A. The burden estimate for this ICR reflects the time and effort for PBMs to submit the information regarding PBMs and prescription drugs. *Form Number:* CMS–10725 (OMB control number: 0938–NEW); *Frequency:* Annually; *Affected Public:* Private Sector (business or other for-profits), *Number of Respondents:* 40; *Number of Responses:* 275. *Total Annual Hours:* 1,400. For questions regarding this collection contact Ken Buerger at 410–786–1190.

Dated: January 23, 2020.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2020–01463 Filed 1–27–20; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–N–5900]

Agency Information Collection Activities; Proposed Collection; Comment Request; Endorser Status and Explicitness of Payment in Direct-to-Consumer Promotion

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 and to allow 60 days for public comment in response to the notice. This notice solicits comments on a proposed study entitled ''Endorser Status and Explicitness of Payment in Direct-to-Consumer Promotion.''

DATES: Submit either electronic or written comments on the collection of information by March 30, 2020.

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 March 30, 2020. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of March 30, 2020. 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–2019–N–5900 for ''Endorser Status and Explicitness of Payment in Direct-to-Consumer Promotion.'' 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.govinfo.gov/content/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: Ila S. Mizrachi, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–7726, *PRAStaff@fda.hhs.gov.*

For copies of the questionnaire contact: Office of Prescription Drug Promotion (OPDP) Research Team, *DTCResearch@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3521), 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 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.

Endorser Status and Explicitness of Payment in Direct-to-Consumer Promotion; OMB Control Number 0910–NEW

I. Background

Section 1701(a)(4) of the Public Health Service Act (42 U.S.C. 300u(a)(4)) authorizes FDA to conduct research relating to health information. Section 1003(d)(2)(C) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 393(d)(2)(C)) authorizes FDA to conduct research relating to drugs and other FDA regulated products in carrying out the provisions of the FD&C Act.

The Office of Prescription Drug Promotion's (OPDP) mission is to protect the public health by helping to ensure that prescription drug promotional material is truthful, balanced, and accurately communicated, so that patients and healthcare providers can make informed decisions about treatment options. OPDP's research program provides scientific evidence to help ensure that our policies related to prescription drug promotion will have the greatest benefit to public health. Toward that end, we have consistently conducted research to evaluate the aspects of prescription drug promotion that are most central to our mission, focusing in particular on three main topic areas: Advertising features, including content and format; target populations; and research quality. Through the evaluation of advertising features we assess how elements such as graphics, format, and disease and product characteristics impact the communication and understanding of prescription drug risks and benefits; focusing on target populations allows us to evaluate how understanding of prescription drug risks and benefits may vary as a function of audience; and our focus on research quality aims at maximizing the quality of research data through analytical methodology development and investigation of sampling and response issues. This study will inform the first topic area.

Because we recognize the strength of data and the confidence in the robust nature of the findings is improved through the results of multiple converging studies, we continue to develop evidence to inform our thinking. We evaluate the results from our studies within the broader context of research and findings from other sources, and this larger body of knowledge collectively informs our policies as well as our research program. Our research is documented on our homepage, which can be found at: *https://www.fda.gov/aboutfda/centersoffices/officeofmedicalproductsandtobacco/cder/ucm090276.htm.* The website includes links to the latest **Federal Register** notices and peer-reviewed publications produced by our office. The website maintains information on studies we have conducted, dating back to a direct-to-consumer (DTC) survey conducted in 1999.

Advertisers have used celebrity endorsers for years, and DTC pharmaceutical promotion is no different. As researchers studied the influence of celebrity endorsers, they theorized that a correspondence bias occurs in which people believe that the endorser truly believes what they are saying. LaTour and Smith (Ref. 1) examined whether a pharmacist, physician, celebrity, or consumer would be most persuasive in advertisements for four different types of OTC products. They found that physicians and pharmacists were the most likely to lead to purchase intentions, followed by consumers, and lastly, by celebrities. There were no differences among types of OTC product.

Bhutada and Rollins (Ref. 2) recently completed a study examining the role of endorser type (*i.e.,* celebrity vs. expert vs. non-celebrity), and endorser and consumer gender in product DTC ads. They found, like LaTour and Smith (Ref. 1), that expert endorsers were thought of as higher in credibility and generally resulted in the same amount of attention as celebrities. The authors did not find that these endorsers resulted in greater intentions to pursue the drug product.

We propose to extend previous research by examining four types of endorsers in two separate studies (celebrity, physician, patient, influencer [1]) and examining whether the presence of a disclosure of their payment status influences participant reactions. We propose to also test two different types of disclosure language—one direct and more consumer-friendly, and one less direct.

To complete this research, we propose the following concurrent studies.[2]

Study A

[1] ''Influencer'' is a ''regular'' person who has gained a following on a blog, a Twitter feed, or other social media medium.

[2] For case allocation, the literature suggests that some proportion of consumers may not recall seeing the disclosure statement in the advertisement (see, for example, Boerman et al., Ref. 3). Rather than allotting equal numbers of cases to each condition, we will assign more cases to the disclosure present condition to increase power in these cells.

TABLE 1a—STUDY 1 DESIGN—PRETEST

[0.80 power, 0.10 alpha, small effect size f=.2]

Payment disclosure	Endorser			Total
	Celebrity	Physician	Patient	
Present	50	50	50	150
Absent	33	33	33	99
Total	83	83	83	249

TABLE 1b—STUDY 1 DESIGN—MAIN STUDY

[0.90 power, 0.05 alpha, small effect size f=.2]

Payment disclosure	Endorser			Total
	Celebrity	Physician	Patient	
Present	81	81	81	243
Absent	54	54	54	162
Total	135	135	135	405

Study A will manipulate endorser type (three levels: Celebrity, physician, patient) and payment disclosure (two levels: Present, absent) within a print DTC ad for a fictitious acne product. For this study, we will recruit 654 general population individuals (249 pretest; 405 main study) from a national nonprobability internet panel called Dynata, formerly ResearchNow. All participants must report familiarity with the celebrity to be included in our study. The celebrity will be one who has publicly spoken out about acne. We are not divulging the identity of the celebrity in this public forum to maintain the integrity of our research process. Stock photos will be used to depict a physician and a patient in the other experimental conditions. Participants will be randomly assigned to see one of the endorsers and to see the ad either with or without a payment disclosure. The payment disclosure in Study 1 will be determined in cognitive testing, but will be similar to: ''[Endorser] has been paid to appear in this ad for Drug X.''

Study B

TABLE 2a—STUDY 2 DESIGN—PRETEST

[0.80 power, 0.10 alpha, small effect size f=.2]

Payment Disclosure	Endorser		Total
	Influencer	Patient	
Present-Direct	50	50	100
Present-Indirect	50	50	100
Absent	33	33	66
Total	133	133	266

TABLE 2b—STUDY 2 DESIGN—MAIN STUDY

[0.90 power, 0.05 alpha, small effect size f=.2]

Payment Disclosure	Endorser		Total
	Influencer	Patient	
Present-Direct	81	81	162
Present-Indirect	81	81	162
Absent	54	54	108
Total	216	216	432

In Study B we will also manipulate endorser type, examining a patient and an internet influencer, one who provides online content to a number of followers. We will also manipulate the explicitness of the payment disclosure in addition to its presence, resulting in a two (endorser: Influencer, patient) by three (payment disclosure: Present-direct, present-indirect, absent) between-subjects design. The disclosure will be direct (*e.g.,* ''Paid ad . . .''), indirect (*e.g.,* #sp for ''sponsored''), or absent. The setting for this study will be an Instagram post for a fictitious endometriosis product. This study partially replicates Study A and extends it by further tweaking the explicitness of payment as another manipulated variable and using a different set of

endorser types and in a different promotional setting.

For Study B, we will recruit 698 (266 pretest; 432 main study) followers of an internet influencer who maintains an Instagram page with more than 500,000 followers and has posted about endometriosis. As in the first study, we are not revealing the influencer's identity to maintain the integrity of the study.

In both studies, we are interested in the role of endorsement and payment status on participants' recall, benefit and risk perceptions, and behavioral intentions. Participants will view one promotional piece and answer questions via the internet. The study is expected to take less than 20 minutes to complete. Dependent variables will include attention to disclosure statement and risk/benefit information; retention of risk/benefit information; recognition of piece as promotion and endorser as paid; perceived benefits and risks, attitudes toward the product, endorser, and ad; and behavioral intentions such as asking a doctor about the drug.

FDA estimates the burden of this collection of information as follows:

TABLE 3—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual respondents	Average burden per response	Total hours
Study 1 Screener	933	1	933	0.08 (5 minutes)	74.64
Study 1 Pretest	249	1	249	0.33 (20 minutes)	82.17
Study 1 Main test	405	1	405	0.33 (20 minutes)	133.65
Study 2 Screener	1,417	1	1,417	0.08 (5 minutes)	113.36
Study 2 Pretest	266	1	266	0.33 (20 minutes)	87.78
Study 2 Main test	432	1	432	0.33 (20 minutes)	142.56
Total					634.16

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

II. References

The following references are on display with the Dockets Management Staff (see **ADDRESSES**) and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; these are not available electronically at *https://www.regulations.gov* as these references are copyright protected. Some may be available at the website address, if listed. FDA has verified the website addresses, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

1. LaTour, C. and M. Smith, (1986). ''A Study of Expert Endorsement of OTC Pharmaceutical Products.'' *Journal of Pharmaceutical Marketing & Management, 1(2),* pp. 117–128.

2. Bhutada, N.S. and B.L. Rollins (2015). ''Disease-Specific Direct-to-Consumer Advertising of Pharmaceuticals: An Examination of Endorser Type and Gender Effects on Consumers' Attitudes and Behaviors.'' *Research in Social & Administrative Pharmacy, 11(6),* pp. 891–910.

3. Boerman, S.C., L.M. Willemsen, and E.P. Van Der Aa (2017). ''This post is sponsored' Effects of Sponsorship Disclosure on Persuasion Knowledge and Electronic Word of Mouth in the Context of Facebook.'' *Journal of Interactive Marketing, 38,* pp. 82–92.

Dated: January 21, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–01408 Filed 1–27–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–D–5606]

Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions; Draft Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of the draft guidance entitled ''Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions.'' FDA has developed this draft guidance document to assist in the preparation of premarket notification submissions (510(k)) for arthroscopy pump tubing sets intended for multiple patient use. This draft guidance outlines the device design considerations, risk mitigation strategies, and testing recommendations for arthroscopy pump tubing sets intended for multiple patient use. This draft guidance document also clarifies the terminology used to describe arthroscopy pump tubing sets intended for multiple patient use. This draft guidance is not final nor is it in effect at this time.

DATES: Submit either electronic or written comments on the draft guidance by March 30, 2020 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–5606 for ''Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions.'' 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.govinfo.gov/content/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)).

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the draft guidance document entitled ''Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions'' to the Office of Policy, Guidance and Policy Development, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Cal Rabang, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4633, Silver Spring, MD 20993–0002, 301–796–6412.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry and FDA staff entitled ''Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions.'' FDA has developed this draft guidance document to assist in the preparation of premarket notification submissions (510(k)) for arthroscopy pump tubing sets intended for multiple patient use. These devices are designed to deliver irrigation fluid to the surgical site, such as knee, shoulder, hip, elbow, ankle, and wrist joint cavities, during arthroscopic procedures. In arthroscopic procedures, clinicians often use a single source of irrigation fluid for multiple patients without replacing the source of irrigation fluid or replacing/reprocessing the irrigation tubing system between patients. This practice may increase the risk of cross-contamination between patients and subsequent iatrogenic infection because the irrigation system can become contaminated with patient fluids that travel back through the irrigation tubing (''backflow''). FDA has received reports of backflow of patient fluids, which raises the question of potential for disease transmission when using irrigation and tubing systems in such a manner on multiple patients.

When finalized, this guidance is intended to provide recommendations for information to include in premarket notifications (510(k)s) for arthroscopy pump tubing sets intended for multiple patient use. This guidance will outline device design considerations, risk mitigation strategies, and testing recommendations for these devices, and will also clarify the terminology used to describe arthroscopy pump tubing sets intended for multiple patient use.

II. Significance of Guidance

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions.'' 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.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/guidance-documents-medical-devices-and-radiation-emitting-products.* This guidance document is also available at *https://www.regulations.gov.* Persons unable to download an electronic copy of ''Arthroscopy Pump Tubing Sets Intended for Multiple Patient Use—Premarket Notification (510(k)) Submissions'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1500066 to identify the guidance you are requesting.

IV. 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. 3501–3521). The collections of information in the following FDA

regulations have been approved by OMB as listed in the following table:

21 CFR part	Topic	OMB control No.
807, subpart E	Premarket Notification	0910–0120
801	Medical Device Labeling Regulations	0910–0485
820	Current Good Manufacturing Practice (CGMP); Quality System (QS) Regulation	0910–0073

Dated: January 22, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–01342 Filed 1–27–20; 8:45 am]

BILLING CODE 4164–01–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; HHS-NIH-CDC-SBIR PHS 2020–1: Co-Delivery and Formulation of Adjuvants for HIV Vaccine Development (Topic 76) and Particle-based Co-delivery of HIV Immunogens as Next-generation HIV Vaccines (Topic 77).

Date: February 19–21, 2020.

Time: 11:00 a.m. to 6:00 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: Mario Cerritelli, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, MSC–9823, Rockville, MD 20852, 240–669–5199, *cerritem@mail.nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; HHS-NIH-CDC SBIR PHS 2020–1 Topic 84: Antiviral Drugs to Cure Chronic Hepatitis B Virus Infection.

Date: February 20–21, 2020.

Time: 11:00 a.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: Yong Gao, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room #3G13B, MSC 9823, Rockville, MD 20892–7616, (240) 669–5048, *gaoL2@niaid.nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; HHS-NIH-CDC SBIR PHS 2020–1 Topic 82: Production of Adjuvants.

Date: February 21, 2020.

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: Yong Gao, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room #3G13B, MSC 9823, Rockville, MD 20892–7616, (240) 669–5048, *gaoL2@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: January 22, 2020.

Tyeshia M. Roberson,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01384 Filed 1–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Cancer Institute Special Emphasis Panel, February 26, 2020, 11:00 a.m. to February 26, 2020, 05:30 p.m., National Cancer Institute Shady Grove, 9609 Medical Center Drive, Rockville, MD 20850 which was published in the **Federal Register** on December 30, 2019, 84 FR 71964.

This meeting notice is amended to change the meeting end time. The meeting will be now held on February 26, 2020 from 11:00 a.m. to 6:00 p.m. at the National Cancer Institute Shady Grove, Room 7W032, 9609 Medical Center Drive, Rockville, MD 20850. The meeting is closed to the public.

Dated: January 21, 2020.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01377 Filed 1–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 Cancer Institute Special Emphasis Panel; TEP–11: SBIR Contract Review.

Date: February 14, 2020.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 7W122, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Anita T. Tandle, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W122,

Bethesda, MD 20892, 240–276–5085, *tandlea@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; TEP–9: SBIR Contract Review Meeting.

Date: March 6, 2020.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 2W914, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Majed M. Hamawy, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Dr., Room 7W120, Bethesda, MD 20892, 240–276–6457, *mh101v@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: January 21, 2020.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01379 Filed 1–27–20; 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: Emerging Technologies and Training Neurosciences Integrated Review Group; Emerging Imaging Technologies in Neuroscience Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.

Contact Person: Sharon S. Low, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5104, MSC 7846, Bethesda, MD 20892, 301–237–1487, *lowss@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Systemic Injury by Environmental Exposure.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Lorien Hotel & Spa, 1600 King Street, Alexandria, VA 22314.

Contact Person: Meenakshisundar Ananthanarayanan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4200, Bethesda, MD 20817, 301–435–1234, *ananth.ananthanarayanan@nih.gov.*

Name of Committee: Immunology Integrated Review Group; Immunity and Host Defense Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: SpringHill Suites and Residence Inn San Diego, 900 Bayfront Court, San Diego, CA 92101.

Contact Person: Scott Jakes, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4198, MSC 7812, Bethesda, MD 20892, 301–435–1506, *jakesse@mail.nih.gov.*

Name of Committee: Immunology Integrated Review Group; Hypersensitivity, Autoimmune, and Immune-mediated Diseases Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.

Contact Person: Deborah Hodge, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4207, MSC 7812, Bethesda, MD 20892, (301) 435–1238, *hodged@mail.nih.gov.*

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group; Imaging Guided Interventions and Surgery Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: New Orleans Marriott, 555 Canal Street, New Orleans, LA 70130.

Contact Person: Ileana Hancu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5116, Bethesda, MD 20817, 301–402–3911, *ileana.hancu@nih.gov.*

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group; Interventions to Prevent and Treat Addictions Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Nikko San Francisco, 222 Mason Street, San Francisco, CA 94102.

Contact Person: Miriam Mintzer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3108, Bethesda, MD 20892, (301) 523–0646, *mintzermz@csr.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Skeletal Biology Structure and Regeneration Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Kabuki, 1625 Post Street, San Francisco, CA 94115.

Contact Person: Yanming Bi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4214, MSC 7814, Bethesda, MD 20892, 301–451–0996, *ybi@csr.nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Neurobiology of Learning and Memory Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Alexei Kondratyev, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5200, MSC 7846, Bethesda, MD 20892, 301–435–1785, *kondratyevad@csr.nih.gov.*

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Cognition and Perception Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Sir Francis Drake Hotel, 450 Powell Street at Sutter, San Francisco, CA 94102.

Contact Person: Devon Rene Brost Oskvig, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3172, Bethesda, MD 20892, *brostd@csr.nih.gov.*

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Biobehavioral Mechanisms of Emotion, Stress and Health Study Section.

Date: February 20–21, 2020.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Catamaran Resort, 3999 Mission Boulevard, San Diego, CA 92109.

Contact Person: Benjamin Shapero, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3182, Bethesda, MD 20892, *shaperobg@mail.nih.gov.*

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Virology—B Study Section.
Date: February 20–21, 2020.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Westin St. Francis, 335 Powell Street, San Francisco, CA 94102.
Contact Person: Neerja Kaushik-Basu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3198, MSC 7808, Bethesda, MD 20892, (301) 435–1742, *kaushikbasun@csr.nih.gov.*

Name of Committee: Oncology 1-Basic Translational Integrated Review Group; Cancer Genetics Study Section.
Date: February 20–21, 2020.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.
Contact Person: Juraj Bies, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301 435 1256, *biesj@mail.nih.gov.*

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Social Sciences and Population Studies B Study Section.
Date: February 20–21, 2020.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Warwick Denver, 1776 Grant Street, Denver, CO 80203.
Contact Person: Kate Fothergill, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3142, Bethesda, MD 20892, 301–435–2309, *fothergillke@mail.nih.gov.*

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group Neurotransporters, Receptors, and Calcium Signaling Study Section.
Date: February 20–21, 2020.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Handlery Union Square Hotel, 351 Geary Street, San Francisco, CA 94102.
Contact Person: Peter B. Guthrie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4182, MSC 7850, Bethesda, MD 20892, (301) 435–1239, *guthriep@csr.nih.gov.*

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Clinical Neuroplasticity and Neurotransmitters Study Section.
Date: February 20–21, 2020.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: RIU Plaza Fisherman's Wharf, 2500 Mason Street, San Francisco, CA 94133.
Contact Person: Suzan Nadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, 301–435–1259, *nadis@csr.nih.gov.*

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Neural Oxidative Metabolism and Death Study Section.
Date: February 20–21, 2020.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Holiday Inn Bayside, 4875 North Harbor Drive, San Diego, CA 92106.
Contact Person: Carol Hamelink, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7850, Bethesda, MD 20892, (301) 213–9887, *hamelinc@csr.nih.gov.*

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Clinical Research and Field Studies of Infectious Diseases Study Section.
Date: February 20–21, 2020.
Time: 8:30 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Doubletree by Hilton Los Angeles Westside Hotel, 6161 West Centinela Avenue, Culver City, CA 90230.
Contact Person: Soheyla Saadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3211, MSC 7808, Bethesda, MD 20892, 301–435–0903, *saadisoh@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Research Enhancement Award.
Date: February 21, 2020.
Time: 11:00 a.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Contact Person: Inna Gorshkova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1784, *gorshkoi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–NS18–018 Brain Initiative: Biology and Biophysics of Neural Stimulation.
Date: February 21, 2020.
Time: 1:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.
Contact Person: Sharon S. Low, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5104, MSC 5104, Bethesda, MD 20892–5104, 301–237–1487, *lowss@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: January 21, 2020.

Tyeshia M. Roberson,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01382 Filed 1–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2020–0002; Internal Agency Docket No. FEMA–B–2004]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before April 27, 2020.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminary floodhazarddata* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA

Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–2004, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminary floodhazarddata* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Georgetown County, South Carolina and Incorporated Areas Project: 06–04–C558S Preliminary Date: November 13, 2015 and September 12, 2019	
City of Georgetown	City Hall, 1134 North Fraser Street, Georgetown, SC 29440.
Town of Andrews	City Hall, 101 North Morgan Avenue, Andrews, SC 29510.
Town of Pawleys Island	Town Hall, 323 Myrtle Avenue, Pawleys Island, SC 29585.
Unincorporated Areas of Georgetown County	Georgetown County Historic Courthouse, Building Division and Permits, 129 Screven Street, Room 249, Georgetown, SC 29440.
Turner County, South Dakota and Incorporated Areas Project: 19–08–0027S Preliminary Date: September 6, 2019	
City of Centerville	City Hall, 741 Main Street, Centerville, SD 57014.
City of Hurley	City Hall, 701 Burns Place, Hurley, SD 57036.
City of Marion	City Hall, 398 North Broadway Avenue, Marion, SD 57043.
City of Parker	City Shops, 279 West 5th Street, Parker, SD 57053.
Town of Davis	Map Repository, 261 East 4th Street, Davis, SD 57021.
Town of Monroe	Map Repository, 210 West Maple Street, Monroe, SD 57047.
Unincorporated Areas of Turner County	Turner County Planning and Zoning Office, 400 South Main Street, Parker, SD 57053.
Summit County, Utah and Incorporated Areas Project: 12–08–0134S Preliminary Date: November 12, 2019	
City of Park City	City Hall, 445 Marsac Avenue, Park City, UT 84060.

[FR Doc. 2020–01373 Filed 1–27–20; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2020–0002; Internal Agency Docket No. FEMA–B–2005]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before April 27, 2020.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminary floodhazarddata* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–2005, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminary floodhazarddata* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Boone County, Iowa and Incorporated Areas Project: 17–07–0832S Preliminary Date: March 28, 2019	
City of Beaver	City Hall, 121 3rd Street, Beaver, IA 50031.
City of Berkley	Berkley City Hall, 266 284th Street, Perry, IA 50220.
City of Boone	City Hall Building Department, 923 8th Street, Boone, IA 50036.
City of Fraser	Fraser City Hall, 1008 157th Street, Boone, IA 50036.
City of Madrid	City Hall, 304 South Water Street, Madrid, IA 50156.
City of Ogden	City Hall, 513 West Walnut Street, Ogden, IA 50212.
City of Pilot Mound	City Hall, 212 South Pilot Street, Pilot Mound, IA, 50223.
City of Woodward	City Hall, 105 East 2nd Street, Woodward, IA, 50276.

Community	Community map repository address
Unincorporated Areas of Boone County	Boone County Courthouse, 201 State Street, Boone, IA 50036.

[FR Doc. 2020–01374 Filed 1–27–20; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2019–0025; OMB No. 1660–0017]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Public Assistance Program

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. The submission will describe the nature of the information collection, the categories of respondents, the estimated burden (*i.e.,* the time, effort and resources used by respondents to respond) and cost, and the actual data collection instruments FEMA will use.

DATES: Comments must be submitted on or before February 27, 2020.

ADDRESSES: Submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the Desk Officer for the Department of Homeland Security, Federal Emergency Management Agency, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C Street SW, Washington, DC 20472, email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Rachel Hildebrand, Process Improvement Section Chief, Public Assistance Program Delivery Branch, 202–646–3484.

SUPPLEMENTARY INFORMATION: This proposed information collection previously published in the **Federal Register** on November 14, 2019 at 84 FR 61922 with a 60 day public comment period. FEMA received one comment. The comment concerned the requirement for schools or educational facilities to provide proof of accreditation or certification requested on FEMA Form 009–0–49, Request for Public Assistance. While the specific citations in 44 CFR 206.221(a) are now out of date, the Elementary and Secondary Education Act of 1965 continues to have definitions for elementary school (20 U.S.C. 7801(19)) and secondary school (20 U.S.C. 7801(45)) that define such schools as providing elementary and secondary education ''as determined under state law.'' Government regulation of private schools is limited. In general, the U.S. Department of Education does not have authority to regulate private elementary and secondary schools or home schools. If any regulation is made, it is usually implemented at the State level and the extent of such regulation varies. For example, some States do not require accreditation, and FEMA cannot require formal accreditation where a State does not. However, FEMA may require that an applicant private nonprofit school demonstrate that it meets the required criteria for an educational institution and facility under the Public Assistance Program. This includes the requirement for a private nonprofit school to demonstrate that it meets the regulatory requirements of education ''as determined under state law.'' Likewise, the Higher Education Act of 1965 continues to have a definition of institution of higher education (20 U.S.C. 1001(a)) which has five criteria that are aligned with the criteria in Table 5 on page 132 of the Public Assistance Program and Policy Guide. FEMA continues to rely on the definitions in these two acts, and we do not believe that Congress, when they reorganized these acts, intended to eliminate FEMA's longstanding eligibility criteria.

The salary used to calculate the Estimated Total Annual Cost to the Federal Government has been updated to reflect the 2020 Salary Table.

The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: Public Assistance Program.

Type of information collection: Revision of a currently approved collection.

OMB Number: 1660–0017.

Form Titles and Numbers: FEMA Form 009–0–49 Request for Public Assistance; FEMA Form 009–0–91 Project Worksheet (PW); FEMA Form 009–0–91A Project Worksheet (PW)—Damage Description and Scope of Work Continuation Sheet; FEMA Form 009–0–91B Project Worksheet (PW)—Cost Estimate Continuation Sheet; FEMA Form 009–0–91C Project Worksheet (PW)—Maps and Sketches Sheet; FEMA Form 009–0–91D Project Worksheet (PW)—Photo Sheet; FEMA Form 009–0–120 Special Considerations Questions; FEMA Form 009–0–121 PNP Facility Questionnaire; FEMA Form 009–0–123 Force Account Labor Summary Record; FEMA Form 009–0–124 Materials Summary Record; FEMA Form 009–0–125 Rented Equipment Summary Record; FEMA Form 009–0–126 Contract Work Summary Record; FEMA Form 009–0–127 Force Account Equipment Summary Record; FEMA Form 009–0–128 Applicant's Benefits Calculation Worksheet; FEMA Form 009–0–111, Quarterly Progress Reports; FEMA Form 009–0–141, FAC–TRAX System.

Abstract: The information collected is utilized by FEMA to make determinations for Public Assistance grants based on the information supplied by the respondents.

Affected Public: State, Local or Tribal government.

Estimated Number of Respondents: 1,012.

Estimated Number of Responses: 398,068.

Estimated Total Annual Burden Hours: 466,025.

Estimated Total Annual Respondent Cost: $29,601,921.

Estimated Respondents' Operation and Maintenance Costs: N/A.

Estimated Respondents' Capital and Start-Up Costs: N/A.

Estimated Total Annual Cost to the Federal Government: $1,920,626.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a)

evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Maile Arthur,

Deputy Director, Information Management Division, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2020–01454 Filed 1–27–20; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2020–0006; OMB No. 1660–0022]

Agency Information Collection Activities: Proposed Collection; Comment Request; Community Rating System—Application Letter & Quick Check; Community Recertifications; Environmental & Historic Preservation Certifications

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on an extension with changes to a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning application for the National Flood Insurance Program's Community Rating System program. This program allows communities to become eligible for discounts on the cost of flood insurance when the communities undertake activities to mitigate anticipated damage due to flooding. The application materials verify and document the community mitigation activities performed and provides the Federal Emergency Management Agency with the information necessary to determine what flood insurance premium discounts are appropriate for participating communities.

DATES: Comments must be submitted on or before March 30, 2020.

ADDRESSES: To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA–2020–0006. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW, 8NE, Washington, DC 20472–3100.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available via the link in the footer of *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bill Lesser, Program Specialist, Federal Insurance and Mitigation Administration, (202) 646–2807. You may contact the Information Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: The National Flood Insurance Reform Act (NFIRA) of 1994 (Pub. L. 103–325, section 541) requires that a community rating system be established. This ratings system is a voluntary program for communities and it would provide a method by which flood mitigation activities engaged in by these communities could be measured. The effect of this mitigation activity would reduce the exposure of the communities to damage resulting from flooding and in turn reduce the losses incurred as a result of this flooding. To encourage participation, discounts on flood insurance are offered within communities that successfully complete qualified mitigation actions, and the community ratings system provides the ability to measure these actions and to recertify the communities in successive years.

Collection of Information

Title: Community Rating System—Application Letter & Quick Check; Community Annual Recertifications; Environmental & Historic Preservation Certifications.

Type of Information Collection: Extension with changes to a currently approved information collection.

OMB Number: 1660–0022.

FEMA Forms: FEMA Form 086–0–35, Community Rating System Application Letter and Quick Check; FEMA Form 086–0–35A, Community Annual Recertifications, FEMA Form 086–0–35B, Environmental and Historic Preservation Certifications; and FEMA Form 086–0–35C, Repetitive Loss Update Form.

Abstract: The Community Rating System (CRS) Application Letter & Quick Check, the CRS certification and update forms, and accompanying guidance are used by communities that participate in the National Flood Insurance Program's (NFIP) CRS program. The CRS is a voluntary program where flood insurance costs are reduced in communities that implement practices, such as building codes and public awareness activities, that are considered to reduce the risks of flooding and promote the purchase of flood insurance.

Affected Public: Public: State, local, or Tribal government.

Estimated Number of Respondents: 2,170.

Estimated Number of Responses: 4,170.

Estimated Total Annual Burden Hours: 52,292.

Estimated Total Annual Respondent Cost: $3,816,061.

Estimated Respondents' Operation and Maintenance Costs: There are no estimated operation and maintenance costs associated with this collection.

Estimated Respondents' Capital and Start-Up Costs: There are no estimated capital and start-up costs associated with this collection.

Estimated Total Annual Cost to the Federal Government: $6,612,799.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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;

(c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Maile Arthur,

Acting Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2020–01397 Filed 1–27–20; 8:45 am]

BILLING CODE 9111–52–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2020–0002; Internal Agency Docket No. FEMA–B–2006]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Arkansas:						
Pulaski	City of Little Rock (19–06–2539P).	The Honorable Frank D. Scott, Jr., Mayor, City of Little Rock, 500 West Markham Street, Room 203, Little Rock, AR 72201.	Public Works Department, 701 West Markham Street, Little Rock, AR 72201.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 13, 2020	050181

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Pulaski	Unincorporated areas of Pulaski County (19–06–2539P).	The Honorable Barry Hyde, Pulaski County Judge, 201 South Broadway Street, Suite 400, Little Rock, AR 72201.	Pulaski County Public Works Department, 3200 Brown Street, Little Rock, AR 72204.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 13, 2020	050179
Colorado: Douglas.	Unincorporated areas of Douglas County (19–08–0647P).	The Honorable Roger A. Partridge, Chairman, Douglas County Board of Commissioners, 100 3rd Street, Castle Rock, CO 80104.	Douglas County Department of Public Works, Engineering Division, 100 3rd Street, Castle Rock, CO 80104.	*https://msc.fema.gov/portal/advanceSearch.*	May 1, 2020	080049
Florida:						
Collier	City of Marco Island (19–04–5064P).	Mr. Michael T. McNees, City of Marco Island Manager, 50 Bald Eagle Drive, Marco Island, FL 34145.	Building Services Department, 50 Bald Eagle Drive, Marco Island, FL 34145.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 13, 2020	120426
Gilchrist	Unincorporated areas of Gilchrist County (19–04–4501P).	The Honorable Todd Gray, Chairman, Gilchrist County Board of Commissioners, 3400 Southwest 22nd Place, Bell, FL 32619.	Gilchrist County Building and Zoning Department, 209 Southeast 1st Street, Trenton, FL 32693.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 17, 2020	120094
Indian River	City of Sebastian (19–04–6686P).	The Honorable Jim Hill Mayor, City of Sebastian, 1225 Main Street, Sebastian, FL 32958.	Community Development Department, 1225 Main Street, Sebastian, FL 32958.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 17, 2020	120123
Miami-Dade	City of Doral (19–04–4177P).	The Honorable Juan Carlos Bermudez, Mayor, City of Doral, 8401 Northwest 53rd Terrace, Doral, FL 33166.	City Hall, 8401 Northwest 53rd Terrace, Doral, FL 33166.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 10, 2020	120041
Monroe	Unincorporated areas of Monroe County (19–04–6355P).	The Honorable Sylvia Murphy, Mayor, Monroe County Board of Commissioners, 102050 Overseas Highway, Suite 234, Key Largo, FL 33037.	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 7, 2020	125129
Polk	Unincorporated areas of Polk County (19–04–3814P).	The Honorable George Lindsey III, Chairman, Polk County Board of Commissioners, P.O. Box 9005, Drawer BC01, Bartow, FL 33831.	Polk County Land Development Division, 330 West Church Street, Bartow, FL 33830.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 23, 2020	120621
Sarasota	Unincorporated areas of Sarasota County (20–04–0229P).	The Honorable Charles D. Hines, Chairman, Sarasota County Board of Commissioners, 1660 Ringling Boulevard, Sarasota, FL 34236.	Sarasota County Planning and Development Services Department, 1001 Sarasota Center Boulevard, Sarasota, FL 34240.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 27, 2020	125144
Seminole	City of Sanford (19–04–1942P).	The Honorable Jeff Triplett, Mayor, City of Sanford, 300 North Park Avenue, Sanford, FL 32772.	City Hall, 300 North Park Avenue, Sanford, FL 32772.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 17, 2020	120294
Seminole	Unincorporated areas of Seminole County (19–04–1942P).	The Honorable Brenda Carey, Chair, Seminole County Board of Commissioners, 1101 East 1st Street, Sanford, FL 32771.	Seminole County Development Review Division, 1101 East 1st Street, Sanford, FL 32771.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 17, 2020	120289
Kentucky: Fayette	Lexington-Fayette Urban County Government (19–04–1650P).	The Honorable Linda Gorton, Mayor, Lexington-Fayette Urban County Government, 200 East Main Street, Lexington, KY 40507.	Lexington-Fayette Urban County Government Planning Division, 101 East Vine Street, 4th Floor, Lexington, KY 40502.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 31, 2020	210067
Massachusetts:						
Essex	City of Gloucester (19–01–1679P).	The Honorable Sefatia Romeo Theken, Mayor, City of Gloucester, 9 Dale Avenue, Gloucester, MA 01930.	City Hall, 3 Pond Road, Gloucester, MA 01930.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 6, 2020	250082
Essex	Town of Andover (19–01–0700P).	Mr. Andrew P. Flanagan, Town of Andover Manager, 36 Bartlet Street, Andover, MA 01810.	Town Hall, 36 Bartlet Street, Andover, MA 01810.	*https://msc.fema.gov/portal/advanceSearch.*	May 1, 2020	250076

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Mississippi: Lafayette.	City of Oxford (19–04–0963P).	The Honorable Robyn Tannehill, Mayor, City of Oxford, 107 Courthouse Square, Oxford, MS 38655.	City Courthouse, 107 Courthouse Square, Oxford, MS 38655.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 25, 2020	280094
North Carolina:						
Cumberland	Town of Hope Mills (18–04–6701P).	The Honorable Jackie Warner, Mayor, Town of Hope Mills, 5770 Rockfish Road, Hope Mills, NC 28348.	Town Hall, 5770 Rockfish Road, Hope Mills, NC 28348.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 6, 2020	370312
Cumberland	Unincorporated areas of Cumberland County (18–04–6701P).	The Honorable W. Marshall Faircloth, Chairman, Cumberland County Board of Commissioners, P.O. Box 1829, Fayetteville, NC 28302.	Cumberland County Engineering and Infrastructure Department, 130 Gillespie Street, Fayetteville, NC 28301.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 6, 2020	370076
Oklahoma:						
Creek	City of Sapulpa (19–06–0851P).	The Honorable Reg Green, Mayor, City of Sapulpa, 425 East Dewey Avenue, Sapulpa, OK 74067.	GIS Mapping Department, 425 East Dewey Avenue, Sapulpa, OK 74067.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 16, 2020	400053
Creek	Unincorporated areas of Creek County (19–06–0851P).	The Honorable Leon Warner, Chairman, Creek County Commission, 10920 South Highway 99, Drumright, OK 74030.	Creek County Planning Department, 317 East Lee Avenue, Suite 101, Sapulpa, OK 74066.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 16, 2020	400490
Texas:						
Bastrop	City of Bastrop (19–06–1419P).	The Honorable Connie Schroeder, Mayor, City of Bastrop, P.O. Box 427, Bastrop, TX 78602.	City Hall, 1311 Chestnut Street, Bastrop, TX 78602.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 17, 2020	480022
Bastrop	Unincorporated areas of Bastrop County (19–06–1419P).	The Honorable Paul Pape, Bastrop County Judge, 804 Pecan Street, Bastrop, TX 78602.	Bastrop County Engineering and Development Department, 211 Jackson Street, Bastrop, TX 78602.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 17, 2020	481193
Bexar	City of San Antonio (18–06–2883P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Transportation and Capital Improvements Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 9, 2020	480045
Bexar	City of San Antonio (19–06–0009P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Transportation and Capital Improvements Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 30, 2020	480045
Collin	City of Allen (19–06–0352P).	The Honorable Stephen Terrell, Mayor, City of Allen, 305 Century Parkway, 1st Floor, Allen, TX 75013.	City Hall, 305 Century Parkway, Allen, TX 75013.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 13, 2020	480131
Collin	City of Allen (19–06–2793P).	The Honorable Stephen Terrell, Mayor, City of Allen, 305 Century Parkway, 1st Floor, Allen, TX 75013.	City Hall, 305 Century Parkway, Allen, TX 75013.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 10, 2020	480131
Collin	City of Celina (19–06–2646P).	The Honorable Sean Terry, Mayor, City of Celina, 142 North Ohio Street, Celina, TX 75009.	City Hall, 142 North Ohio Street, Celina, TX 75009.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 16, 2020	480133
Collin	City of Plano (19–06–1989P).	The Honorable Harry LaRosiliere, Mayor, City of Plano, 1520 K Avenue, Suite 300, Plano, TX 75074.	Department of Engineering, 1520 K Avenue, Suite 250, Plano, TX 75074.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 3, 2020	480140
Dallas	City of Dallas (19–06–2679P).	The Honorable Eric Johnson, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Floodplain Management Department, 320 East Jefferson Boulevard, Room 307, Dallas, TX 75203.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 16, 2020	480171

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Denton and Tarrant.	City of Fort Worth (19–06–2492P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 16, 2020	480596
Denton	City of Fort Worth (20–06–0236P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 31, 2020	480596
Denton	City of Highland Village (19–06–1117P).	The Honorable Charlotte Wilcox, Mayor, City of Highland Village, 1000 Highland Village Road, Highland Village, TX 75077.	City Hall, 1000 Highland Village Road, Highland Village, TX 75077.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 10, 2020	481105
Denton	Town of Copper Canyon (19–06–1117P).	The Honorable Ron Robertson, Mayor, Town of Copper Canyon, 400 Woodland Drive, Copper Canyon, TX 75077.	Town Hall, 400 Woodland Drive, Copper Canyon, TX 75077.	https://msc.fema.gov/portal/advanceSearch.	Apr. 10, 2020	481508
Denton	Unincorporated areas of Denton County (20–06–0236P).	The Honorable Andy Eads, Denton County Judge, 110 West Hickory Street, 2nd Floor, Denton, TX 76201.	Denton County Transportation and Public Works Department, 1505 East McKinney Street, Suite 175, Denton, TX 76209.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 31, 2020	480774
Harris	Unincorporated areas of Harris County (19–06–1720P).	The Honorable Lina Hidalgo, Harris County Judge, 1001 Preston Street, Suite 911, Houston, TX 77002.	Harris County Permit Office, 10555 Northwest Freeway, Suite 120, Houston, TX 77092.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 6, 2020	480287
Tarrant	City of Benbrook (19–06–3260P).	The Honorable Jerry B. Dittrich, Mayor, City of Benbrook, 911 Winscott Road, Benbrook, TX 76126.	City Hall, 911 Winscott Road, Benbrook, TX 76126.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 24, 2020	480586
Tarrant	City of Fort Worth (19–06–3050P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 2, 2020	480596
Tarrant	City of Fort Worth (19–06–3260P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 24, 2020	480596
Tarrant	City of Fort Worth (19–06–3526X).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 16, 2020	480596
Tarrant	City of Southlake (19–06–1227P).	The Honorable Laura Hill, Mayor, City of Southlake, 1400 Main Street, Suite 270, Southlake, TX 76092.	Public Works Department, 1400 Main Street, Southlake, TX 76092.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 27, 2020	480612
Virginia:						
Independent City.	City of Harrisonburg (19–03–1517P).	The Honorable Deanna R. Reed, Mayor, City of Harrisonburg, 409 South Main Street, Harrisonburg, VA 22801.	City Hall, 409 South Main Street, Harrisonburg, VA 22801.	*https://msc.fema.gov/portal/advanceSearch.*	Mar. 26, 2020	510076
Loudoun	Town of Leesburg (20–03–0036P).	The Honorable Kelly Burk, Mayor, Town of Leesburg, 25 West Market Street, Leesburg, VA 20176.	Town Hall, 25 West Market Street, Leesburg, VA 20176.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 13, 2020	510091

[FR Doc. 2020–01372 Filed 1–27–20; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS–2020–0002]

Homeland Security Advisory Council

AGENCY: The Department of Homeland Security (DHS), Office of Partnership and Engagement (OPE).

ACTION: Notice of open teleconference federal advisory committee meeting.

SUMMARY: The Homeland Security Advisory Council (''HSAC'' or ''Council'') will meet via teleconference on Monday, February 24, 2020 to announce new taskings, appoint new members, and review, deliberate, and vote on the final draft reports of the Emerging Technology Subcommittee focused on Unmanned Aircraft Systems and 3D printing. The meeting will be open to the public.

DATES: The Council conference call will take place from 1:00 p.m. to 2:30 p.m. EST on Monday, February 24, 2020. Please note that the meeting may end early if the Council has completed its business.

ADDRESSES: The HSAC meeting will be held via teleconference. Members of the public interested in participating may do so by following the process outlined below (see ''Public Participation''). Written comments can be submitted from February 21, 2020 to March 24, 2020. Comments must be identified by Docket No. DHS–2020–0002 and may be submitted by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: HSAC@hq.dhs.gov.* Include Docket No. DHS–2020–0002 in the subject line of the message.
- *Fax:* (202) 282–9207. Include Mike Miron and the Docket No. DHS–2020–0002 in the subject line of the message.
- *Mail:* Mike Miron, Acting Executive Director of Homeland Security Advisory Council, Office of Partnership and Engagement, Mailstop 0385, Department of Homeland Security, 2707 Martin Luther King Jr Ave. SE, Washington, DC 20528.

Instructions: All submissions received must include the words ''Department of Homeland Security'' and ''DHS–2020–0002,'' the docket number for this action. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided.

Docket: For access to the docket to read comments received by the Council, go to *http://www.regulations.gov,* search ''DHS–2020–0002,'' ''Open Docket Folder'' and provide your comments.

FOR FURTHER INFORMATION CONTACT: Mike Miron at *HSAC@hq.dhs.gov* or at (202) 447–3135.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under Section 10(a) of the Federal Advisory Committee Act (FACA), Public Law 92–463 (5 U.S.C. Appendix), which requires each FACA committee meeting to be open to the public.

The Council provides organizationally independent, strategic, timely, specific, actionable advice, and recommendations to the Secretary of Homeland Security on matters related to homeland security. The nonpartisan Council is comprised of leaders of local law enforcement, first responders, Federal, State, and Local governments, the private sector, and academia.

The agenda for the meeting is as follows: The Council will receive new taskings; and will review, deliberate, and vote on the Emerging Technology Subcommittee Final Draft Reports. Following the review, there will be a break for public commentary. *Participation:* Members of the public will be in listen-only mode. The public may register to participate in this Council teleconference via the following procedures. Each individual must provide his or her full legal name and email address no later than 5:00 p.m. EST on Friday, February 21, 2020 to Mike Miron of the Council via email to *HSAC@hq.dhs.gov* or via phone at (202) 447–3135. The conference call details will be provided to interested members of the public after the closing of the public registration period and prior to the start of the meeting.

For information on services for individuals with disabilities, or to request special assistance, contact Mike Miron at *HSAC@hq.dhs.gov* or (202) 447–3135 as soon as possible.

Information on Services for Individuals with Disabilities: For information on facilities or services for individuals with disabilities, or to request special assistance during the teleconference contact Mike Miron at (202) 447–3135.

Dated: January 23, 2020.

Mike Miron,

Acting Executive Director, Homeland Security Advisory Council, DHS.

[FR Doc. 2020–01472 Filed 1–27–20; 8:45 am]

BILLING CODE 9112–FN–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0020]

Agency Information Collection Activities; Extension, Without a Change, of a Currently Approved Collection: Petition for Amerasian, Widow(er), or Special Immigrant

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until February 27, 2020.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be directed to the OMB USCIS Desk Officer via email at *dhsdeskofficer@omb.eop.gov.* All submissions received must include the agency name and the OMB Control Number 1615–0020 in the subject line.

You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make. For additional information please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, Telephone number (202) 272–8377 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at

the USCIS website at *http://www.uscis.gov,* or call the USCIS Contact Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on October 22, 2019, at 84 FR 56465, allowing for a 60-day public comment period. USCIS received 3 comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2007–0024 in the search box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Petition for Amerasian, Widow(er), or Special Immigrant.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–360; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Individuals or households.* The Form I–360 may be used by an Amerasian; a widow or widower; a battered or abused spouse or child of a U.S. citizen or lawful permanent resident; a battered or abused parent of a U.S. citizen son or daughter; or a special immigrant (religious worker, Panama Canal company employee, Canal Zone government employee, U.S. government employee in the Canal Zone; physician, international organization employee or family member, juvenile court dependent; armed forces member; Afghanistan or Iraq national who supported the U.S. Armed Forces as a translator; Iraq national who worked for the or on behalf of the U.S. Government in Iraq; or Afghan national who worked for or on behalf of the U.S. Government or the International Security Assistance Force [ISAF] in Afghanistan) who intend to establish their eligibility to immigrate to the United States. The data collected on this form is reviewed by U.S. Citizenship and Immigration Services (USCIS) to determine if the petitioner may be qualified to obtain the benefit. The data collected on this form will also be used to issue an employment authorization document upon approval of the petition for battered or abused spouses, children, and parents, if requested.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection Petition for Amerasian, Widower, or Special Immigration (Form I–360); *Iraqi & Afghan Petitioners* is 2,874 and the estimated hour burden per response is 3.1 hours; the estimated total number of respondents for the information collection Petition for Amerasian, Widower, or Special Immigration (Form I–360); *Religious Workers* is 2,393 and the estimated hour burden per response is 2.35 hours; the estimated total number of respondents for the information collection Petition for Amerasian, Widower, or Special Immigration (Form I–360); *All Others* is 14,362 and the estimated hour burden per response is 2.1 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 44,693 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $2,404,430.

Dated: January 22, 2020.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2020–01369 Filed 1–27–20; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0018]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Application for Permission To Reapply for Admission Into the United States After Deportation or Removal

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until February 27, 2020.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be directed to the OMB USCIS Desk Officer via email at *dhsdeskofficer@omb.eop.gov.* All submissions received must include the agency name and the OMB Control Number 1615–0018 in the subject line.

You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make. For additional information please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, Telephone number (202) 272–8377 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can

check Case Status Online, available at the USCIS website at *http://www.uscis.gov,* or call the USCIS Contact Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on September 24, 2019, at 84 FR 56829, allowing for a 60-day public comment period. USCIS did receive seven comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2008–0068 in the search box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Permission to Reapply for Admission into the United States after Deportation or Removal.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–212; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. USCIS uses the data collected on Form I–212 to determine whether an alien is eligible for and should be granted the benefit of consent to reapply for admission into the United States. This form standardizes requests for consent to reapply and its data collection requirements ensure that, when filing the application, the alien provides the basic information that is required to assess eligibility for consent to reapply.

USCIS must review all documents that relate to the alien's exclusion, deportation, or removal proceedings, the alien's record of immigration violations, and the alien's criminal record, if applicable. Moreover, if the alien is inadmissible under section 212(a)(9)(C)(i) of the Act, evidence must be submitted to demonstrate that the alien has remained outside the United States for a period of at least 10 years since the date of his or her last departure.

In addition to USCIS, U.S. Customs and Border Protection (CBP) and the Executive Board for Immigration Review (EOIR) of the U.S. Department of Justice (DOJ) also rely Form I–212 to grant consent to reapply for admission. These agencies use the application in the same manner as USCIS. CBP has developed an electronic filing system, called Electronic Secured Adjudication Forms Environment (e-SAFE), through which Form I–212 can be submitted when filed with CBP.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I–212 is 4,883 and the estimated hour burden per response is 2 hours; the estimated total number of respondents for the biometric services associated with information collection I–212 is 100 and the estimated hour burden per response is 1.17 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 9,883 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $613,854.

Dated: January 22, 2020.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2020–01368 Filed 1–27–20; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7016–N–06]

60-Day Notice of Proposed Information Collection: Surveys of Recipients and Providers of Technical Assistance (TA) and Training

AGENCY: Office of the Assistant Secretary for Policy Development and Research, HUD.

ACTION: Notice; correction of title.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment. This notice replaces the notice HUD published on January 17, 2020 at 85 FR 3070.

DATES: *Comments Due Date:* March 30, 2020.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–5534 (this is not a toll-free number) or email at *Anna.P.Guido@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email Anna P. Guido at *Anna.P.Guido@hud.gov* or telephone 202–402–5535. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Surveys of Recipients and Providers of HUD Technical Assistance and Training.

OMB Approval Number: 2528–0325 (Previously 2506 -0212).

Type of Request: Revision of a currently approved collection.

Form Number: N/A.

Description of the need for the information and proposed use: The surveys in this collection of information are necessary to systematically gather user feedback and outcomes data to evaluate and improve HUD's deployment and management of its technical assistance (TA) resources. The data will be used to comprehensively evaluate the Community Compass program, identify areas for improvement in the program, evaluate the effectiveness of HUD TA interventions, identify trends in TA needs, support the measurement of past performance for future TA NOFAs, and help HUD identify risk within its TA Provider pool. Survey results will also be used by TA Providers and HUD staff to improve individual TA and training engagements.

The previously approved Information Collection (OMB Control No: 2506–0212) included the *Community Development Marketplace (CDM) Project Intake Survey* and the *Survey of Community Partners Receiving HUD Staff-Led Technical Assistance.* These surveys are no longer active and thus are not included in this information collection revision.

Members of Affected Public: Not-for-profit institutions; State, Local, and Tribal Government.

Estimated Number of Respondents: 10,780.

Estimated Time per Response: 0.2–0.25 hours.

Frequency of Response: 1.1–1.3.

Estimated Total Annual Burden Hours: 2,837.

Estimated Total Annual Cost: $96,919.99.

Legal Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Information collection	Number of respondents [1]	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Provider TA Survey	1,140	[2] 1.1	1,254	0.25	313.5	[3] $44.65	$13,997.78
Recipient TA Survey	1,140	[4] 1.1	1,254	0.25	313.5	[5] 32.86	10,301.61
In-Person Training Survey	3,500	[6] 1.3	4,550	0.2	910	[7] 32.86	29,902.60
Online Training Survey	5,000	[8] 1.3	6,500	0.2	1,300	[9] 32.86	42,718.00
Totals	10,780.00		13,558.00		2,837.00		96,919.99

Compared to the previously-approved information collection, the ''Burden Hours Per Response'' increased slightly for the In-Person and Online Training surveys due to additional questions added to those surveys. However, the total ''Annual Burden Hours'' and total ''Annual Cost'' decreased compared to the previously-approved information collection because two surveys [*Community Development Marketplace (CDM) Project Intake Survey* and the *Survey of Community Partners Receiving HUD Staff-Led Technical Assistance*] were removed from the information collection.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(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 collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: January 22, 2020.

Seth D. Appleton,

Assistant Secretary for Policy Development and Research.

[FR Doc. 2020–01471 Filed 1–27–20; 8:45 am]

BILLING CODE 4210–67–P

[1] Number of respondents is based on the frequency of TA and training engagements and the number of participants in recent years.

[2] Some TA providers will provide multiple TA engagements and will be asked to complete more than one TA survey in a year.

[3] 75 percentile hourly wage for ''Business and Financial Operations Occupations'' from the Bureau of Labor Statistics (May 2018) *https://www.bls.gov/oes/current/oes130000.htm.*

[4] Some TA recipients will receive multiple TA engagements and will be asked to complete more than one TA survey in a year.

[5] Median hourly wage for ''Business and Financial Operations Occupations'' (May 2018) *https://www.bls.gov/oes/current/oes130000.htm.*

[6] HUD anticipates that roughly 30% of in person trainees will complete multiple trainings and be asked to complete more than one survey in a year.

[7] Median hourly wage for ''Business and Financial Operations Occupations'' from the Bureau of Labor Statistics (May 2018) *https://www.bls.gov/oes/current/oes130000.htm.*

[8] HUD anticipates that roughly 30% of online trainees will complete multiple trainings and be asked to complete more than one survey in a year.

[9] Median hourly wage for ''Business and Financial Operations Occupations'' from the Bureau of Labor Statistics (May 2018) *https://www.bls.gov/oes/current/oes130000.htm.*

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7025–N–01]

60-Day Notice of Proposed Information Collection: Youth Homelessness Demonstration Application

AGENCY: Office of Community Planning and Development, HUD.

ACTION: Notice of proposed information collection.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* March 30, 2020.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be

sent to: Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone (202) 402–5534 (this is not a toll-free number) or email at *Anna.P.Guido@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Norm Suchar, Director, Office of Special Needs Assistance Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW, Room 7262, Washington, DC 20410; telephone (202) 708–5015 (This is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Youth Homelessness Demonstration Program.

OMB Approval Number: 2506–0210.

Type of Request: Revision of a currently approved collection.

Form Number: Youth Homelessness Demonstration Application (all parts), SF 424, HUD–2991, HUD–2993, HUD–2880, SF–LLL, HUD–50070.

Description of the need for the information and proposed use: The information to be collected will be used to rate applications, to determine eligibility for the Youth Homelessness Demonstration Program and establish grant amounts. Applicants, which must be state or local governments, or nonprofit organizations will respond to narrative prompts to demonstrate their experience and expertise in providing housing and services to youth experiencing homelessness and to describe their intended program design, that will address the needs for housing and services that will result in housing placement and sufficient income to ensure housing is maintained once assistance discontinues.

Respondents (i.e., affected public): Continuum of Care collaborative applicants, which can be States, local governments, private nonprofit organizations, public housing authorities, and community mental health associations that are public nonprofit organizations.

Estimated Number of Respondents: 150 applicants, 25 sites submitting project applications and plans.

Estimated Number of Responses: 150 site selection applications, 125 project applications, 25 coordinated community plans.

Frequency of Response: 1 site selection application per applicant, 5 project applications per site, 1 coordinated community plan per site.

Average Hours per Response: Each activity also has a unique associated number of hours of response, ranging from 15 minutes to 240 hours.

Total Estimated Burdens: The total number of hours needed for all reporting is 11,063.05 hours.

Submission documents information collection	Number of respondents	Responses frequency (average)	Total annual responses	Burden hours per response	Total hours	Hourly rate	Burden cost per instrument
Component 1. Site Selection							
YHDP Site Selection Narratives	150	1	150	24	3,600.00	$47.52	$171,072.00
SF–424—Application for Federal Assistance	150	1	150	.5	75.00	47.52	3,564.00
OMB–SF–LLL—Disclosure of Lobbying Activities (where applicable)	10	1	10	.17	1.70	47.52	80.78
Nonprofit Certification	150	1	150	0	0	47.52	0
Organizations Code of Conduct	150	1	150	0	0	47.52	0
Youth Advisory Board Participation Letter	150	1	150	.5	75.00	47.52	3,564.00
Public Child Welfare Agency Commitment Letter	150	1	3	.5	75.00	47.52	3,564.00
Acknowledgement of Application Receipt (HUD2993) (only applicants granted waiver to submit a paper application)	10	1	2	.17	.34	47.52	16.15
Subtotal	150		150		3,826.70		181,860.93
Component 2. Project Application							
YHDP Project Application Questions	25	5	125	8	1,000.00	47.52	47,520.00
SF–424—Application for Federal Assistance	25	5	125	.08	10.00	47.52	475.20
HUD–2880—Applicant/Recipient Disclosure/Update Report (2510–0011)	25	5	125	.17	21.25	47.52	1,009.80
OMB–SF–LLL—Disclosure of Lobbying Activities (where applicable)	1	5	5	.17	.85	47.52	40.39
Subtotal	25		125		1,032.1		49,045.39
Component 3. Coordinated Community Plan							
YHDP Plan Narrative	25	1	25	240	6,000.00	47.52	285,120.00
Logic Model	25	1	25	8	200	47.52	9,504.00

Submission documents information collection	Number of respondents	Responses frequency (average)	Total annual responses	Burden hours per response	Total hours	Hourly rate	Burden cost per instrument
Certification of Consistency with the Consolidated Plan (HUD–2991)	25	1	25	.17	4.25	47.52	201.96
Subtotal	25	1	25	248.17	6,204.25		294,825.96
Total Application Collection	150		300		11,063.05		525,732.28

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(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 collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: January 15, 2020.

John Bravacos,

General Deputy Assistant Secretary for Community Planning and Development.

[FR Doc. 2020–01469 Filed 1–27–20; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7025–N–02]

60-Day Notice of Proposed Information Collection: Disaster Recovery Grant Reporting System

AGENCY: Office of Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* March 30, 2020.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone (202) 402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Rosie Beaman, Assistant Director of Operations, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email Rosie Beaman at *Rosie.Beaman@hud.gov* or telephone (202) 708–2951. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Disaster Recovery Grant Reporting System (DRGR).

OMB Approval Number: 2506–0165.

Type of Request: Extension.

Form Number: SF–424 Application for Federal Assistance.

Description of the need for the information and proposed use: The Disaster Recovery Grant Reporting (DRGR) System is a grants management system used by the Office of Community Planning and Development to monitor special appropriation grants under the Community Development Block Grant program. This collection pertains to Community Development Block Grant Disaster Recovery (CDBG–DR) and Neighborhood Stabilization Program (NSP) grant appropriations.

The CDBG program is authorized under Title I of the Housing and Community Development Act of 1974, as amended. Following major disasters, Congress appropriates supplemental CDBG funds for disaster recovery. According to Section 104(e)(1) of the Housing and Community Development Act of 1974, HUD is responsible for reviewing grantees' compliance with applicable requirements and their continuing capacity to carry out their programs. Grant funds are made available to states and units of general local government, Indian tribes, and insular areas, unless provided otherwise by supplemental appropriations statute, based on their unmet disaster recovery needs.

Respondents (i.e., affected public): DRGR is used to monitor CDBG–DR, NSP, and NSP–TA grants, as well as several programs that do not fall under the Office of Block Grant Assistance. Separate information collections have been submitted and approved for these programs. CDBG–DR and NSP grant funds are made available to states and units of general local government, Indian tribes, and insular areas, unless provided otherwise by supplemental appropriations statute. NSP–TA grant funds are awarded on a competitive basis and are open to state and local governments, as well as non-profit groups and consortia that may include for-profit entities.

Estimated Number of Respondents: 1,792.

Estimated Number of Responses: 81,589.

Frequency of Response: Varies.

Average Hours per Response: Varies but average is .49.

Total Estimated Burdens: 39,631 hours and $1,048,066.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
CDBG–DR	729	Varies	9,174	Varies	24,593	$26	$639,418
NSP	1,096	42	23,016	Varies	12,516	26	325,424
NSP 3 TA	62	43	1,333	Varies	1,452	26	37,752
RC & Section 4	94	Varies	432	Varies	632	37	23,384
Total	1,981	Varies	33,955	Varies	39,193	Varies	1,025,978

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(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 collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: January 15, 2020.

John Bravacos,

General Deputy Assistant Secretary for Community Planning and Development.

[FR Doc. 2020–01470 Filed 1–27–20; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–ES–2020–N015; FXES11130800000–201–FF08E00000]

Endangered and Threatened Species; Receipt of Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

DATES: We must receive your written comments on or before February 27, 2020.

ADDRESSES:

Document availability and comment submission: Submit requests for copies of the applications and related documents and submit any comments by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (*e.g.,* TEXXXXXX).

- *Email: permitsr8es@fws.gov.*
- *U.S. Mail:* Daniel Marquez, Endangered Species Program Manager, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W–2606, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT: Daniel Marquez, via phone at 760–431–9440, via email at *permitsr8es@fws.gov,* or via the Federal Relay Service at 1–800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, invite the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permits would allow the applicants to conduct activities intended to promote recovery of species that are listed as endangered or threatened under the ESA.

Background

With some exceptions, the ESA prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA's definition of ''take'' includes such activities as pursuing, harassing, trapping, capturing, or collecting in addition to hunting, shooting, harming, wounding, or killing.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
TE–06145B	Alicia Cooper Hill, San Diego, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Survey, capture, handle, release, and collect vouchers.	Amend.
TE–097516	Thomas Ryan, Monrovia, California.	• California least tern (*Sterna antillarum browni*)	CA	Predation prevention by installing nest exclosures.	Amend.
TE–58452B	Darren Ward, Arcata, California.	• Tidewater goby (*Eucyclogobius newberryi*)	CA	Capture, handle, and release.	Renew.
TE–30659A	Creekside Center for Earth Observation, Menlo Park, California.	• Mission blue butterfly (*Icaricia icarioides missionensis*).	CA	Capture, handle, translocate, perform habitat management, and release.	Renew and amend.
TE–63314D	Megan Lahti, Reno, Nevada.	• Sierra Nevada Yellow-legged Frog (*Rana sierrae*).	CA	Capture, handle, and release.	New.
TE–63313D	Tiffany Alvarez, Riverside, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations	New.
TE–815537	Karen Swaim, Livermore, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*). • California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segments (DPSs)) (*Ambystoma californiense*).	CA	Survey, capture, handle, release, collect vouchers, swab, and collect genetic tissue samples.	Amend.
TE–142435	Debra Shier, Topanga, California.	• Giant kangaroo rat (*Dipodomys ingens*) ..... • Stephens' kangaroo rat (*Dipodomys stephensi* (incl. *D. cascus*)). • San Bernardino Merriam's kangaroo rat (*Dipodomys merriami parvus*). • Giant kangaroo rat (*Dipodomys ingens*).	CA	Capture, handle, mark, release; conduct behavior studies; track; collect genetic samples; transport; hold in captivity; captive breed; and captive rear.	Renew.
TE–117947	Kevin Clark, San Diego, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*).	CA	Play taped vocalizations, monitor nests, capture, handle, and band.	Amend.
TE–96514A	Jonathan Aguayo, Buena Park, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*).	CA	Play taped vocalizations	Amend.
TE–73946B	Austin Parker, Long Beach, California.	• El Segundo blue butterfly (*Euphilotes battoides allyni*).	CA	Pursue	Renew and amend.
TE–50899B	Nicholas Bonzey, Sacramento, California.	• Conservancy fairy shrimp (*Branchinecta conservatio*). • Longhorn fairy shrimp (*Branchinecta longiantenna*). • San Diego fairy shrimp (*Branchinecta sandiegonensis*). • Riverside fairy shrimp (*Streptocephalus woottoni*). • Vernal pool tadpole shrimp (*Lepidurus packardi*).	CA	Survey, capture, handle, release, and collect vouchers.	Renew.
TE–829554	Barbara Kus, San Diego, California.	• Southwestern willow flycatcher (*Empidonax traillii extimus*). • Least Bell's vireo (*Vireo bellii pusillus*).	CA	Play taped vocalizations, monitor nests, capture, collect genetic samples, handle, and band.	Amend.
TE–64455D	Marshall Paymard, Foothill Ranch, California.	• Quino checkerspot butterfly (*Euphydryas editha quino*).	CA	Pursue	New.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
TE–039466	USGS, Idaho Cooperative Fish and Wildlife Research Unit, Moscow, Idaho.	• Light-footed clapper rail (*Rallus longirostris levipes*).	CA	Survey, capture, handle, band, attach satellite transmitters, collect feathers, and collect blood.	Amend.
TE–787716	Scott Tremor, San Diego, California.	• Stephens' kangaroo rat (*Dipodomys stephensi* (incl. *D. cascus*)). • San Bernardino Merriam's kangaroo rat (*Dipodomys merriami parvus*). • Pacific pocket mouse (*Perognathus longimembris pacificus*).	CA	Capture, handle, and release.	Renew.
TE–066621	U.S. Navy, Point Mugu, California.	• California least tern (*Sterna antillarum browni*) • Least Bell's vireo (*Vireo bellii pusillus*). • Light-footed clapper rail (*Rallus longirostris levipes*). • Salt marsh bird's-beak (*Cordylanthus maritimus ssp. maritimus*).	CA	Survey, monitor nests, protect nests, capture, handle, band, collect seeds.	Renew.

Public Availability of Comments

Written comments we receive become part of the administrative 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. 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.

Next Steps

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Peter Erickson,

Acting Chief of Ecological Services, Pacific Southwest Region, Sacramento, California.

[FR Doc. 2020–01407 Filed 1–27–20; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO3200000 L19900000.PO0000; OMB Control Number 1004–0194]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Surface Management Activities Under the General Mining Law

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Land Management (BLM), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to the BLM at U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Chandra Little, or by email to *cclittle@blm.gov.* Please reference OMB Control Number 1004–0194 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Stuart Grange by email at *sgrange@blm.gov,* or by telephone at 202–912–7067. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.* Persons who use a telecommunication device for the deaf may call the Federal Relay Service at 1–800–877–8339, to leave a message for Mr. Grange.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, the BLM provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised and continuing collections of information. This helps to assess the impact of the BLM's information collection requirements and minimize the public's reporting burden. It also helps the public understand the BLM's information collection requirements and provides the requested data in the desired format. A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on October 18, 2019 (84 FR55981). No comments were received.

The BLM is soliciting comments on the proposed ICR that is described below and is interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments submitted in response to this notice are a matter of public record. The BLM will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you

should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask the BLM in your comment to withhold your personal identifying information from public review, the BLM cannot guarantee that it will be able to do so.

The following information pertains to this request:

Abstract: The control number enables the BLM to determine whether operators and mining claimants are meeting their responsibility to prevent unnecessary or undue degradation while conducting exploration and mining activities on public lands under mining laws.

Title of Collection: Surface Management under the General Mining Law (43 CFR part 3809).

OMB Control Number: 1004–0194.

Forms:

- *3809–1, Surface Management Surety Bond;*
- *3809–2, Surface Management Personal Bond;*
- *3809–4, Bond Rider Extending Coverage of Bond to Assume Liabilities for Operations Conducted by Parties Other Than the Principal and;*
- *3809–5, Notification of Change of Operator and Assumption of Past Liability.*

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Operators and mining claimants.

Total Estimated Number of Annual Respondents: 1,495.

Total Estimated Number of Annual Responses: 1,495.

Total Estimated Completion Time per Response: Varies from 1 to several hours per response.

Total Estimated Number of Annual Burden Hours: 183,808.

Respondent's Obligation: Required to obtain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: $4,780 for notarizing Forms 3809–2 and 3809–4a.

An agency may not conduct or sponsor—and a person is not required to respond to—a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Chandra Little,

Bureau of Land Management, Regulatory Analyst.

[FR Doc. 2020–01439 Filed 1–27–20; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO310000.19X.L13140000.PP0000; OMB Control Number 1004–0210]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Measurement of Gas

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to the BLM at U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Chandra Little; or by email to *cclittle@blm.gov.* Please reference OMB Control Number 1004–0210 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Beth Poindexter by email at *bpoindexter@blm.gov,* or by telephone at 505–954–2112. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on October 18, 2019 (84 FR 55983), and the comment period ended on December 17, 2019. The BLM received no comments.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Bureau of Land Management (BLM) is requesting renewal of a control number that pertains to the accurate measurement and proper reporting of all natural gas removed or sold from Federal and Indian leases, units, unit participating areas, and areas subject to communitization agreements.

Title of Collection: Measurement of Gas.

OMB Control Number: 1004–0210.

Form: None.

Type of Review: Extension of a currently approved collection.

Description of Respondents: Primarily business that operate Federal oil and gas leases. Also lessees, purchasers, and transporters of natural gas from Federal oil and gas leases.

Total Estimated Number of Annual Responses: 430,782.

Estimated Completion Time per Response: Varies from 6 minutes to 80 hours, depending on activity.

Total Estimated Number of Annual Burden Hours: 95,068 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: ''On occasion'' with the following exceptions:

A. The following information collection activities are one-time-only, and pertain to equipment in operation before January 17, 2017:

• Transducers—Test Data Collection and Submission for Existing Makes and Models;
• Flow-Computer Software—Test Data Collection and Submission for Existing Makes and Models;
• Isolating Flow Conditioners—Test Data Collection and Submission for Existing Makes and Models;
• Differential Primary Devices Other than Flange-Tapped Orifice Plates—Test Data Collection and Submission for Existing Makes and Models;
• Linear Measurement Devices—Test Data Collection and Submission for Existing Makes and Models; and
• Accounting Systems—Test Data Collection and Submission for Existing Makes and Models.

B. Spot sampling in accordance with 43 CFR 3175.115(a) and (b) is required at the following frequency:
• Once every 12 months for very-low volume facility management points (FMPs);
• Once every 6 months for low-volume FMPs;
• Once every 3 months for high-volume FMPs;
• Once a month for very-high volume FMPs.

C. The following information collection activities require a response in fewer than 30 days upon receipt of a request from the BLM:
• The operator must submit all gas analysis reports to the BLM within 15 days of the due date for the sample as specified in 43 CFR 3175.115.
• A BLM request for information, either while the BLM is witnessing a gas analysis or conducting a production audit, generally requires a response within 2 weeks. The pertinent regulations are at 43 CFR 3175.102(e)(2), 3175.113(d)(1), 3175.118(c) and (d), 3175.104(a), and 3175.104(b).
• An operator must produce proof of test equipment recertification immediately when a BLM inspector is present to witness the verification of a mechanical record or EGM system under 43 CFR 3175.102(h), or to witness a gas sample being taken under 43 CFR 3175.113(c)(3) or 3175.114(a)(3).

Total Estimated Annual Nonhour Burden Cost: $24,600,894.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)

Chandra Little,

Bureau of Land Management, Acting Information Collection Clearance Officer.

[FR Doc. 2020–01450 Filed 1–27–20; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[20XL1109AF LLUTG02000 L12200000.PM0000 241A]

Call for Nominations for the San Rafael Swell Recreation Area Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of call for nominations.

SUMMARY: The Bureau of Land Management (BLM) is publishing this notice in accordance with the Federal Land Policy and Management Act (FLPMA), the Federal Advisory Committee Act (FACA), and the John D. Dingell, Jr. Conservation, Management, and Recreation Act. The BLM gives notice that the Secretary of the Interior is establishing the San Rafael Swell Recreation Area (Recreation Area) Advisory Council (Council) and seeking nominations for individuals to be considered as Council members.

DATES: A completed nomination form and accompanying nomination/recommendation letters must be received by February 27, 2020.

ADDRESSES: Send nominations to Christopher Conrad, BLM Price Field Office Manager, 125 South 600 West, Price, Utah 84501, Attention: San Rafael Swell Advisory Council Nominations.

FOR FURTHER INFORMATION CONTACT: Contact Jonathan Moor, Public Affairs Specialist, Green River District, 170 South 500 East, Vernal, UT 84078, phone (435) 781–2774, or email: *jmoor@blm.gov.*

SUPPLEMENTARY INFORMATION: The John D. Dingell, Jr. Conservation, Management, and Recreation Act, Section 1223, directs the Secretary of the Interior to establish a seven-member citizen-based advisory council that is regulated by FACA (5 U.S.C. Appendix 2) and section 309 of the FLPMA. The BLM rules governing advisory committees are found at 43 CFR subpart 1784.

The Council shall advise the Secretary with respect to the preparation and implementation of the management plan for the Recreation Area.

The Council will include seven members to be appointed by the Secretary of the Interior as follows:

(1) A representative of the Emery County Commission;

(2) A representative of motorized recreational users;

(3) A representative of non-motorized recreational users;

(4) A representative of grazing allotment permittees within the Recreation Area or wilderness areas designated;

(5) A representative of conservation organizations;

(6) A representative with expertise in the historical uses of the Recreation Area; and

(7) An elected leader of a federally recognized tribe that has significant cultural or historical connections to, and expertise in, the landscape, archeological sites, or cultural sites within the County.

Members will be appointed to the Council to serve three-year staggered terms.

Nominating Potential Members: Nomination forms may be obtained from the Price Field Office, (address listed above) or *https://www.blm.gov/get-involved/resource-advisory-council/near-you/Utah.* All nominations must include a completed Resource Advisory Council application (OMB Control No. 1004–0204), letters of reference from the represented interests or organizations, and any other information that speaks to the candidate's qualifications.

The specific category the nominee would be representing should be identified in the letter of nomination and on the application form.

Members of the Council serve without compensation. However, while away from their homes or regular places of business, Council members engaged in Council business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703, in the same manner as persons employed intermittently in Federal Government service.

The Council will meet approximately two to four times annually, and at such other times as designated by the Designated Federal Officer.

Authority: 43 CFR 1784.4–1.

William Perry Pendley,

Deputy Director, Policy and Programs, Exercising the Authority of the Director.

[FR Doc. 2020–01441 Filed 1–27–20; 8:45 am]

BILLING CODE 4310–DQ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[L14400000.PN0000/LXSITCOR0000/LLWO350000/20X; OMB Control Number 1004–0206]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Land Management (BLM), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to the BLM at U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Faith Bremner; or by email to *fbremner@blm.gov.* Please reference OMB Control Number 1004–0206 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Jeremy Bluma by email at *jbluma@blm.gov,* or by telephone at 208–373–3847. You may view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format. A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on October 18, 2019 (84 FR 55984). The BLM received one comment from a member of the general public, however, it is not relevant to this action.

The BLM is soliciting comments on the proposed ICR that is described below and is interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) Will this information be processed and used in a timely manner; (3) Is the estimate of burden accurate; (4) How might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) How might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: This control number enables the BLM to collect the necessary information to authorize the use of public lands for solar and wind energy, pipelines, and electric transmission lines with a capacity of 100 Kilovolts (kV) or more.

Title of Collection: Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development.

OMB Control Number: 1004–0206.

Form: SF–299.

Type of Review: Extension of a currently approved collection.

Description of Respondents: Businesses that seek authorization to use public lands for solar or wind energy development, pipelines, or electric transmission lines with a capacity of 100 Kilovolts (kV) or more.

Total Estimated Number of Annual Responses: 3,042.

Estimated Completion Time per Response: Varies from 2 to 16 hours, depending on the activity.

Total Estimated Number of Annual Burden Hours: 47,112.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: $2,180,808.

An agency may not conduct, or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq*).

Faith Bremner,

Senior Regulatory Analyst, Bureau of Land Management.

[FR Doc. 2020–01438 Filed 1–27–20; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO2200000 L10200000.PK0000; OMB Control Number 1004–0019]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Grazing Management: Range Improvement Agreements and Permits

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Land Management (BLM), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_submission@omb.eop.gov*; or via facsimile to (202) 395–5806. Please provide a copy of your comments to the BLM at U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Chandra Little, or by email to *cclittle@blm.gov*. Please reference OMB Control Number 1004–0019 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Kimberly Hackett at 202–912–7216. Persons who use a telecommunication device for the deaf may call the Federal Relay Service at 1–800–877–8339, to leave a message for Ms. Hackett.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised and

continuing collections of information. This helps to assess the impact of the BLM's information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provides the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on June 5, 2019 (84 FR 26148). No comments were received.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. 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 in your comment to the BLM to withhold your personal identifying information from public review, the BLM cannot guarantee that it will be able to do so.

The following information pertains to this request:

Abstract: Control number 1004–0019 authorizes range improvements to improve livestock grazing management, improve watershed conditions, enhance wildlife habitat on BLM lands, or serve similar purposes.

Title of Collection: Grazing Management: Range Improvements Agreements and Permits (43 CFR subpart 4120).

OMB Control Number: 1004–0019.

Forms:

- 4120–6, Cooperative Range Improvement Agreement; and
- 4120–7, Range Improvement Permit.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Holders of BLM grazing permits or grazing leases; affected individuals and households; and affected tribal, state and county agencies.

Estimated Number of Annual Responses: 1,110.

Estimated Completion Time per Response: Varies from 1 to 2 hours per response.

Estimated Number of Annual Burden Hours: 1,640.

Respondent's Obligation: Required to obtain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

An agency may not conduct or sponsor—and a person is not required to respond to—a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Chandra Little,

Bureau of Land Management, Regulatory Analyst.

[FR Doc. 2020–01451 Filed 1–27–20; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO310000/L13100000.PP0000/20X; OMB Control Number 1004–0209]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Measurement of Oil

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide your comments to the BLM at U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Chandra Little; or by email to *cclittle@blm.gov.* Please reference OMB Control Number 1004–0209 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Subijoy Dutta by email at *sdutta@blm.gov,* or by telephone at 202–912–7152. You may review the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, the BLM will provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps to assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** Notice soliciting comments on this collection of information was published on October 18, 2019 (84 FR 55980), and the comment period ended on December 17, 2019. The BLM received no comments.

The BLM is soliciting comments on the proposed ICR that is described below and is interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this Notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: This collection of information enables the BLM to ensure compliance with standards for the measurement of oil produced from Federal and Indian (except Osage Tribe) leases and compliance with pertinent statutes.

Title of Collection: Measurement of Oil.

OMB Control Number: 1004–0209.

Form: None.

Type of Review: Extension of a currently approved collection.

Description of Respondents: Businesses that participate in the production of oil from Federal and Indian (except Osage Tribe) leases.

Total Estimated Number of Annual Respondents: 11,742.

Total Estimated Number of Annual Responses: 11,742.

Estimated Completion Time per Response: Varies from 6 minutes to 80 hours, depending on activity.

Total Estimated Number of Annual Burden Hours: 5,884 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion for all except the following information collection one-time activities pertaining to equipment in operation before January 17, 2017:

- Documentation of Testing for Approval of a Coriolis Meter;
- Request to Use Alternate Oil Measurement System; and
- Testing of Alternate Oil Measurement System.

Total Estimated Annual Nonhour Burden Cost: $5,580,305.00.

An agency may not conduct, or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)

Chandra Little,

Bureau of Land Management, Acting Information Collection Clearance Officer.

[FR Doc. 2020–01440 Filed 1–27–20; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029317; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Federal Bureau of Investigation, Art Theft Program, Washington, DC

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Federal Bureau of Investigation (FBI) has completed an inventory of human remains in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the FBI. If no additional requestors come forward, transfer of control of the human remains to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the FBI at the address in this notice by February 27, 2020.

ADDRESSES: Federal Bureau of Investigation, FBI Headquarters, Attn: Supervisory Special Agent Timothy Carpenter, Art Theft Program, 935 Pennsylvania Avenue NW, Washington, DC 20535, telephone (954) 931–3670, email *artifacts@ic.fbi.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Federal Bureau of Investigation, Washington, DC. The human remains were removed from the northern New Mexico and Arizona border.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the FBI in consultation with the Fort Sill Apache Tribe of Oklahoma; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Pueblo of Acoma, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Picuris, New Mexico; and the Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona (hereafter referred to as ''The Consulted Tribes'').

History and Description of the Remains

In 2008, human remains representing, at minimum, 10 individuals were removed from somewhere on the northern New Mexico and Arizona border. The human remains were later transported to Indiana, where they remained part of a private collection of Native American antiquities and cultural heritage. In April 2014, the human remains were seized by the FBI as part of a criminal investigation. The human remains represent one young adult female, three young-to-middle age adult females, three middle-to-old age adult females, two middle-to-old age adult males, and one individual of unknown age and sex. No known individuals were identified. No associated funerary objects are present.

In May 2017, the FBI consulted with all the Indian Tribes who are recognized as aboriginal to the border region of northwest New Mexico and northeast Arizona. At this consultation, the Hopi Tribe of Arizona agreed to accept control of the human remains on behalf of all The Consulted Tribes. The Consulted Tribes concurred.

Oral traditions and archeological site analyses indicate that several populations of Ancestral Puebloan peoples inhabited this region of the New Mexico and Arizona border. Ancestral Puebloan peoples are considered to be the ancestors of contemporary Pueblo peoples, including the Hopi Tribe of Arizona.

Determinations Made by the Federal Bureau of Investigation

Officials of the Federal Bureau of Investigation have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American, based on consultation information and non-invasive/non-destructive skeletal analysis.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 10 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian Tribe.
- According to final judgments of the Indian Claims Commission or the Court of Federal Claims, the land from which the Native American human remains were removed is the aboriginal land of The Consulted Tribes.
- Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains were removed is the aboriginal land of The Consulted Tribes.
- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains may be to The Consulted Tribes.

Additional Requestors and Disposition

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Federal Bureau of Investigation, FBI Headquarters, Attn: Supervisory Special Agent Timothy Carpenter, Art Theft Program, 935 Pennsylvania Avenue NW, Washington, DC 20535, telephone (954) 931–3670, email *artifacts@ic.fbi.gov,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Consulted Tribes may proceed.

The Federal Bureau of Investigation is responsible for notifying The Consulted Tribes that this notice has been published.

Dated: November 14, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01354 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029326; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Tennessee, Department of Anthropology, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The University of Tennessee, Department of Anthropology (UTK) has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and have determined that there is a cultural affiliation between the human remains and associated funerary objects and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to UTK. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to UTK at the address in this notice by February 27, 2020.

ADDRESSES: Dr. Robert Hinde, University of Tennessee, Office of the Provost, 527 Andy Holt Tower, Knoxville, TN 37996–0152, telephone (865) 974–2445, email *rhinde@utk.edu* and *vpaa@utk.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the University of Tennessee, Department of Anthropology, Knoxville, TN. The human remains and associated funerary objects were removed from Morton County, ND; Campbell County, SD; and Lyman County, SD.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by UTK professional staff in consultation with representatives of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

History and Description of the Remains

In the summer of 1960, human remains representing, at minimum, two individuals were removed from 32MO11, the Huff site, in Morton County, ND. The excavation was directed by W. Raymond Wood under a grant from the State Historical Society of North Dakota and the National Park Service (NPS). Post-excavation, Wood transferred the human skeletal remains to the State Historical Society of North Dakota. In October 1960, Wood had Norman Paulson transfer the human skeletal remains to William Bass at the University of Kansas. In 1971, when Bass moved from Kansas to the University of Tennessee, Knoxville (UTK), he took at least two skeletal individuals from the Huff site, 32MO11, with him. The individual in Burial 1 is a female, 45 to 50 years old. The individual in Burial 3 is a female, 45 to 50 years old. (A third individual, in Burial 2, was not found at UTK during the 2017–2019 final inventory and documentation search, and it is unclear whether the State Historical Society of North Dakota ever transferred the human remains of that individual). No known individuals were identified. No associated funerary objects are present.

The Huff site, 32MO11, is considered to be a relatively short-term fortified site occupied during the Terminal Middle Missouri period. Radiocarbon dating, with a 2-sigma probability range, dates the site between A.D. 1431 and 1496 (Johnson 2007:73). The Huff site is located about 19 miles south of the town of Mandan. The Terminal Middle Missouri Period, together with the earlier Extended Middle Missouri Period and the later Heart River phase, are ''thought to represent an unbroken Mandan cultural continuum from the historically documented villages in the Heart region back to about AD 1000'' (Johnson 2007:109). Today, the Mandan are part of the Mandan, Hidatsa and Arikara Nation, known as the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

Between 1957 and 1959, human remains representing, at minimum, 41 individuals were removed from 39CA4, the Anton Rygh site, in Campbell County, SD, under the direction of Alfred W. Bowers as part of the Missouri River Basin Project. Post-excavation, Bowers transferred these human skeletal remains to the University of Idaho, Moscow. In January 1974, the Chairman of the Sociology/Anthropology Department of the University of Idaho, Moscow, Roderick Sprague, transferred the human skeletal remains to William Bass at UTK. The human skeletal remains belong to nine infants and eight children of indeterminate sex, four adolescents, and 20 adults. Three of the adolescent individuals are of indeterminate sex, and one is probably male. Of the adults, six are probably male, 10 probably female, and four are of indeterminate sex. No known individuals were identified. No associated funerary objects are present.

Site 39CA4 is a large, multi-component earth lodge village, part of the Plains Village Tradition. It is a fortified village site covering around 11–12 acres, and at least two occupations are suggested by the archeological evidence. The first occupation dates to the Extended Middle Missouri period (A.D 1000–1500), while the second

occupation dates to the Extended Coalescent (A.D. 1500–1675) and Post Contact Coalescent (A.D. 1675–1780) periods. Anthropological, archeological and biological evidence support a finding that during the Extended Middle Missouri period, this area lay within the ancestral Mandan territory, and that during the Extended Coalescent and Post Contact Coalescent periods, this area lay within the ancestral Arikara territory. Today, the Mandan and Arikara are part of the Mandan, Hidatsa and Arikara Nation, known as the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

In 1956, human remains representing, at minimum, five individuals were removed from 39CA6, the Bamble site, in Campbell County, SD, by David Baerreis, John Dallman and others from the University of Wisconsin under the Inter-Agency Salvage Program in the Missouri Basin. Post-excavation, these human skeletal remains were presumably transferred to the University of Wisconsin. At an unknown date, likely post 1956 and pre-1990s, the human skeletal remains were transferred from the University of Wisconsin to William Bass at UTK. The individual in Burial 2/1 is an adult male, 40–45 years old; the individual in Burial 2/2 is an adult female, 22–24 years old; the individual in Burial 2/3 is a newborn infant, sex indeterminate; the individual in Burial 2/4 is an adult, probably male, 35+ years old; and the individual in Burial 2/5 is an adult, probably female, 50+ years old. No known individuals were identified. The one associated funerary object is an animal bone.

At an unknown date, human remains representing, at minimum, one individual were removed from 39CA6, the Bamble site, in Campbell County, SD. This individual, a child, was not assigned a burial number. A note accompanying the human remains stated ''donated by Earl Burns.'' At an unknown date, these human remains were transferred to William Bass at UTK. This skeletal individual is a child, 2–4 years old, of indeterminate sex. No known individuals were identified. The 17 associated funerary objects are seven animal bones, eight ceramic fragments, one antler, and one rock.

Site 39CA6, the Bamble site, is a fortified village dating to the Extended Coalescent period, circa A.D. 1500–1675. Artifacts from previous excavations at the site show a mix of indigenous and European materials, such as glass beads and brass items. Burial practices include primary interments covered with wood, representative of the Akaska Focus. Based on oral tradition, archeological evidence, geographical location, historic accounts, and osteological interpretations, the people of the Extended Coalescent period are believed to be ancestral Arikara. Today, the Arikara are part of the Mandan, Hidatsa and Arikara Nation, known as the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

In 1959, human remains representing, at minimum, three individuals were removed from 39LM227, the Stricker Mound site in Lyman County, SD, by Carlyle Smith of the University of Kansas, Museum of Natural History, under a cooperative agreement with the NPS. Presumably, Smith transferred the human remains to the University of Kansas, as William Bass and Richard Jantz studied them there in 1962. In 1971, Bass transferred the human remains to UTK. The first individual is an adult male, 30–35 years old; the second individual is a newborn infant of indeterminate sex; and the third individual is an adult male, 50+ years old. No known individuals were identified. The 53 associated funerary objects are one soil sample, three animal teeth, 36 animal bone fragments, nine lithic flakes, two projectile points, one sandstone tool, and one bivalve.

According to Bass and Jantz (1965:20), the Stricker site, 39LM1, contained a burial mound later designated 39LM227. Archeological evidence places the Stricker site (39LM1) in the Extended Coalescent period (A.D. 1500–1675). Although it is unclear if the burial was contemporaneous with the settlement or a later intrusion, a projectile point found with the first individual does fit within the Extended Coalescent period. Anthropological, archeological and biological evidence support a finding that the people of the Extended Coalescent and the later Post Contact Coalescent periods in this region are ancestral Arikara. Today, the Arikara are part of the Mandan, Hidatsa and Arikara Nation, known as the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

Based on morphological features, site and burial context, and associated funerary objects, UTK has determined that the human remains in this notice are of Native American ancestry. Additionally, based upon the historical record, anthropological and archeological evidence, site analysis, osteological analysis, and tribal consultation, UTK believes that there is a relationship of shared group identity that can be reasonably traced between these Native American human remains and associated funerary objects and the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

Determinations Made by the University of Tennessee, Department of Anthropology

Officials of the University of Tennessee, Department of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 52 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 71 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Dr. Robert Hinde, University of Tennessee, Office of the Provost, 527 Andy Holt Tower, Knoxville, TN 37996–0152, telephone (865) 974–2445, email *rhinde@utk.edu* and *vpaa@utk.edu,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota, may proceed.

The University of Tennessee, Department of Anthropology is responsible for notifying the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota, that this notice has been published.

Dated: November 14, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01351 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029472; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects From the Little Bighorn Battlefield National Monument, MT in the Possession of the Little Bighorn Battlefield National Monument, National Park Service, Crow Agency, MT; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

SUMMARY: The U.S. Department of the Interior, National Park Service, Little Bighorn Battlefield National Monument has corrected an inventory of human remains and associated funerary objects, published in a Notice of Inventory Completion in the **Federal Register** on March 16, 1999. This notice corrects the cultural affiliation. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to Little Bighorn Battlefield National Monument. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to the Little Bighorn Battlefield National Monument at the address in this notice by February 27, 2020.

ADDRESSES: Wayne Challoner, Superintendent, Little Bighorn Battlefield National Monument, P.O. Box 39, Crow Agency, MT 59022, telephone (406) 638–3201, email *Wayne_Challoner@nps.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the correction of an inventory of human remains and associated funerary objects under the control of the U.S. Department of the Interior, National Park Service, Little Bighorn Battlefield National Monument, Crow Agency, MT. The human remains and associated funerary objects were removed from Little Bighorn Battlefield National Monument, Big Horn County, MT.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the Superintendent, Little Bighorn Battlefield National Monument.

This notice corrects the cultural affiliation published in a Notice of Inventory Completion in the **Federal Register** (64 FR 13034–13035, March 16, 1999). Information provided by the Cheyenne and Arapaho Tribes, Oklahoma indicated that the human remains may not represent a Cheyenne individual as originally determined. A cultural affiliation study was completed which has reasonably traced a shared group identity between the Native American human remains and associated funerary objects and the Crow Tribe of Montana. Transfer of control of the items in this correction notice has not occurred.

Correction

In the **Federal Register** (64 FR 13034, March 16, 1999), column three, paragraph one, sentence three, is corrected by substituting the following sentence:

> Lastly, officials of the National Park Service have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be traced between the Native American human remains and associated funerary objects and the Crow Tribe of Montana.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Wayne Challoner, Superintendent, Little Bighorn Battlefield National Monument, P.O. Box 39, Crow Agency, MT 59022, telephone (406) 638–3201, email *Wayne_Challoner@nps.gov,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Crow Tribe of Montana may proceed.

The Little Bighorn Battlefield National Monument is responsible for notifying the Arapaho Tribe of the Wind River Reservation, Wyoming; Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Crow Tribe of Montana; Flandreau Santee Sioux Tribe of South Dakota; Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Oglala Sioux Tribe (previously listed as the Oglala Sioux Tribe of the Pine Ridge Reservation), South Dakota; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Santee Sioux Nation, Nebraska; Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; Spirit Lake Tribe, North Dakota; Standing Rock Sioux Tribe of North Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Yankton Sioux Tribe of South Dakota; and the Upper Sioux Community, Minnesota that this notice has been published.

Dated: December 6, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01356 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029328; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: State University of New York at Buffalo, Buffalo, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The State University of New York at Buffalo has completed an inventory of human remains, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the State University of New York at Buffalo. If no additional requestors come forward, transfer of control of the human remains to the

lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the State University of New York at Buffalo at the address in this notice by February 27, 2020.

ADDRESSES: Douglas J. Perrelli, Ph.D., RPA, University at Buffalo, 380 MFAC, Ellicott Complex, Buffalo, NY 14261, telephone (716) 645–2297, email *perrelli@buffalo.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the State University of New York at Buffalo, Buffalo, NY. The human remains were removed from sites in Jefferson and Onondaga Counties, NY.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the SUNY at Buffalo professional staff in consultation with representatives of the Oneida Indian Nation (previously listed as the Oneida Nation of New York) and the Onondaga Nation.

History and Description of the Cultural Item(s)

In 1972, human remains representing, at minimum, one individual were removed from the Bolio site near Watertown, NY. The human remains were recovered during excavation of a gravel pit near the Jefferson County Highway Department building. Incorporation of the human remains into the museum's collection was not documented. The human remains include upper and lower limb fragments, rib and vertebral fragments, and bones from the pelvic region. No known individuals were identified. No associated funerary objects are present.

In 1972, human remains representing, at minimum, two individuals were removed from the Carlos site in Watertown, NY. The human remains were removed during excavations by the archeological field crew at the University at Buffalo, and were subsequently incorporated into the museum's collection. The human remains include a zygomatic fragment (small bone found on the face) and one upper central incisor from one context, and a small bone fragment found in the topsoil. Museum documents indicate the human remains date to the Late Woodland Period. No known individuals were identified. No associated funerary objects are present.

At an unknown time, human remains representing, at minimum, one individual were removed from the Denman's Island site in Onondaga County, NY. How the museum acquired these human remains is unknown. The human remains include rib fragments, fragments from bones of the feet, and other small bone fragments. Records indicate they came from a Middle-Late Woodland Camp Site. No known individuals were identified. No associated funerary objects are present.

In 1969, human remains representing, at minimum, one individual were removed from the Durham site near Rutland, NY. The human remains were recovered during a University at Buffalo field school excavation. The human remains include one molar. The molar was removed from a non-burial context. According to records, the site was a Late Woodland Iroquois village. No known individuals were identified. No associated funerary objects are present.

In 1968, human remains representing, at minimum, one individual were removed from the Ellisburg Town Barn site in Ellisburg, NY. The human remains were recovered by University at Buffalo archeologists in a surface collection during construction of the Ellisburg Town Barn. The human remains include long bone (limb) fragments and a tooth fragment. Some documents indicate the human remains may be dated prior to European contact. No known individuals were identified. No associated funerary objects are present.

In 1966, human remains representing, at minimum, eight individuals were removed from the Jamesville Lake site in Lafayette Township, NY. No documentation explaining how the University at Buffalo came to acquire these human remains exists. Some of these individuals are represented by nearly complete skeletons, while others are represented by only a small number of bones. This site dates to the late 17th century (according to James Tuck's 1971 *Onondaga Iroquois Prehistory*). No known individuals were identified. No associated funerary objects are present.

In 1972, human remains representing, at minimum, two individuals were removed from the Cronk/Morse/Dry Hill site near Watertown, NY. The human remains were recovered during test excavations by the University at Buffalo archeological field crew. The human remains include a worked skull fragment from one context, as well as a partial distal humerus, two long bone shaft fragments, a scapula, rib fragments, and other fragmented bone pieces. Records indicate the site dates from the Late Woodland through Contact Periods. No known individuals were identified. No associated funerary objects are present.

In 1968, human remains representing, at minimum, four individuals were removed from the Potocki site in Ellisburg, NY. The human remains were recovered during excavation led by University at Buffalo archeologist Marian E. White. The human remains include an almost complete skeleton documented as 'Burial 1', a number of fragmentary long bone, teeth, rib, and cranial bones labelled as 'Burial 2', a human tooth from 'Test Area 8, Unit 3' representing Burial 3, and four fragmented human teeth representing Burial 4. Museum documents indicate the site was an Iroquoian Late Woodland Village Site. Two radiocarbon dates (one from charred vegetable fragments the other from charcoal) provided dates of A.D. 1830 and 1475. No known individuals were identified. No associated funerary objects are present.

In either 1966 or 1968, human remains representing, at minimum, one individual were removed from the Whitford site in Rodman, NY. Museum records indicate that a midden was excavated at this site in 1966, and that University at Buffalo archeologist Marian E. White and a crew of other archeologists partially excavated the site in July and August of 1968. The human remains include one molar tooth crown. No known individuals were identified. No associated funerary objects are present.

The human remains from these nine sites are determined to be affiliated with the Oneida Indian Nation (previously listed as the Oneida Nation of New York) and the Onondaga Nation. Affiliation was determined by comparing precise geographic locations of each site with the 'Indian Nation Areas of Interest' map which was prepared by the New York State Historic Preservation Office in consultation with

the Indian Nations of New York State in August 2014. This determination further was supported by consultation with both nations.

Determinations Made by the State University of New York at Buffalo

Officials of the State University of New York at Buffalo have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 21 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Oneida Indian Nation (previously listed as the Oneida Nation of New York) and the Onondaga Nation.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Douglas J. Perrelli, Ph.D., RPA, University at Buffalo, 380 MFAC, Ellicott Complex, Buffalo, NY 14261, telephone 716.645.2297, email *perrelli@buffalo.edu,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Oneida Indian Nation (previously listed as the Oneida Nation of New York) and the Onondaga Nation may proceed.

The State University of New York at Buffalo is responsible for notifying the Oneida Indian Nation (previously listed as the Oneida Nation of New York) and the Onondaga Nation that this notice has been published.

Dated: November 14, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01352 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029370; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of Agriculture, Forest Service, San Juan National Forest, Durango, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Department of Agriculture, Forest Service, San Juan National Forest has completed an inventory of human remains, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the San Juan National Forest. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the San Juan National Forest at the address in this notice by February 27, 2020.

ADDRESSES: Mark Lambert, Staff Officer, San Juan National Forest, 15 Burnett Court, Durango, CO 81301, telephone (970) 385–1240, email *mark.b.lambert@usda.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the U.S. Department of Agriculture, Forest Service, San Juan National Forest, Durango, CO. The human remains and associated funerary objects were removed from the Falls Creek Rock Shelters (5LP1434), on lands managed by the Forest Service in the Animas Valley, North of Durango, La Plata County, CO.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the San Juan National Forest, La Plata County Historical Society, and Fort Lewis College professional staff in consultation with representatives of the Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Kewa Pueblo, New Mexico (previously listed as the Pueblo of Santo Domingo); Navajo Nation, Arizona, New Mexico & Utah; Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana., New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Ute Tribe (previously listed as the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah); and the Zuni Tribe of the Zuni Reservation, New Mexico (hereafter referred to as ''The Consulted Tribes'').

History and Description of the Remains

In 1936, human remains representing, at minimum, three individuals were removed from the Falls Creek Rock Shelters (5LP1434) in La Plata County, CO. The human remains were collected by the National Youth Administration, under the direction of Helen Daniels, at the South Shelter of the Falls Creek Rock Shelters in June 1936. The human remains remained in Daniels' possession until they were donated to the La Plata County Historical Society in 1989. The La Plata County Historical Society completed a NAGPRA inventory in 2018, and identified three individuals from the Falls Creek Rock Shelters. In 2018, physical transfer of the human remains to the San Juan National Forest took place. Individual 1 is an infant of about 2 months of age (range 1–3 months). Individual 2 is an adult (18+ years), sex indeterminate. Individual 3 is an infant aged 5–7 months. No known individuals were identified. No associated funerary objects are present.

The Falls Creek Rock Shelters have been identified as a Basketmaker II habitation site, with the main occupation occurring between 300 B.C. and A.D. 400, based upon tree-ring dates. The preponderance of evidence derived from the archeological, biological, oral traditions, and

geographic lines of evidence indicate that the Basketmaker II populations of the Durango/Upper Animas District, in Southwest Colorado are culturally affiliated with the modern Puebloan people (Coleman 2013, 12), represented by the Hopi Tribe of Arizona; Kewa Pueblo, New Mexico (formerly Pueblo of Santo Domingo); Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana., New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Ysleta del Sur Pueblo (previously listed as the Ysleta Del Sur Pueblo of Texas); and the Zuni Tribe of the Zuni Reservation, New Mexico (hereafter referred to as ''The Affiliated Tribes'').

This cultural determination is based upon an extensive review of published and unpublished information, including information provided by Indian Tribes during consultations conducted between 1995 and 2015 and archeological evidence consisting of chronological data, artifacts, and rock art. In addition, recent DNA research, as well as Hopi and Zuni oral traditions, demonstrate an affiliation between Basketmaker II populations and modern Puebloans.

Determinations Made by the U.S. Department of Agriculture, Forest Service, San Juan National Forest

Officials of the U.S. Department of Agriculture, Forest Service, San Juan National Forest have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and The Affiliated Tribes.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Mark Lambert, Staff Officer, San Juan National Forest, 15 Burnett Court, Durango, CO 81301, telephone (970) 385–1240, email *mark.b.lambert@usda.gov,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Affiliated Tribes may proceed.

The U.S. Department of Agriculture, Forest Service, San Juan National Forest, is responsible for notifying The Consulted Tribes and The Affiliated Tribes that this notice has been published.

Dated: November 22, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01353 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–VRP–OPH–NPS0028014; PPWOVPADH0, PPMPRHS1Y.Y00000 (200); OMB Control Number 1024–NEW]

Agency Information Collection Activities; National Park Service, Office of Public Health, Disease Reporting and Surveillance Forms

AGENCY: National Park Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the National Park Service (NPS) are proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov*; or by facsimile at 202–395–5806. Please provide a copy of your comments to Phadrea Ponds, Acting, Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive, Fort Collins, CO 80525; or by email at *phadrea_ponds@nps.gov.* Please reference OMB Control Number 1024–DRSS in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR contact Maria Said, U.S. Public Health Service Epidemiology Branch Chief, Office of Public Health, National Park Service 1849 C Street NW, Room 2543, Mailstop 2560, Washington, DC 20240; or by phone at (202) 513–7151 or by email at *maria_said@nps.gov.* Please reference OMB Control Number 1024–DRSS in the subject line of your comments. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

On December 15, 2016, we published a **Federal Register** notice soliciting comments on this collection of information for 60 days, ending on February 13, 2017 (81 FR 90867). We received one request by phone, from the Senior Attorney Advisor with the Office of Legal Counsel, U.S. Equal Employment Opportunity Commission on December 30, 2016. The request was to review the forms and supporting statement associated with this proposed information collection. We responded on January 12, 2017 that the package was still under development. Once the surveys were complete, we responded to request feedback on the final instrument; however, we did not receive a reply, despite several follow-up attempts.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the NPS, (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the NPS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the NPS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to

withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The NPS Organic Act of 1916 (54 U.S.C. 100101 *et seq.*) and the Public Health Service Act (42 U.S. Code Chapter 6A) give the NPS broad authority to collect information in an effort to protect and promote visitor health across the National Parks. Each year, the NPS Office of Public Health (OPH) responds to multiple service-wide incidents involving human disease transmission within the park system. Many of these incidents involve the spread of gastrointestinal illness and are thought to be attributable to norovirus, which is a common and highly contagious virus spread through contaminated food or water, from person-to-person, or by contaminated surfaces, etc. In the event of illness incidents, public health responders also consider and investigate the possibility of other etiological agents. The Disease Reporting and Surveillance System (DRSS) will provide information on the symptoms, duration, and location of illness, which allows public health workers to work rapidly and appropriately to address the incidents.

This is a request to approve two forms currently in use without a valid OMB control number. The Concession Employee Illness Reporting and Tour Vehicle Passenger Illness Reporting forms have been in use in Yellowstone National Park (YELL) since 2008. We are now requesting approval to use these forms at Yellowstone, Grand Teton (GRTE) and Glacier (GLAC) National Parks because visitors tend to visit these three parks in succession during a single trip.

Title of Collection: National Park Service Office of Public Health Disease Reporting and Surveillance Forms.

OMB Control Number: 1024–NEW.

Form Number: None.

Type of Review: New.

Respondents/Affected Public: Individuals/households and private sector.

Total Estimated Number of Annual Respondents: 390.

Total Estimated Number of Annual Responses: 390.

Estimated Completion Time per Response: Concession Employee Illness: 10 minutes; *Tour Vehicle Passenger Illness:* 15 minutes.

Total Estimated Number of Annual Burden Hours: 73.

Respondent's Obligation: Voluntary.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

Form	Number of completed forms	Estimated burden per respondent (minutes)	Total annual burden (hours)
Concession Employee Illness	300	10	50
Tour Vehicle Passenger Illness	* 90	15	23
Total	390	.....	73

* 30 forms per park (YELL, GLAC, GRTE).

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Phadrea Ponds,

Acting, NPS Information Collection Clearance Officer, National Park Service.

[FR Doc. 2020–01386 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029471; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Lake Meredith National Recreation Area, Fritch, TX; Correction; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

SUMMARY: The U.S. Department of the Interior, National Park Service, Lake Meredith National Recreation Area has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and associated funerary objects and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to Lake Meredith National Recreation Area. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Lake Meredith National Recreation Area at the address in this notice by February 27, 2020.

ADDRESSES: Eric Smith, Superintendent, Lake Meredith National Recreation Area, P.O. Box 1460, Fritch, TX 79036, telephone (806) 857–0300, email *eric_smith@nps.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the U.S. Department of the Interior, National Park Service, Lake Meredith National Recreation Area, Fritch, TX. The human remains and associated funerary objects were removed from sites in Potter County, TX.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the Superintendent, Lake Meredith National Recreation Area.

This notice corrects the minimum number of individuals, number of associated funerary objects, cultural affiliation, and one site number reported in two previously published notices: Notice of Inventory Completion (66 FR

32845–32846, June 18, 2001); and corrected Notice of Inventory Completion (82 FR 33512–33513, July 20, 2017). This notice replaces both the original Notice of Inventory Completion of June 18, 2001 and the corrected Notice of Inventory Completion of July 20, 2017. It was discovered during preparation for repatriation that some associated funerary objects had been inadvertently omitted from the published notices, one site number had been incorrectly recorded in the June 2001 notice, and one individual was described in both the June 2001 notice and a 2018 Notice of Inventory Completion (83 FR 04250–04251, January 30, 2018). Additional information received during later consultations and site visits resulted in a change to the determination of cultural affiliation. Transfer of control of the items in this correction notice has not occurred.

Consultation

A detailed assessment of the human remains was made by Lake Meredith National Recreation Area professional staff in consultation with representatives of the Caddo Nation of Oklahoma; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); Comanche Nation, Oklahoma; Kiowa Indian Tribe of Oklahoma; Pawnee Nation of Oklahoma; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma; and the Cohuiltecan Nation, a non-federally recognized Indian group.

History and Description of the Remains

In 1961, human remains representing, at minimum, one individual were removed from State Site 41PT12 in Potter County, TX, during a legally authorized survey of the area then under the management of the U.S. Department of the Interior, Bureau of Reclamation. No known individuals were identified. No associated funerary objects are present. Items found elsewhere at the site indicate that these human remains probably were buried during the Late Prehistoric period (A.D. 900–1700).

In 1964, human remains representing, at minimum, 43 individuals were removed from the Footprint site in Potter County, TX, then under the management of the U.S. Department of the Interior, Bureau of Reclamation, during a legally authorized excavation by F.E. Green of Texas Tech University. No known individuals were identified. The 928 associated funerary objects are two pots, 70 shell beads, 11 knives or knife fragments, 14 awls, two shell pendants, one pipe, 417 pieces of debitage, three stones, five flakes, seven bones, 155 bone scraps, 54 sherds, 40 pieces of daub, one piece of ochre, one worked shell, 70 charcoal samples, four soil samples, one chopper, one mano fragment, two bifaces, one uniface, five projectile points, one basketry fragment, nine worked bones, two shell gorgets, 13 worked flakes, 35 unworked bones, and one wood sample. The associated funerary objects indicate that these human remains were probably buried during the Antelope Creek Focus of the Plains Village-Panhandle Aspect (A.D. 1100–1400).

On March 15, 1965, Lake Meredith National Recreation Area, then called Sanford National Recreation Area, came under the joint administration of the Bureau of Reclamation and the National Park Service. Control of the collections recovered prior to that date has been assumed by the National Park Service.

In June 1969, human remains representing, at minimum, four individuals were removed from Blue Creek Site in Potter County, TX, during legally authorized excavations by the Texas Archaeological Society. No known individuals were identified. The 266 associated funerary objects are three flakes, one bone scrap, two mineral specimens, 253 sherds, three pebbles, three projectile points, and one bone artifact. The associated funerary objects indicate that these human remains were probably buried during the Plains Village-Panhandle Aspect (A.D. 1100–1400).

Archeological information indicates a continuous occupation of the Texas panhandle area from A.D. 1 through the Plains Village-Panhandle Aspect. Wichita oral tradition links these earlier populations with the Escanxaques, or Iscani people, a constituent band of the present-day Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma. Anthropological literature, archeological data, and tribal oral histories identify these peoples as being predecessors to the Pawnee Nation of Oklahoma and Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma.

Determinations Made by the U.S. Department of Interior, National Park Service, Lake Meredith National Recreation Area

Officials of U.S. Department of Interior, National Park Service, Lake Meredith National Recreation Area have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 48 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 1,194 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Pawnee Nation of Oklahoma and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Eric Smith, Superintendent, Lake Meredith National Recreation Area, P.O. Box 1460, Fritch, TX 79036, telephone (806) 857–0300, email *eric_smith@nps.gov,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Pawnee Nation of Oklahoma and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma may proceed.

The U.S. Department of the Interior, National Park Service, Lake Meredith National Recreation Area is responsible for notifying the Caddo Nation of Oklahoma; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); Comanche Nation, Oklahoma; Kiowa Indian Tribe of Oklahoma; Pawnee Nation of Oklahoma; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma; and Cohuiltecan Nation, a non-federally recognized Indian group, that this notice has been published.

Dated: December 6, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01355 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0029473; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Gulf Islands National Seashore, Gulf Breeze, FL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Department of the Interior, National Park Service, Gulf Islands National Seashore has completed an inventory of human remains and associated funerary objects in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and associated funerary objects and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to Gulf Islands National Seashore. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Gulf Islands National Seashore at the address in this notice by February 27, 2020.

ADDRESSES: Daniel Brown, Superintendent, Gulf Islands National Seashore, 1801 Gulf Breeze Parkway, Gulf Breeze, FL 32563–5000, (850) 934–2613, email *daniel_r_brown@nps.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the U.S. Department of the Interior, National Park Service, Gulf Islands National Seashore, Gulf Breeze, FL. The human remains and associated funerary object were removed from sites in Santa Rosa County, FL.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the Superintendent, Gulf Islands National Seashore.

Consultation

A detailed assessment of the human remains was made by Gulf Islands National Seashore professional staff in consultation with representatives of the Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)) and The Seminole Nation of Oklahoma. The Miccosukee Tribe of Indians was invited to consult but did not participate.

History and Description of the Remains

In 1973, human remains representing, at minimum, one individual were removed from the Boy Scout Water site in Santa Rosa County, FL during archeological survey. No known individuals were identified. No associated funerary objects are present.

Between 1973 and 1979, human remains representing, at minimum, one individual were removed from the First Gulf Breeze site in Santa Rosa County, FL, during archeological survey and testing. No known individuals were identified. The one associated funerary object is a vessel fragment.

In 1980, human remains representing, at minimum, one individual were removed from the Big Heart West site in Santa Rosa County, FL during archeological survey and testing. No known individuals were identified. No associated funerary objects are present.

In 1986, human remains representing, at minimum, two individuals were removed from the base of an overturned tree by a park visitor in the Naval Live Oaks area of Gulf Islands National Seashore in Santa Rosa County, FL. No known individuals were identified. No associated funerary objects are present.

In 1986, human remains representing, at minimum, one individual were removed from the Third Gulf Breeze site in Santa Rosa County, FL, during construction monitoring. No known individuals were identified. No associated funerary objects are present.

Determinations Made by the U.S. Department of the Interior, National Park Service, Gulf Islands National Seashore

Officials of the U.S. Department of the Interior, National Park Service, Gulf Islands National Seashore have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on removal from known Native American sites and osteological analyses.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of six individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the one object described in this notice is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. The National Park Service intends to convey the associated funerary object to the Tribes pursuant to 54 U.S.C. 102503(g) through (i) and 54 U.S.C. 102504.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and associated funerary object and any present-day Indian Tribe.
- According to final judgments of the Indian Claims Commission or the Court of Federal Claims, the land from which the Native American human remains and associated funerary object were removed is the aboriginal land of the Miccosukee Tribe of Indians; Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)); and The Seminole Nation of Oklahoma.
- Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains and associated funerary object were removed is the aboriginal land of the Miccosukee Tribe of Indians; Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)); and The Seminole Nation of Oklahoma.
- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains and associated funerary object may be to the Miccosukee Tribe of Indians; Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)); and The Seminole Nation of Oklahoma.

Additional Requestors and Disposition

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary object should submit a written request with information in support of the request to Daniel Brown, Superintendent, Gulf Islands National Seashore, 1801 Gulf Breeze Parkway, Gulf Breeze, FL 32563–5000, (850) 934–

2613, email *daniel_r_brown@nps.gov,* by February 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary object to the Miccosukee Tribe of Indians; Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)); and The Seminole Nation of Oklahoma may proceed.

The U.S. Department of the Interior, National Park Service, Gulf Islands National Seashore is responsible for notifying the Miccosukee Tribe of Indians; Seminole Tribe of Florida (previously listed as the Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations)); and The Seminole Nation of Oklahoma that this notice has been published.

Dated: December 6, 2019.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2020–01357 Filed 1–27–20; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Office of Natural Resources Revenue

[Docket No. ONRR–2012–0006; DS63644000 DRT000000.CH7000 201D1113RT; OMB Control Number 1012–0005]

Agency Information Collection Activities: Submission to the Office of Management and Budget for Review and Approval; Federal Oil and Gas Valuation

AGENCY: Office of the Secretary, Office of Natural Resources Revenue, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Natural Resources Revenue (ONRR) are proposing to renew an information collection. ONRR seeks renewed authority to collect information pertaining to the Federal oil and gas valuation regulations, which include transportation and processing regulatory allowance limits, and the accounting and auditing relief for marginal properties. Also, for certain time periods, there is one form (ONRR–4393 (Request to Exceed Regulatory Allowance Limitation)) associated with this information collection.

DATES: Interested persons are invited to submit comments on or before February 27, 2020.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email to *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to Mr. Luis Aguilar, Regulatory Specialist, ONRR, P.O. Box 25165, MS 64400B, Denver, Colorado 80225–0165, or by email to *Luis.Aguilar@onrr.gov.* Please reference ''OMB Control Number 1012–0005'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Mr. Peter Christnacht, Royalty Valuation, ONRR, telephone at (303) 231–3651, or email to *Peter.Christnacht@onrr.gov.* You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We published a **Federal Register** notice, with a 60-day public comment period soliciting comments on this collection of information on September 23, 2019 (84 FR 49760). During the 60-day period, we specifically reached out to five companies impacted by this ICR to request input. In response to the outreach, we received three responsive comments.

The first comment we received stated:

I have read this notice and agree with the burden hours.

The second comment we received stated:

We have read this notice and agree with the burden hours.

The third comment we received stated:

We do not disagree with the burden hours, and do not have anything further to add.

Once again, we are soliciting comments on this proposed ICR that is described below. We are especially interested in public comment addressing the following issues mentioned in the Office of Management and Budget (OMB) regulations at 5 CFR 1320.8(d)(1): (1) Is the collection necessary to execute ONRR's proper functions; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden hours accurate; (4) how might ONRR enhance the quality, usefulness, and clarity of the information collected; and (5) how might ONRR minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your Personally Identifiable Information (PII), such as your address, phone number, email address, or other PII in your comment(s), you should be aware that your entire comment, including PII, may be made available to the public at any time. While you can ask us, in your comment, to withhold your PII from public view, we cannot guarantee that we will be able to do so. We also will post this ICR at *https://www.onrr.gov/Laws_R_D/FRNotices/ICR0136.htm.*

Abstract

The Secretary of the United States Department of the Interior is responsible for mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). Under various laws, the Secretary's responsibility is to (1) manage mineral resources production from Federal and Indian lands and the OCS; (2) collect the royalties and other mineral revenues due; and (3) distribute the funds collected. We have posted the laws pertaining to mineral leases on Federal and Indian lands and the OCS at *http://www.onrr.gov/Laws_R_D/PubLaws/index.htm.*

The Secretary also has a trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. ONRR performs the mineral revenue management functions for the Secretary and assists the Secretary in carrying out the Department's trust responsibility for Indian lands.

General Information

When a company or an individual enters into a lease to explore, develop, produce, and dispose of minerals from Federal or Indian lands, that company or individual agrees to pay the lessor a share of the value of production from the leased lands. The lessee, or their designee, must report various kinds of information, related to the disposition of the leased minerals, to the lessor. Such information is generally available within the records of the lessee or others involved in developing, transporting, processing, purchasing, or selling such minerals.

You can find the information collections covered in this ICR at title 30 of the *Code of Federal Regulations* (CFR) parts:

- 1202, subparts C and D, which pertain to Federal oil and gas royalties.
- 1204, subpart C, which pertains to accounting and auditing relief for marginal properties.
- 1206, subparts C and D, which pertain to Federal oil and gas product valuation.

Information Collections

ONRR, acting for the Secretary, uses the information we collect to ensure that lessees accurately value and appropriately pay all royalties based on the oil and gas produced from Federal onshore and offshore leases. ONRR and other Federal government entities, including the Bureau of Land Management and the State governmental entities, use the information for audit purposes and for evaluating the reasonableness of product valuation or allowance claims that lessees submit. Please refer to the *Data* section for the estimated total burden hours.

A. Federal Oil and Gas Valuation Regulations

The valuation regulations at 30 CFR part 1206, subparts C and D, mandate that lessees collect and submit information used to value their Federal oil and gas, including (1) transportation and processing allowances and (2) regulatory allowance limit information. Lessees report certain data on the *Report of Sales and Royalty Remittance* (form ONRR–2014, OMB Control Number 1012–0004–*Royalty and Production Reporting*). The information that we request is the minimum necessary to carry out our mission and places the least possible burden on respondents. If ONRR does not collect this information, both Federal and State governments may incur a loss of royalties.

Transportation and Processing Regulatory Allowance Limits: Lessees may deduct the reasonable, actual costs of transportation and processing from Federal royalties. The lessees report these allowances on form ONRR–2014. For oil and gas, regulations establish the allowable limit on transportation allowance deductions at 50 percent of the value of the oil or gas. For gas only, regulations establish the allowable limit on processing allowance deductions at 66⅔ percent of the value of each gas plant product.

Request to Exceed Regulatory Allowance Limitation, form ONRR–4393: For certain time periods, lessees may request to exceed the regulatory limits for a transportation allowance, processing allowance, or both. Upon proper application from the lessee, ONRR may approve oil or gas transportation allowances in excess of 50 percent or gas processing allowances in excess of 66⅔ percent on Federal leases. Lessees must complete and submit form ONRR–4393, including a letter and supporting documentation, for both Federal and Indian leases to request to exceed allowance limitations. This ICR covers only Federal leases; therefore, we have not included burden hours of form ONRR–4393 for Indian leases in this ICR. We include burden hours for Indian oil and gas leases in OMB Control Number 1012–0002.

B. Accounting and Auditing Relief for Marginal Properties

In 2004, we amended our regulations to comply with section 7 of the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996. These regulations provide guidance for lessees and designees seeking accounting and auditing relief for qualifying Federal marginal properties. Under the regulations, both ONRR and the State concerned must approve any accounting and auditing relief granted for a marginal property.

OMB Approval

We will request OMB approval to continue to collect, from companies, lessees, and designees, information used (1) to value their Federal oil and gas, including transportation and processing allowances, and (2) to request accounting and auditing relief approval for qualifying Federal marginal properties. Not collecting this information will limit the Secretary's ability to discharge fiduciary duties and may also result in the loss of royalty payments. We protect the proprietary information that we receive and do not collect items of a sensitive nature.

ONRR requires that lessees respond to information collections relating to valuing Federal oil and gas, including (a) transportation and processing allowances and (b) the request to exceed regulatory allowance limit information (form ONRR–4393). ONRR also requires that lessees submit the allowance information to obtain benefits for claiming allowances on form ONRR–2014. In addition, ONRR requires lessees to respond to information collections in regard to requesting approval for accounting and auditing relief.

Data

Title of Collection: Federal Oil and Gas Valuation—30 CFR parts 1202, 1204 and 1206.

OMB Control Number: 1012–0005.

Form Number: ONRR–4393.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Businesses.

Total Estimated Number of Annual Respondents: 120 Federal lessees/designees and 7 States for Federal oil and gas.

Total Estimated Number of Annual Responses: 143.

Estimated Completion Time per Response: The average completion time is 70.06 hours per response. The average completion time calculated by dividing the total estimated burden hours (10,018) by the estimated annual responses (143).

Total Estimated Number of Annual Burden Hours: 10,018 hours.

Respondent's Obligation: Submission of lessees' information used for valuing Federal oil and gas, including transportation and processing allowances, to ONRR is mandatory. Lessees and designees requesting accounting and auditing relief for qualifying Federal marginal properties is required to obtain or retain a benefit.

Frequency of Collection: Annually and on occasion.

Total Estimated Annual Nonhour Burden Cost: We have identified no ''nonhour'' cost burden associated with this collection of information.

We have not included in our estimates certain requirements that companies perform in the normal course of business and that ONRR considers usual and customary.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq*).

Gregory J. Gould,

Director, Office of Natural Resources Revenue.

[FR Doc. 2020–01360 Filed 1–27–20; 8:45 am]

BILLING CODE 4335–30–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1132]

Certain Motorized Vehicles and Components Thereof; Notice of Commission Decision To Review in Part a Final Initial Determination Finding a Violation of Section 337; Schedule for Filing Written Submissions; Extension of the Target Date for Completion of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part a final initial determination (''FID'') of the presiding administrative law judge (''ALJ'') finding a violation of section 337 of the Tariff Act of 1930, as amended. The Commission also extends the target date for completion of this investigation by five business days to March 20, 2020.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–4716. 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 at *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 September 13, 2018, based on a complaint, as amended, filed by FCA US LLC of Auburn Hills, Michigan (''Complainant''). *See* 83 FR 46517 (Sept. 13, 2018). The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain motorized vehicles and components thereof by reason of: (1) Infringement of U.S. Trademark Registration Nos. 4,272,873; 2,862,487; 2,161,779; 2,794,553; and 4,043,984 (collectively, ''the registered trademarks''); (2) trademark dilution and unfair competition in violating the complainant's common law trademark rights; and (3) trade dress infringement. *See id.* The notice of investigation names Mahindra & Mahindra Ltd. of Mumbai, India and Mahindra Automotive North America, Inc. of Auburn Hills, Michigan (collectively, ''Respondents'') as respondents in this investigation. *See id.* The Office of Unfair Import Investigations is also a party to this investigation. *See id.*

On November 8, 2019, the ALJ issued the FID finding a violation of section 337. Specifically, the FID finds that Respondents' Roxor vehicle infringes Complainant's asserted trade dress but not its registered trademarks. The FID also finds that the domestic industry requirement is satisfied. The RD recommends that the Commission issue a limited exclusion order barring entry of Respondents' articles that infringe the asserted trade dress and a cease and desist order against Respondents. In addition, the RD recommends that the Commission set a bond during the period of Presidential review at ten percent on unassembled Roxor components or one percent on the finished Roxor vehicle.

The Commission has determined to review the FID in part. Specifically, the Commission has determined to review the FID's findings with respect to the validity and infringement of the asserted trade dress, as well as importation findings relating to Complainant's trade dress infringement claim. With respect to Complainant's claim of infringement of its registered trademarks, the Commission has determined to review the FID's findings on infringement and domestic industry. The Commission has further determined not to review the remainder of the FID.

The Commission has also determined to extend the target date by five business days to March 20, 2020.

At this time, the Commission does not request briefing from the parties on the issues under review. The Commission is requesting briefing on the issues of remedy, the public interest, and bonding solely with respect to Complainant's trade dress infringement claim.

In connection with the final disposition of this investigation, the Commission may (1) issue an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in the respondent(s) being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, *see Certain Devices for Connecting Computers via Telephone Lines,* Inv. No. 337–TA–360, USITC Pub. No. 2843 (Dec. 1994) (Comm'n Op.).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve, disapprove, or take no action the Commission's determination. *See* Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should also address the recommended determination by the ALJ on remedy and bonding. Complainant is also requested to submit proposed remedial orders for the Commission's consideration with its initial written submission. Complainant is further requested to state the HTSUS numbers

under which the accused products are imported, and to supply the names of known importers of the products at issue in this investigation.

Written submissions and proposed remedial orders must be filed no later than close of business on February 7, 2020. Reply submissions must be filed no later than the close of business on February 14, 2020 and must be limited to issues raised in the initial written submissions. No further submissions on any of these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number (''Inv. No. 337–TA–1132'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf*). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[1] solely for cybersecurity purposes. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: January 22, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–01375 Filed 1–27–20; 8:45 am]

BILLING CODE 7020–02–P

[1] All contract personnel will sign appropriate nondisclosure agreements.

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–502 and 731–TA–1227 (Review)]

Steel Concrete Reinforcing Bar From Mexico and Turkey; Notice of Commission Determination To Conduct Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty order on steel concrete reinforcing bar from Mexico and the countervailing duty order on steel concrete reinforcing bar from Turkey would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date.

DATES: January 6, 2020.

FOR FURTHER INFORMATION CONTACT: Lawrence Jones ((202) 205–3358), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. 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. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On January 6, 2020, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)). The Commission found that both the domestic and respondent interested party group responses to its notice of institution (84 FR 52126, October 1, 2019) were adequate. A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements are available from the Office of the Secretary and at the Commission's website.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: January 23, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–01406 Filed 1–27–20; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1125]

Certain Height-Adjustable Desk Platforms and Components Thereof Issuance of a General Exclusion Order and Cease and Desist Orders; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to issue a general exclusion order (''GEO'') prohibiting the unlicensed importation of platforms that sit on an existing desk or work surface and can be adjusted to different heights that infringe one or more of claims 1–2, 4, and 10–11 of U.S. Patent No. 9,113,703 (''the '703 patent''); claims 11, 16, 18, and 22–26 of U.S. Patent No. 9,277,809 (''the '809 patent''); claims 1, 4–5, 11–12, 26, and 33–36 of U.S. Patent No. 9,554,644 (''the '644 patent''); and claims 20–21 and 40–50 of U.S. Patent No. 9,924,793 (''the '793 patent''); and cease and desist orders (''CDO'') against certain respondents that had not participated in the above-captioned investigation. The investigation is terminated in its entirety.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General

Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2392. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's Electronic Docket Information System (''EDIS'') (*https://edis.usitc.gov*). Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: On July 30, 2018, the Commission instituted this investigation based on a complaint and supplements thereto filed on behalf of Varidesk LLC (''Varidesk'') of Coppell, Texas. 83 FR 36621 (July 30, 2018). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain height-adjustable desk platforms and components thereof by reason of infringement of one or more claims of the '703, the '809, the '644, and the '793 patents. *Id.* The complaint further alleges that an industry in the United States exists as required by section 337. *Id.*

The Commission's notice of investigation named thirty-one respondents: (1) Albeit LLC of San Francisco, California (''Albeit''); (2) ATC Supply LLC of Plainfield, Illinois (''ATC Supply''); (3) Shenzhen Atc Network Scienology CO., LTD. of Guangdong, China (''Shenzhen ATC''); (4) Best Choice Products of Ontario, California (''Best Choice''); (5) Huizhou Chang He Home Supplies Co., Ltd. of Guangdong, China (''Chang He''); (6) Dakota Trading, Inc. of Emerson, New Jersey (''Dakota''); (7) Designa Inc. of Guangdong, China (''Designa''); (8) Designa Group, Inc. of El Dorado Hills, California (''Designa Group''); (9) Eureka LLC of El Dorado Hills, California (''Eureka''); (10) LaMountain International Group LLC of Elk Grove, California (''LaMountain''); (11) Amazon Import Inc. of El Monte, California (''Amazon Imports''); (12) Hangzhou Grandix Electronics Co., Ltd. of Zhejiang, China (''Grandix''); (13) Ningbo GYL International Trading Co., Ltd. of Zhejiang, China (''Ningbo GYL''); (14) Knape & Vogt Manufacturing Co. of Grand Rapids, Michigan (''Knape & Vogt''); (15) JV Products Inc. of Milpitas, California (''JV Products''); (16) Vanson Distributing, Inc. of Milpitas, California (''Vanson Distributing''); (17) Vanson Group, Inc. of Milpitas, California (''Vanson Group''); (18) S.P. Richards Co. DBA Lorell of Smyrna, Georgia (''Lorell''); (19) Nantong Jon Ergonomic Office Co., Ltd. of Jiangsu, China (''Nanotong Jon''); (20) Jiangsu Omni Industrial Co., Ltd. of Jiangsu, China (''Jiangsu Omni''); (21) OmniMax USA, LLC of Anna, Texas (''OmniMax USA''); (22) Haining Orizeal Import and Export Co., Ltd. of Zhejiang, China (''Haining Orizeal''); (23) Qidong Vision Mounts Manufacturing Co., Ltd. of Jiangsu, China (''Vision Mounts''); (24) Hangzhou KeXiang Keji Youxiangongsi of Hangzhou, China (''Hangzhou KeXiang''); (25) Smugdesk, LLC of La Puente, California (''Smugdesk''); (26) Venditio Group, LLC of Elkton, Florida (''Venditio''); (27) Versa Products Inc. of Los Angeles, California (''Versa''); (28) Victor Technology, LLC of Bolingbrook, Illinois (''Victor''); (29) CKnapp Sales, Inc. DBA Vivo of Goodfield, Illinois (''Vivo''); (30) Wuhu Xingdian Industrial Co., Ltd. of Anhui, China (''Wuhu Xingdian''); and (31) Wuppessen, Inc. of Ontario, California (''Wuppessen''). *Id.* The Office of Unfair Import Investigations (''OUII'') was also named as a party in this investigation. *Id.*

During the course of the investigation, Varidesk settled with the following respondents: Venditio, Jiangsu Omni, OmniMax USA, Knape & Vogt, Wuppessen, Victor, Versa, Designa, Designa Group, Eureka, Chang He, Vision Mounts, Vivo, Nanotong Jon, Best Choice, Grandix, Hangzhou KeXiang, Lorell, and Dakota. Order No. 7, *unreviewed,* Notice (Sept. 18, 2018); Order No. 11, *unreviewed,* Notice (Sept. 25, 2018); Order No. 12, *unreviewed,* Notice (Oct. 4, 2018); Order No. 13, *unreviewed,* Notice (Oct. 4, 2018); Order No. 16, *unreviewed,* Notice (Nov. 9, 2018); Order No. 18, *unreviewed,* Notice (Nov. 29, 2018); Order No. 20, *unreviewed,* Notice (Feb. 21, 2019); Order No. 23, *unreviewed,* Notice (Mar. 12, 2019); Order No. 25, *unreviewed,* Notice (Apr. 5, 2019); Order No. 31, *unreviewed,* Notice (May 16, 2019). In addition, the investigation terminated as to LaMountain based on a consent order stipulation. Order No. 15, *unreviewed,* Notice (Oct. 22, 2018). The investigation has also previously terminated as to certain claims of each asserted patent. Order No. 30, *unreviewed,* Notice (May 13, 2019).

On April 11, 2019, Varidesk moved for summary determination of a violation of section 337 as to the remaining eleven respondents, who were served with a copy of the complaint, but had not filed a response or participated in the investigation. On April 24, 2019, Varidesk filed a supplement to the motion. The remaining respondents (collectively, ''the Non-Participating Respondents'') are: (1) Albeit, (2) ATC Supply, (3) Shenzhen ATC, (4) Amazon Imports, (5) Ningbo GYL, (6) JV Products, (7) Vanson Distributing, (8) Vanson Group, (9) Haining Orizeal, (10) Smugdesk, and (11) Wuhu Xingdian. On April 26, 2019, OUII filed a response supporting Varidesk's motion in substantial part.

On September 13, 2019, the presiding administrative law judge (''ALJ'') issued an initial determination (''ID'') (Order No. 33), and a recommended determination (''RD'') on remedy and bonding. The ID granted the motion in part. Specifically, the ALJ found, *inter alia,* (1) that Varidesk established the importation requirement as to each Non-Participating Respondent, except for Haining Orizeal; (2) that Varidesk established infringement as to all accused products and all remaining asserted claims (claims 1–2, 4, and 10–11 of the '703 patent; claims 11, 16, 18, and 22–26 of the '809 patent; claims 1, 4–5, 11–12, 26, and 33–36 of the '644 patent; and claims 20–21 and 40–50 of the '793 patent); and (3) that Varidesk satisfied the domestic industry requirement for each asserted patent. In addition, the ALJ recommended that the Commission issue a general exclusion order and impose a 100 percent bond during the period of Presidential review. The ALJ also recommended that the Commission not issue cease and desist orders directed to the Non-Participating Respondents.

On October 29, 2019, the Commission determined not to review the ID. 84 FR 59417 (Nov. 4, 2019). The Commission's determination resulted in finding a violation of section 337 as to Albeit, ATC Supply, Shenzhen ATC, Amazon Imports, Ningbo GYL, JV Products, Vanson Distributing, Vanson Group, Smugdesk, and Wuhu Xingdian, but not as to Haining Orizeal. *See id.* The Commission also requested written submissions on remedy, the public interest, and bonding. *See id.* On November 13, 2019, Varidesk and OUII submitted their briefs on remedy, the public interest, and bonding. Varidesk further filed a response brief on November 20, 2019.

The Commission has determined that the appropriate remedy in this investigation is: (1) A GEO prohibiting the unlicensed importation of platforms that sit on an existing desk or work surface and can be adjusted to different heights that infringe one or more of claims 1–2, 4, and 10–11 of the '703 patent; claims 11, 16, 18, and 22–26 of the '809 patent; claims 1, 4–5, 11–12, 26, and 33–36 of the '644 patent; and claims 20–21 and 40–50 of the '793 patent; and (2) CDOs prohibiting respondents Albeit, ATC Supply, Amazon Import, JV Products, Vanson Distributing, Vanson Group, and Smugdesk from further importing, selling, and distributing infringing products in the United States. (Chairman Johanson and Commissioner Stayin dissent with respect to the Commission's determination to issue CDOs in this investigation.) The Commission has also determined that the public interest factors enumerated in paragraphs 337(d)(1) and (f)(1), 19 U.S.C. 1337(d)(1) and (f)(1), do not preclude issuance of these remedial orders. Finally, the Commission has determined that the bond during the period of Presidential review pursuant to 19 U.S.C. 1337(j) shall be in the amount of 100 percent of the entered value of the imported articles. The Commission's order was delivered to the President and to the United States Trade Representative on the day of its issuance. The investigation is hereby terminated.

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: January 22, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–01370 Filed 1–27–20; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–971 (Remand)]

Certain Air Mattress Systems, Components Thereof, and Methods of Using the Same; Commission Determination Vacating the Final Determination Relating to United States Patent No. 5,904,172 and the Limited Exclusion Order Based Thereon; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to vacate the portion of its final determination relating to United States Patent No. 5,904,172 (''the '172 patent'') and its limited exclusion order based thereon.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3115. 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 at *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: On December 26, 2017, the United States Court of Appeals for the Federal Circuit issued an order holding that the appeal in *Sizewise Rentals LLC* v. *International Trade Commission,* Appeal No. 2017–2334, had become moot during the pendency of the appeal and remanded the investigation to the Commission to determine whether to vacate the underlying final determination relating to the sole patent at issue on appeal, the '172 patent.

The Federal Circuit appeal at issue stemmed from Investigation No. 337–TA–971, *Certain Air Mattress Systems, Components Thereof, and Methods of Using the Same.* This investigation was instituted based on a complaint filed on October 16, 2015 by Complainants Select Comfort Corporation and Select Comfort SC Corporation (collectively, ''Complainants'') that alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by Sizewise Rentals LLC, American National Manufacturing Inc., and Dires LLC (d/b/a Personal Comfort Bed) (collectively, ''Respondents''), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain air mattress systems, components thereof, and methods of using the same that infringe certain claims of the '172 patent and United States Patent No. 7,389,554 (''the '554 patent''). *See* 80 *FR* 72738 (Nov. 20, 2015).

On November 18, 2016, the presiding Administrative Law Judge issued a final initial determination (''ID'') finding no violation of section 337 with respect to either patent. The Commission determined to review the ID in part, and on review, the Commission found a violation of section 337 with regard to the '172 patent and issued a limited exclusion order prohibiting the unlicensed entry of infringing air mattress systems, components thereof, and methods of using the same. *Certain Air Mattress Systems, Components Thereof, and Methods of Using the Same,* Inv. No. 337–TA–971, Comm'n Op. at 61–62 (May 17, 2018); 82 *FR* 8623 (Jan. 27, 2017); 82 *FR* 23593–5 (May 23, 2017). The Commission found no violation with regard to the '554 patent.

On July 19, 2017, Respondents filed an appeal to the Federal Circuit requesting review of the Commission's final determination regarding the '172 patent. Appeal No. 2017–2334. On October 18, 2017, the Commission filed a motion to dismiss the appeal as moot because the '172 patent had expired on July 28, 2017. Respondents did not object to the dismissal but requested vacatur of the Commission's final determination. Complainants also did not object to dismissal, but did object to vacatur. On December 26, 2017, the Federal Circuit issued its Order in which the Commission's motion was ''granted to the extent that the appeal is deemed moot and the case is remanded for the Commission to address whether to vacate its final determination relating to the '172 patent.'' Court Order at 3.

On February 26, 2018, the Commission ordered the parties to submit comments on whether the Commission should vacate its final determination regarding the '172 patent. Commission Order at 3. All relevant

parties timely filed opening and reply submissions.

The Commission has determined to vacate the portion of its final determination relating to the '172 patent and its limited exclusion order based thereon. The Commission's opinion is being issued concurrently herewith. The Commission hereby terminates this investigation.

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: January 22, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–01371 Filed 1–27–20; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On January 22, 2020, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Ohio in the lawsuit entitled *United States* v. *Gulfport Energy Corporation,* Case No. 2:20–cv–00340–ALM–CMV.

The United States filed a Complaint in this lawsuit seeking civil penalties and injunctive relief from Defendant Gulfport Energy Corporation (''Gulfport'') for alleged violations of the Clean Air Act, 42 U.S.C. 7401–7671q, at multiple oil and gas production well pads that Gulfport owns and operates in eastern Ohio (the ''Facilities''). The United States' Complaint alleges that Gulfport has violated statutory and regulatory requirements applicable to storage tanks at the Facilities arising under the Clean Air Act and regulations promulgated by the U.S. Environmental Protection Agency establishing standards of performance for crude oil and natural gas production, transmission, and distribution facilities (codified at 40 CFR part 60, subpart OOOO), as well as corresponding requirements in Gulfport's Clean Air Act operating permits for the Facilities.

When the Complaint was filed, the United States also lodged a proposed Consent Decree that would settle the claims asserted in the Complaint. Among other things, the proposed Consent Decree would require Gulfport to implement appropriate injunctive relief to control air pollutant emissions from storage tanks at the Facilities, undertake additional mitigation measures to help offset unauthorized past air pollutant emissions, and pay a total of $1,700,000 in civil penalties (plus interest) to the United States.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Gulfport Energy Corporation,* D.J. Ref. No. 90–5–2–1–12026. 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 email	*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 proposed Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.*

We will provide a paper copy of the proposed 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 $25.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Randall M. Stone,

Acting Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2020–01358 Filed 1–27–20; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OJP (OJJDP) Docket No. 1772]

Meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention

AGENCY: Coordinating Council on Juvenile Justice and Delinquency Prevention, Office of Justice Programs, Department of Justice.

ACTION: Notice of meeting.

SUMMARY: The Coordinating Council on Juvenile Justice and Delinquency Prevention announces its next meeting.

DATES: Wednesday March 4th, 2020 at 10:00 a.m. ET.

ADDRESSES: The meeting will take place in the third floor main conference room at the U.S. Department of Justice, Office of Justice Programs, 810 7th St. NW, Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Visit the website for the Coordinating Council at *www.juvenilecouncil.gov* or contact Elizabeth Wolfe, Designated Federal Official (DFO), OJJDP, by telephone at (202) 598–9310, email at *elizabeth.wolfe@ojp.usdoj.gov;* or Maegen Barnes, Senior Program Manager/Federal Contractor, by telephone (732) 948–8862, email at *maegen.barnes@bixal.com,* or fax at (866) 854–6619. Please note that the above phone/fax numbers are not toll free.

SUPPLEMENTARY INFORMATION: The Coordinating Council on Juvenile Justice and Delinquency Prevention (''Council''), established by statute in the Juvenile and Delinquency Prevention Act of 1974 section 206(a) (42 U.S.C. 5616(a)), will meet to carry out its advisory functions. Information regarding this meeting will be available on the Council's web page at *www.juvenilecouncil.gov.* The meeting is open to the public, and available via online video conference, but prior registration is required (see below). In addition, meeting documents will be viewable via this website including meeting announcements, agendas, minutes and reports.

Although designated agency representatives may attend in lieu of members, the Council's formal membership consists of the following secretaries and/or agency officials; Attorney General (Chair), Administrator of the Office of Juvenile Justice and Delinquency Prevention (Vice Chair), Secretary of Health and Human Services (HHS), Secretary of Labor (DOL), Secretary of Education (DOE), Secretary of Housing and Urban Development (HUD), Director of the Office of National Drug Control Policy, Chief Executive Officer of the Corporation for National and Community Service and the Assistant Secretary of Homeland Security for the U.S. Immigration and Customs Enforcement. Nine additional members are appointed by the Speaker of the U.S. House of Representatives, the U.S. Senate Majority Leader and the President of the United States. Further agencies that take part in Council activities include, the Departments of Agriculture, Defense, Interior and the

Substance and Mental Health Services Administration of HHS.

Council meeting agendas are available on *www.juvenilecouncil.gov.* Agendas will generally include: (a) Opening remarks and introductions; (b) Presentations and discussion of agency work; and (c) Council member announcements.

For security purposes and because space is limited, members of the public who wish to attend must register in advance of the meeting online at the meeting registration site, no later than Friday Feburary 28th, 2020. Should issues arise with online registration, or to register by fax or email, the public should contact Maegen Barnes, Senior Program Manager/Federal Contractor (see above for contact information). If submitting registrations via fax or email, attendees should include all of the following: Name, Title, Organization/Affiliation, Full Address, Phone Number, Fax and Email. The meeting will also be available to join online via Webex, a video conferencing platform. Registration for this is also found online at *www.juvenilecouncil.gov.*

Note: Photo identification will be required to attend the meeting at the OJP 810 7th Street Building.

Interested parties may submit written comments and questions in advance to Elizabeth Wolfe (DFO) for the Council, at the contact information above. If faxing, please follow up with Maegen Barnes, Senior Program Manager/Federal Contractor (contact information above) in order to assure receipt of submissions. All comments and questions should be submitted no later than 5:00 p.m. EST on Friday Feburary 28th, 2020.

The Council will limit public statements if they are found to be duplicative. Written questions submitted by the public while in attendance will also be considered by the Council.

Elizabeth Wolfe,

Training and Outreach Coordinator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 2020–01428 Filed 1–27–20; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Domestic Agricultural In-Season Wage Report

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL or Department) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, ''Domestic Agricultural In-Season Wage Report,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before February 27, 2020.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201912-1205-005* (this link will become active only on the day following publication of this notice) or by contacting Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064 (these are not toll-free numbers), or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064 (these are not toll-free numbers), or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the ''Domestic Agricultural In-Season Wage Report'' information collection. The Department's ETA needs prevailing wage rates in order to determine the appropriate rate agricultural employers should pay foreign and domestic farmworkers. The State Workforce Agencies are charged with collecting the data from agricultural employers. The wage rates cover agricultural (crop and livestock) and logging jobs. Domestic migrant and local seasonal as well as foreign H–2A farmworkers are hired for these jobs. 20 CFR 653.500, 653.501(c)(2)(i), 655.120 and 655.122.(l) authorize this information collection. *See* 29 U.S.C. 49b(a). 8 U.S.C. 1188; 29 U.S.C. 49(f); Section 218.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB control number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB control number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB control number 1205–0017.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on January 31, 2020. DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. DOL notes that existing information collection requirements submitted to OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 26, 2019 (84 FR 65189).

Interested parties are encouraged to send comments to OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB control number 1205–0017. OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the

functions of the agency, including whether the information will have practical utility;

• Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

• Enhance the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of responses).

Agency: DOL–ETA.

Title of Collection: Domestic Agricultural In-Season Wage Report.

OMB Control Number: 1205–0017.

Affected Public: State, Local and Tribal Governments; Private Sector: Farms.

Total Estimated Number of Respondents: 13,776.

Total Estimated Number of Responses: 14,326.

Total Estimated Annual Time Burden: 8,963 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: January 22, 2020.

Frederick Licari,

Departmental Clearance Officer.

[FR Doc. 2020–01426 Filed 1–27–20; 8:45 am]

BILLING CODE 4510–FP–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Youthful Offender Grants Management Information System

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, ''Youthful Offender Grants Management Information System,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before February 27, 2020.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201911-1205-003* (this link will only become active on the day following publication of this notice) or by contacting Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Youthful Offender Grants Management Information System information collection. This data collection request is to permit the Department of Labor to continue a management information system for these various sets of grantees. This request continues the reporting and recordkeeping system for a minimum level of information collection that is necessary to comply with Equal Opportunity requirements, to hold Youthful Offender grantees appropriately accountable for the Federal funds they receive, including performance measures, and to allow the Department to fulfill its oversight and management responsibilities. Workforce Innovation and Opportunity Act (WIOA) Section 185(d)(2) authorizes this information collection. *See* 29 U.S.C. 3245, 3248.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205–0513.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on January 31, 2020. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on September 5, 2019 (84 FR 46761).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0513. The OMB is particularly interested in comments that:

• Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility:

• Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–ETA.

Title of Collection: Youthful Offender Grants Management Information System.

OMB Control Number: 1205–0513.

Affected Public: State, Local, and Tribal Governments; Individuals or Households; Private Sector—Not-for-profit institutes.

Total Estimated Number of Respondents: 1,020.

Total Estimated Number of Responses: 3,040.

Total Estimated Annual Time Burden: 3,970 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: January 22, 2020.

Frederick Licari,

Departmental Clearance Officer.

[FR Doc. 2020–01398 Filed 1–27–20; 8:45 am]

BILLING CODE 4510–FT–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, ''Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before February 27, 2020.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201912-1218-010* (this link will only become active on the day following publication of this notice) or by contacting Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard information collection. The Hazardous Waste Operations and Emergency Response Standard specifies a number of information collection requirements. Employers can use the information collected under the HAZWOPER rule to develop the various programs the Standard requires and to ensure that their workers are trained properly about the safety and health hazards associated with hazardous waste operations and emergency response to hazardous waste releases. OSHA will use the records developed in response to this Standard to determine adequate compliance with the Standard's safety and health provisions. The employer's failure to collect and distribute the information required in this standard will affect significantly OSHA's effort to control and reduce injuries and fatalities. Such failure would also be contrary to the direction Congress provided in Superfund Amendments and Reauthorization Act (SARA).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218–0202.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on January 31, 2020. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 8, 2019 (84 FR 60455).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218–0202. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility:
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–OSHA.

Title of Collection: Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard (29 CFR 1910.120).

OMB Control Number: 1218–0202.

Affected Public: Private Sector: Businesses or other for-profits.

Total Estimated Number of Respondents: 29,727.

Total Estimated Number of Responses: 1,468,062.

Total Estimated Annual Time Burden: 260,295 hours.

Total Estimated Annual Other Costs Burden: $10,127,325.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: January 22, 2020.

Frederick Licari,

Departmental Clearance Officer.

[FR Doc. 2020–01395 Filed 1–27–20; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Hexavalent Chromium Standards for General Industry, Shipyard Employment, and Construction

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, ''Hexavalent Chromium standards for General Industry, Shipyard Employment, and Construction'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before February 27, 2020.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201909-1218-002* (this link will only become active on the day following publication of this notice) or by contacting Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Hexavalent Chromium standards for General Industry, Shipyard Employment, and Construction information collection. These information collection requirements protect workers from the adverse health effects that may result from occupational exposure to hexavalent chromium. The major information collection requirements in the standards include conducting worker exposure monitoring, notifying workers of their chromium exposures, implementing medical surveillance of workers, providing examining physicians with specific information, implementing a respiratory protection program, notifying laundry personnel of chromium hazards, and maintaining workers' exposure monitoring and medical surveillance records for specific periods.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218–0252.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on January 31, 2020. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on October 25, 2019 (84 FR 57488).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218–0252. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility:
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–OSHA.

Title of Collection: Hexavalent Chromium standards for General Industry (29 CFR 1910.1026), Shipyard Employment (29 CFR 1915.1026), and Construction (29 CFR 1926.1126).

OMB Control Number: 1218–0252.

Affected Public: Private Sector: Businesses or other for-profits.

Total Estimated Number of Respondents: 78,321.

Total Estimated Number of Responses: 923,898.

Total Estimated Annual Time Burden: 429,318 hours.

Total Estimated Annual Other Costs Burden: $43,439,901.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: January 22, 2020.

Frederick Licari,

Departmental Clearance Officer.

[FR Doc. 2020–01396 Filed 1–27–20; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Division of Coal Mine Workers' Compensation; Proposed Extension of Existing Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, ''Application for Approval of a Representative's fee in Black Lung Claim Proceedings Conducted by U.S. Department of Labor.'' This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by March 30, 2020.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Anjanette Suggs by telephone at 202–354–9660 or by email at *suggs.anjanette@dol.gov.*

Submit written comments about this ICR by mail or courier to the U.S. Department of Labor, Office of Workers' Compensation Program, Room S3323, 200 Constitution Avenue NW, Washington, DC 20210; or by email at *suggs.anjanette@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Anjanette Suggs by telephone at 202–354–9660 or by email at *suggs.anjanette@dol.gov.*

SUPPLEMENTARY INFORMATION: The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The authorized representative of a black lung claimant whose claim for benefits has been approved uses a CM–972 to claim a fee for their services. The completed form is filed with and evaluated by the district director, administrative law judge, or appropriate appellate tribunal before whom the claimed services were performed, and a fee amount is determined. The regulations (20 CFR 725.366) set forth specific requirements for the items of information that must be included on fee applications. The CM–972 was designed to collect this information.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and the collection displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Written comments will receive consideration, and summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention 1240–0011.

Submitted comments will also be a matter of public record for this ICR and may be posted on the internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

The DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–OWCP–DCMWC.

Type of Review: Extension.

Title of Collection: Application for Approval of a Representative's Fee in Black Lung Claim Proceedings Conducted by the U.S. Department of Labor.

Form: CM–972.

OMB Control Number: 1240–0011.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 944.

Frequency: On occasion.

Total Estimated Annual Responses: 944.

Estimated Average Time per Response: 42 minutes.

Estimated Total Annual Burden Hours: 661 hours.

Total Estimated Annual Other Cost Burden: $22,699.00.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Dated: January 6, 2020.

Anjanette Suggs,

Agency Clearance Officer.

BILLING CODE 4510–CK–P

APPLICATION FOR APPROVAL OF A REPRESENTATIVE'S FEE IN A BLACK LUNG CLAIM PROCEEDING CONDUCTED BY THE U.S. DEPARTMENT OF LABOR

U.S. DEPARTMENT OF LABOR
Office of Workers' Compensation Programs
Division of Coal Mine Workers' Compensation

NOTE: No fee for services performed may be paid under this program unless the information prescribed by existing regulations is provided to this office. Disclosure of your Social Security Number is voluntary; the failure to disclose such number will not result in the denial of any right, benefit or privilege to which an individual may be entitled.

OMB No. 1240-0011
Expires:

1. In accordance with the provisions of the Black Lung Benefits Act, 30 U.S.C. 901 et seq., 33 U.S.C. 928 and the regulations of the U.S. Department of Labor governing the administration of such Act (20 CFR 725.365 et seq.) I the undersigned hereby make application for a representative's fee for my services rendered from _____ to _____ in the claim of: _____.
(Client's Name – *Last, First, Middle Initial*)
before the: (Check only one block)
☐ District Director ☐ Administrative Law Judge ☐ Benefits Review Board ☐ _____
Other (Specify)

2. Miner's Name

3. DOL's Case ID Number

4. Services Rendered (Use blank sheet of paper if additional space is needed)

(a) Date Rendered	**(b) Itemize services rendered.** (See reverse side for instructions)	**(c) Professional Status of Person Who Performed the Service**	**(d) Usual Billing Rate Per Hour At Time of Services**	**(e) Time to Nearest ¼ Hour**
			TOTAL TIME EXPENDED ON CASE DURING PERIOD:	

5. Miscellaneous Expenses **DOCUMENTED RECEIPTS MUST BE ATTACHED** (Use blank sheet of paper if additional space is needed)

(a) Date Rendered	**(b) Itemize unreimbursed expenses incurred in connection with claim (See Reverse)**	**(c) Cost**
		$
	TOTAL MISCELLANEOUS EXPENSES INCURRED	

6. **Total Fee Requested** (Amount of fee requested for services rendered and expenses incurred during the period designated in block 1 and itemized in blocks 4 and 5):
$_____.

7. Explain on a separate sheet the nature and extent of any unusual circumstances or any other relevant data which should be considered in approving your fee. (Note: As stated in 20 CFR 725.365, no lay representative is entitled to a lien against the award.

8. Did you or your firm receive or request any fee for services rendered to the claimant in any claim for pneumoconiosis (black lung) benefits before any state or federal agency?
☐ Yes ☐ No
If YES, show amount: $_____.

9. Did you request monies from this claimant to place in an escrow account or to use as an expense advances?
☐ Yes ☐ No
If YES, show amount: $_____. and itemize on separate sheet (See Reverse).

Certification: I certify that the fees and expenses listed in blocks 4 through 9 constitute the complete claim for representing this client during the period and before the adjudication officer indicated in block 1. Any claim for fees or expenses for services rendered during a period or before an official other than the period and official indicated in block 1 will be submitted on a separate CM-972. I have made no agreement and will make no other claim (unless disclosed in block 8) which would entitle me to any portion of the proceeds the client may be awarded under the terms of the Act administered by the Office of Workers' Compensation Programs. I certify that I have furnished a copy of this application and any attachments to the person for whom the above services were performed and to all other parties in the claim. I certify that the information given by me on this application is true and correct to the best of my knowledge. I am aware that severe penalties, including fine and imprisonment, may be invoked under 33 U.S.C. 928(e), as incorporated by 30 U.S.C. 932(a), whenever any person receives an unauthorized fee for services rendered, or under 30 U.S.C 941 whenever any person willfully makes a false or misleading statement or representation for the purpose of obtaining payment under 30 U.S.C. 901 et. *seq.*

Signature of Representative

11. Date

12. Telephone No. (Include Area Code)

Name and Address of Representative

- -

14. Representative's Social Security Number or IRS Identification Number

Instructions for Completing CM-972

Block 4 - Services Rendered

Column (b) - Itemize the services rendered on behalf of the claimant, such as: attend conference, draft letter, prepare interrogatories, etc.

Column (c) – Enter the professional status of the person who performed the services on behalf of the claimant, such as: attorney, paralegal, law clerk, lay clerk, lay representative, clerical, or other person (specify).

Column (d) – Enter the customary billing rate per hour at the time of service for each person who performed services on behalf of the claimant.

Block 5 - Miscellaneous Expenses

Column (b) – Itemize reasonable unreimbursed expenses, incurred by the representative or by an employee of the representative in establishing the claimant's case, e.g. travel expenses, long distance phone calls, etc. **All available receipts or other documentation of expenses must be attached.** Please add client's name, Miner's name (if different), DOL's Case ID Number and representative's name to any attachments.

Note: List the type and amount of any expenses for which you were reimbursed in this case.

Type of Expense	Amount

Block 9 – Escrow Account/Expense Advances

Indicate amount placed in an escrow account and / or itemize amount paid by claimant to the representative for any expenses.

Privacy Act Notice

The following information is provided in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. (1) Collection of this information is authorized by the Black Lung Benefits Act, 30 U.S.C. 901 et. *seq.* and implementing regulations. (2) The information will be used to determine services and amounts payable under the Act. (3) This information may be used by other agencies or persons handling matters relating, directly or indirectly, to processing this form including liable coal mine operators and their insurance carriers; contractors providing automated data processing or other services to the Department of Labor; representatives of the parties to the claim; and federal, state or local agencies. This would include legal representatives; state workers' compensation agencies or the Social Security Administration, the Internal Revenue Service and other federal, state, and local agencies for the purpose of conducting investigations relating to the payment of services; and debt collection agencies and credit bureaus for the purpose of collecting overpayments that might be made. (4) Furnishing all requested information will facilitate the claims adjudication process, and the effects of not providing all or any part of the requested information may delay the process, or result in an unfavorable decision or a reduced level of services payable. (Disclosure of your social security number is voluntary; the failure to disclose such number will result in the denial of any right, benefit or privilege to which an individual may be entitled.)

Public Burden Statement

Public reporting burden for this collection of information is estimated to average 42 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the U. S. Department of Labor, Division of Coal Mine Workers' Compensation, Room N-3464, 200 Constitution Avenue, N.W., Washington, D.C. 20210. **Note: Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.**

(DO NOT SEND THE COMPLETED FORM TO THIS OFFICE.)

Notice

If you have a substantially limiting physical or mental impairment, Federal disability nondiscrimination law gives you the right to receive help from OWCP in the form of communication assistance, accommodation and modification to aid you in the claims process. For example, we will provide you with copies of documents in alternate formats, communication services such as sign language interpretation or other kinds of adjustments or changes to account for the limitations of your disability. Please contact our office or the claims examiner to ask about this assistance.

Note: Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

Form CM-972
Rev.

[FR Doc. 2020–01376 Filed 1–27–20; 8:45 am]
BILLING CODE 4510–CK–C

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NOTICE: [20–004]]

Name of Information Collection: NASA Astronaut Candidate Selection (ASCAN) Qualifications Inquiry

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection—renewal of existing information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections.

DATES: Comments are due by February 27, 2020.

ADDRESSES: All comments should be addressed to Claire Little, National Aeronautics and Space Administration, 300 E Street SW, Washington, DC 20546–0001 or call 202–358–2375.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Claire Little, NASA Clearance Officer, NASA Headquarters, 300 E Street SW, JF0000, Washington, DC 20546 or email *claire.a.little@nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This collection of information supports the National Aeronautics and Space Act of 1958, as amended, to create opportunities to improve processes associated with the evaluation and selection of individuals to participate in the NASA Astronaut Candidate Selection Program. The NASA Astronaut Selection Office (ASO) located at the Lyndon B. Johnson Space Center (JSC) in Houston, Texas is responsible for selecting astronauts for the various United States Space Exploration programs. In evaluating an applicant for the Astronaut Candidate Program, it is important that the ASO have the benefit of qualitative and quantitative information and recommendations from persons who have been directly associated with the applicant over the course of their career.

This information will be used by the NASA ASO and Human Resources (HR) personnel, during the candidate selection process (approx. 2 year duration), to gain insight into the candidates' work ethic and professionalism as demonstrated in previous related employment activities. Respondents may include the astronaut candidate's previous employer(s)/direct-reporting manager, as well as co-workers and other references provided by the candidate.

II. Methods of Collection

Electronic and optionally by paper.

III. Data

Title: NASA Astronaut Candidate Selection (ASCAN) Qualifications Inquiry.

OMB Number: 2700–0156.

Type of Review: Renewal of Existing Information Collection.

Affected Public: Individuals.

Estimated Annual Number of Activities: 2,000.

Estimated Number of Respondents per Activity: 1.

Annual Responses: 2,000.

Estimated Time per Response: 20 minutes.

Estimated Total Annual Burden Hours: 669.

Estimated Total Annual Cost: $50,905.00.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 automated collection techniques or the use of other forms of information technology.

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

Cheryl Parker,

Federal Register Liaison Officer.

[FR Doc. 2020–01422 Filed 1–27–20; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 20–005]

Name of Information Collection: NASA Software Release Request System

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection—new information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections.

DATES: Comments are due by February 27, 2020.

ADDRESSES: All comments should be addressed to Claire Little, National Aeronautics and Space Administration, 300 E Street SW, Washington, DC 20546–0001 or call 202–358–2375.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Claire Little, NASA Clearance Officer, NASA Headquarters, 300 E Street SW, JF0000, Washington, DC 20546, 202–358–2375 or email *claire.a.little@nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

NASA Software Release Request System (SRRS) is a workflow tool that allows Agency Software Release Authorities (SRAs) to easily develop and route software release documents, such as the Software Release Request Authorization (SRRA) and Section 508 Compliance Matrix in an automated fashion. SRAs have the added ability to perform parallel routing, including the use of time-based email reminders, tracking and reporting progress on the processing of the software release requests so they can effectively manage this process at their respective centers. Software owners/developers can submit the Software Release Requests or view their submitted Software Release Requests that may need their attention.

II. Methods of Collection

Web Based—only accessible via NASA's internal network (e.g., on site or remotely via a NASA issued VPN).

III. Data

Title: NASA Software Release Request System.

OMB Number: 2700–xxxx.

Type of Review: New Information Collection.

Affected Public: NASA Funded Contractors and Government Employees.

Average Expected Annual Number of Activities: On average 126 software packages are released per year.

Average Number of Respondents per Activity: At least one respondent will

complete the form per activity (software release) which will result in approximately 126 respondents.

Annual Responses: 126.

Frequency of Responses: As needed.

Average minutes per Response: 240 minutes.

Burden Hours: 504.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 automated collection techniques or the use of other forms of information technology.

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

Cheryl Parker,

Federal Register Liaison Officer.

[FR Doc. 2020–01420 Filed 1–27–20; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–20–0002; NARA–2020–016]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice of certain Federal agency requests for records disposition authority (records schedules). We publish notice in the **Federal Register** and on *regulations.gov* for records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on such records schedules.

DATES: NARA must receive comments by March 13, 2020.

ADDRESSES: You may submit comments by either of the following methods. You must cite the control number, which appears on the records schedule in parentheses after the name of the agency that submitted the schedule.

- *Federal eRulemaking Portal: http://www.regulations.gov*
- *Mail:* Records Appraisal and Agency Assistance (ACR); National Archives and Records Administration; 8601 Adelphi Road; College Park, MD 20740–6001

FOR FURTHER INFORMATION CONTACT: Kimberly Keravuori, Records Management Operations by email at *request.schedule@nara.gov,* by mail at the address above, or by phone at 301–837–1799.

SUPPLEMENTARY INFORMATION:

Public Comment Procedures

We are publishing notice of records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on these records schedules, as required by 44 U.S.C. 3303a(a), and list the schedules at the end of this notice by agency and subdivision requesting disposition authority.

In addition, this notice lists the organizational unit(s) accumulating the records or states that the schedule has agency-wide applicability. It also provides the control number assigned to each schedule, which you will need if you submit comments on that schedule. We have uploaded the records schedules and accompanying appraisal memoranda to the *regulations.gov* docket for this notice as ''other'' documents. Each records schedule contains a full description of the records at the file unit level as well as their proposed disposition. The appraisal memorandum for the schedule includes information about the records.

We will post comments, including any personal information and attachments, to the public docket unchanged. Because comments are public, you are responsible for ensuring that you do not include any confidential or other information that you or a third party may not wish to be publicly posted. If you want to submit a comment with confidential information or cannot otherwise use the *regulations.gov* portal, you may contact *request.schedule@nara.gov* for instructions on submitting your comment.

We will consider all comments submitted by the posted deadline and consult as needed with the Federal agency seeking the disposition authority. After considering comments, we will post on *regulations.gov* a ''Consolidated Reply'' summarizing the comments, responding to them, and noting any changes we have made to the proposed records schedule. We will then send the schedule for final approval by the Archivist of the United States. You may elect at *regulations.gov* to receive updates on the docket, including an alert when we post the Consolidated Reply, whether or not you submit a comment. If you have a question, you can submit it as a comment, and can also submit any concerns or comments you would have to a possible response to the question. We will address these items in consolidated replies along with any other comments submitted on that schedule.

We will post schedules on our website in the Records Control Schedule (RCS) Repository, at *https://www.archives.gov/records-mgmt/rcs,* after the Archivist approves them. The RCS contains all schedules approved since 1973.

Background

Each year, Federal agencies create billions of records. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval. Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. The records schedules authorize agencies to preserve records of continuing value in the National Archives or to destroy, after a specified period, records lacking continuing administrative, legal, research, or other value. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

Agencies may not destroy Federal records without the approval of the Archivist of the United States. The Archivist grants this approval only after thorough consideration of the records' administrative use by the agency of origin, the rights of the Government and of private people directly affected by the Government's activities, and whether or not the records have historical or other value. Public review and comment on these records schedules is part of the Archivist's consideration process.

Schedules Pending

1. Department of Defense, Defense Counterintelligence and Security Agency, Background Investigation Records (DAA–0446–2019–0004).
2. Department of Defense, Defense Counterintelligence and Security Agency, Secure Web Fingerprint Transmission (SWFT) System Records (DAA–0446–2019–0006).
3. Department of Health and Human Services, National Institutes of Health, Case Files and Litigation Records (DAA–0443–2019–0008).
4. National Commission on Military, National, and Public Service, Agency-wide, Commission Records (DAA–0220–2020–0001).

Laurence Brewer,

Chief Records Officer for the U.S. Government.

[FR Doc. 2020–01425 Filed 1–27–20; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Physics; Notice of Meeting

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

Name and Committee Code: Proposal Review Panel for the Division of Physics (1208)—FRHTP at the University of California, Berkeley Site Visit.

Date and Time:
March 18, 2020; 8:00 p.m.–9:00 p.m.
March 19, 2020; 8:30 a.m.–6:30 p.m.
March 20, 2020; 8:30 a.m.–5:00 p.m.

Place: University of California, 200 California Hall, Berkeley, CA 94720.

Type of Meeting: Part-Open.

Contact Person: Bogdan Mihaila, Program Director for Physics Computational Physics, Division of Physics, National Science Foundation, 2415 Eisenhower Avenue, Room 9241, Alexandria, VA 22314; Telephone: (703) 292–8235.

Purpose of Meeting: Site visit to provide an evaluation of the progress of the projects at the host site for the Division of Physics at the National Science Foundation.

Agenda

Wednesday, March 18, 2020

Informal Panel Orientation—8:00 p.m., Closed

Thursday, March 19, 2020

Coffee and Pastries—8:30 a.m., Open
Executive Session—8:45 a.m., Closed
FRHTP Director Report on FRHTP Program and Activities—9:00 a.m., Open
Science Presentations (SIs[1] or PSIs[2])—10:00 a.m., Open
Lunch (with Postdocs)—12:00 p.m., Closed
Science Presentations (SIs or PSIs)—1:00 p.m., Open
Postdoc Presentations—2:00 p.m., Open
Executive Session to formulate queries—4:00 p.m., Closed
Poster Session—5:00 p.m., Open
Panel and NSF Staff Dinner—6:30 p.m., Closed

Friday, March 20, 2020

Coffee and Pastries—8:30 a.m., Open
Response to Panel queries—9:00 a.m., Closed
Meet with Physics Depart and University Administrators—10:30 a.m., Closed
Executive Session (Lunch)—12:00 p.m., Closed
Closeout. FHRTP Director (PI) & Executive Board (Co-PIs)—2:00 p.m., Closed
Complete Report—2:30 p.m., Closed
Adjourn—5:00 p.m., Closed

Reason for Closing: Topics to be discussed and evaluated during closed portions of the site review will include information of a proprietary or confidential nature, including technical information and information on personnel. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 23, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020–01389 Filed 1–27–20; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Physics; Notice of Meeting

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

Name and Committee Code: Proposal Review Panel for the Division of Physics (1208) FRHTP at CQuIC Site Visit.

Date and Time:
March 11, 2020; 8:00 p.m.–9:00 p.m.
March 12, 2020; 8:30 a.m.–6:30 p.m.
March 13, 2020; 8:30 a.m.–5:00 p.m.

Place: University of New Mexico, 210 Yale Blvd. NE, Albuquerque, NM 87131.

Type of Meeting: Part-Open.

Contact Person: Bogdan Mihaila, Program Director for Physics Computational Physics, Division of Physics, National Science Foundation, 2415 Eisenhower Avenue, Room 9241, Alexandria, VA 22314; Telephone: (703) 292–8235.

Purpose of Meeting: Site visit to provide an evaluation of the progress of the projects at the host site for the Division of Physics at the National Science Foundation.

Agenda

Wednesday, March 11, 2020

Informal Panel Orientation—8:00 p.m., Closed

Thursday, March 12, 2020

Coffee and Pastries—8:30 a.m., Open
Executive Session—8:45 a.m., Closed
FHRTP Director's Report on Programs—9:00 a.m., Open
Science Presentations (SIs1 or PSIs2)—10:00 a.m., Open
Lunch (with Postdocs)—12:00 p.m., Closed
Science Presentations (SIs1 or PSIs2)—1:00 p.m., Open
Postdoc Presentations—2:00 p.m., Open
Executive Session—formulate queries—4:00 p.m., Closed
Poster Session—5:00 p.m., Open
Panel and NSF Staff Dinner—6:30 p.m., Closed

Friday, March 13, 2020

Coffee and Pastries—8:30 a.m., Open
Response to Panel queries—9:00 a.m., Closed
Meet with Physics Department staff—10:30 a.m., Closed
Executive Session (Lunch)—12:00 p.m., Closed
Close Out FHRTP Director (PI)—2:00 p.m., Closed
Complete Report—2:30 p.m., Closed
Adjourn—5:00 p.m., Closed

Reason for Closing: Topics to be discussed and evaluated during closed portions of the site review will include information of a proprietary or confidential nature, including technical information and information on personnel. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 23, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020–01388 Filed 1–27–20; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2020–0025]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to section 189.a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person. This biweekly notice includes all amendments issued, or proposed to be issued, from December 31, 2019, to January 13, 2020. The last biweekly notice was published on January 14, 2020.

DATES: Comments must be filed by February 27, 2020. A request for a hearing or petitions for leave to intervene must be filed by March 30, 2020.

ADDRESSES: You may submit comments by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2020–0025. Address questions about NRC Docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Kay Goldstein, Office of Nuclear Reactor Regulation, 301–415–1506, email: *kay.goldstein@nrc.gov,* U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2020–0025, 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 *https://www.regulations.gov* and search for Docket ID NRC–2020–0025.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *https://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.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *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.

B. Submitting Comments

Please include Docket ID NRC–2020–0025, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, 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 the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

For the facility-specific amendment requests shown below, the Commission finds that the licensee's analyses provided, consistent with title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.91 is sufficient to support the proposed determination that these amendment requests involve No Significant Hazards Consideration (NSHC). Under the Commission's regulations in 10 CFR 50.92, operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves NSHC. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final NSHC determination, any hearing will take place after issuance. The Commission expects that the need to take action on an amendment before 60 days have elapsed will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be

affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. The NRC's regulations are accessible electronically from the NRC Library on the NRC's website at *https://www.nrc.gov/reading-rm/doc-collections/cfr/.* Alternatively, a copy of the regulations is available at the NRC's Public Document Room, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (First Floor), Rockville, Maryland 20852. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d) the petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) The name, address, and telephone number of the petitioner; (2) the nature of the petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the petitioner's interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions which the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene. Parties have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that party's admitted contentions, including the opportunity to present evidence, consistent with the NRC's regulations, policies, and procedures.

Petitions must be filed no later than 60 days from the date of publication of this notice. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii). The petition must be filed in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document.

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner's interest in the proceeding. The petition should be submitted to the Commission no later than 60 days from the date of publication of this notice. The petition must be filed in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document, and should meet the requirements for petitions set forth in this section, except that under 10 CFR 2.309(h)(2) a State, local governmental body, or Federally-recognized Indian Tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. Alternatively, a State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of his or her position on the issues but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC website at *https://www.nrc.gov/site-help/e-submittals.html.* Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals/getting-started.html.* Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public website at *https://www.nrc.gov/*

site-help/electronic-sub-ref-mat.html. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing adjudicatory documents in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *https://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click ''cancel'' when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

The table below provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensee's proposed NSHC determination. For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Progress, LLC; Shearon Harris Nuclear Power Plant, Unit 1; Brunswick County, NC

Application Date	November 8, 2019.
ADAMS Accession No.	ML19312C931.
Location in Application of NSHC	Page 98 of Enclosure.
Brief Description of Amendments	The proposed amendment would modify Technical Specification (TS) requirements to allow extension of the Type A test interval from 10 years to 15-years for Type A, Type B, and Type C leakage rate tests, and an extension of the Type C test interval up to 75-months, based on acceptable performance history as defined in Nuclear Energy Institute's NEI 94–01, Revision 3–A, ''Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J'' (ADAMS Accession No. ML12221A202). The license amendment request also proposes to adopt 10 CFR Part 50, Appendix J, Option B, as modified by approved exemptions, for the performance-based testing of Type B and C tested components and the use of American National Standards Institute/American Nuclear Society (ANSI/ANS) 56.8–2002, ''Containment System Leakage Testing Requirements.''
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	David Cummings, Associate General Counsel, Mail Code DEC45, 550 South Tryon Street, Charlotte NC 28202.
Docket Nos.	50–400.
NRC Project Manager, Telephone Number	Tanya Hood, 301–415–1387.

Exelon Generation Company, LLC; Braidwood Station, Units 1 and 2; Will County, IL, Exelon Generation Company, LLC; Byron Station, Unit Nos. 1 and 2; Ogle County, IL, Exelon Generation Company, LLC; Calvert Cliffs Nuclear Power Plant, Units 1 and 2; Calvert County, MD

Application Date	December 9, 2019.
ADAMS Accession No.	ML19343C678.
Location in Application of NSHC	Pages 2–3 of Attachment 1.

Brief Description of Amendments	The proposed amendments would adopt Technical Specifications Task Force (TSTF) Traveler TSTF–569, ''Revise Response Time Testing Definition.'' Specifically, the proposed amendments revise the technical specification definitions for engineered safety feature (ESF) response time and reactor trip system response time for Braidwood and Byron Stations and also revise ESF response time and reactor protective system response time for Calvert Cliffs Nuclear Power Plant.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.
Docket Nos.	50–456, 50–457, 50–454, 50–455, 50–317, 50–318.
NRC Project Manager, Telephone Number	Joel Wiebe, 301–415–6606.

Exelon FitzPatrick, LLC and Exelon Generation Company, LLC; James A. FitzPatrick Nuclear Power Plant, LLC; Oswego County, NY

Application Date	September 5, 2019, as supplemented November 6, 2019.
ADAMS Accession No.	ML19248B085, ML19310D579.
Location in Application of NSHC	Pages 4, 5, and 6 of Attachment 1 to September 5, 2019 document.
Brief Description of Amendments	The proposed amendment would revise the allowable value for reactor water cleanup system primary containment isolation.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Donald P. Ferraro, Assistant General Counsel, Exelon Generation Company, LLC, 200 Exelon Way, Suite 305, Kennett Square, PA 19348.
Docket Nos.	50–333.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Exelon Generation Company, LLC; Three Mile Island Nuclear Station, Unit 1; Dauphin County, PA

Application Date	October 31, 2019.
ADAMS Accession No.	ML19305A889.
Location in Application of NSHC	Pages 4 and 5 of Attachment 1.
Brief Description of Amendments	The proposed amendment would remove the existing Cyber Security Plan (CSP) requirements contained in License Condition 2.c.(3) of the Three Mile Island Nuclear Station, Unit 1 (TMI–1) Renewed Facility License. This change is requested to support the decommissioning of TMI–1.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.
Docket Nos.	50–289.
NRC Project Manager, Telephone Number	Justin Poole, 301–415–2048.

FirstEnergy Nuclear Operating Company; Davis-Besse Nuclear Power Station, Unit 1; Ottawa County, OH

Application Date	November 14, 2019.
ADAMS Accession No.	ML19318F668.
Location in Application of NSHC	Section 3.1 (p. 6) of Enclosure A.
Brief Description of Amendments	The proposed amendment would modify the technical specifications by relocating specific surveillance frequencies to a licensee-controlled program. The proposed changes are based on the NRC-approved Technical Specification Task Force (TSTF) traveler TSTF–425, Revision 3, ''Relocate Surveillance Frequencies to Licensee Control—[Risk-Informed TSTF] RITSTF Initiative 5b'' (ADAMS Package Accession No. ML090850642).
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	David W. Jenkins, FirstEnergy Nuclear Operating Company, FirstEnergy Corporation, 76 South Main Street, Akron, OH 44308.
Docket Nos.	50–346.
NRC Project Manager, Telephone Number	Blake Purnell, 301–415–1380.

NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1; Rockingham County, NH

Application Date	November 1, 2019.
ADAMS Accession No.	ML19310D804.
Location in Application of NSHC	Pages 95, 96, 97, and 98 of Enclosure.
Brief Description of Amendments	The proposed amendment would revise the technical specification (TS) requirement for the reactor trip system instrumentation and engineered safety features actuation system instrumentation to implement the allowed outage times (AOTs) and bypass test times justified in WCAP–14333–P–A, ''Probabilistic Risk Analysis of the RPS and ESFAS Test Times and Completion Times,'' and WCAP–15376–P–A, ''Risk-Informed Assessment of the RTS and ESFAS Surveillance Test Intervals and Reactor Trip Breaker Test and Completion Times.'' The proposed amendment would incorporate changes contained in Technical Specifications Task Force (TSTF) Standard Technical Specifications Change Traveler TSTF–411, ''Surveillance Test Interval Extensions for Components of the Reactor Protection System (WCAP–15376),'' and TSTF–418, ''RPS and ESFAS Test Times and Completion Times (WCAP–14333).''
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Debbie Hendell, Managing Attorney—Nuclear, Florida Power & Light Company, 700 Universe Blvd., MS LAW/JB, Juno Beach, FL 33408–0420.
Docket Nos.	50–443.

NRC Project Manager, Telephone Number	Justin Poole, 301–415–2048.

Pacific Gas and Electric Company; Diablo Canyon Power Plant, Units 1 and 2; San Luis Obispo County, CA

Application Date	December 5, 2019.
ADAMS Accession No.	ML19339F388.
Location in Application of NSHC	Section 4.3 (page 6) of the Enclosure.
Brief Description of Amendments	The proposed amendments would relocate Diablo Canyon Nuclear Power Plant Technical Specification 5.3, ''Unit Staff Qualifications,'' to the Updated Final Safety Analysis Report. The change is consistent with the guidance in NRC Administrative Letter 95–06, ''Relocation of Technical Specification Administrative Controls Related to Quality Assurance'' (ADAMS Accession No. ML031110271).
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas & Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
Docket Nos.	50–275, 50–323.
NRC Project Manager, Telephone Number	Balwant Singal, 301–415–3016.

PSEG Nuclear LLC; Hope Creek Generating Station; Salem County, NJ

Application Date	November 25, 2019.
ADAMS Accession No.	ML19330C961.
Location in Application of NSHC	Page 22 and Page 23 of Enclosure 1.
Brief Description of Amendments	The proposed amendment would modify the Hope Creek Generating Station licensing basis by the addition of a license condition to allow for the implementation of the provisions of 10 CFR 50.69, ''Risk-Informed Categorization and Treatment of Structures, Systems and Components for Nuclear Power Reactors.'' The provisions of 10 CFR 50.69 allow adjustment of the scope of equipment subject to special treatment controls (*e.g.,* quality assurance, testing, inspection, condition monitoring, assessment, and evaluation).
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Steven Fleischer, PSEG Services Corporation, 80 Park Plaza, T–5, Newark, NJ 07102.
Docket Nos.	50–354.
NRC Project Manager, Telephone Number	James Kim, 301–415–4125.

Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL, Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 1 and 2; Burke County, GA

Application Date	December 10, 2019.
ADAMS Accession No.	ML19344B804.
Location in Application of NSHC	Pages E–1 and E–2 (Section 3.1) of Enclosure 1.
Brief Description of Amendments	Southern Nuclear Operating Company (SNC, the licensee) submitted a request for amendments to the Technical Specifications (TS) for Joseph M. Farley Nuclear Plant (FNP), Units 1 and 2; and Vogtle Electric Generating Plant (VEGP), Units 1 and 2. SNC requests to adopt Technical Specifications Task Force (TSTF)–569, ''Revise Response Time Testing Definition.'' The proposed amendments would revise the TS definitions for Engineered Safety Feature Response Time and Reactor Trip System Response Time.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201–1295.
Docket Nos.	50–348, 50–368, 50–424, 50–425.
NRC Project Manager, Telephone Number	John Lamb, 301–415–3100.

Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL, Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 1 and 2; Burke County, GA

Application Date	December 11, 2019.
ADAMS Accession No.	ML19345E724.
Location in Application of NSHC	Pages E–2 and E–3 (Section 3.1) of Enclosure 1.
Brief Description of Amendments	The proposed amendments would modify Farley and Vogtle Technical Specifications (TS) by removing the specific isolation time for the isolation valves from the associated standard TSs surveillance requirements (SRs). The changes are consistent with the NRC approved Technical Specifications Task Force (TSTF)-491, Revision 2. The availability of TSTF–491 was published in the **Federal Register** on December 29, 2006, as part of the consolidated line item improvement process.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201–1295.
Docket Nos.	50–348, 50–364, 50–424, 50–425.
NRC Project Manager, Telephone Number	John Lamb, 301–415–3100.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed NSHC determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action, see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation, and/or Environmental Assessment as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Progress, LLC; Brunswick Steam Electric Plant, Units 1 and 2; Brunswick County, NC

Date Issued	January 8, 2020.
ADAMS Accession No.	ML19316B057.
Amendment Nos.	297 (Unit 1) and 325 (Unit 2).
Brief Description of Amendments	The amendments modified Technical Specification (TS) 3.4.3, ''Safety/Relief Valves (SRVs),'' Surveillance Requirement (SR) 3.4.3.2 and TS 3.5.1, ''ECCS [Emergency Core Cooling System]—Operating,'' SR 3.5.1.11. The amendments replaced the current requirement in these TS SRs to verify the SRVs open when manually actuated with an alternate requirement that verifies that the SRVs are capable of being opened.
Docket Nos.	50–324, 50–325.

Entergy Louisiana, LLC and Entergy Operations, Inc.; River Bend Station, Unit 1; West Feliciana Parish, LA

Date Issued	December 31, 2019.
ADAMS Accession No.	ML19357A009.
Amendment No.	201.
Brief Description of Amendment	The amendment revised the technical specifications to allow use of neutron absorbing inserts in the spent fuel pool storage racks for the purpose of criticality control in the spent fuel pool.
Docket No.	50–458.

Entergy Operations, Inc., System Energy Resources, Inc., Cooperative Energy, A Mississippi Electric Cooperative, and Entergy Mississippi, LLC; Grand Gulf Nuclear Station, Unit 1; Claiborne County, MS

Date Issued	January 6, 2020.
ADAMS Accession No.	ML19339D187.
Amendment Nos.	223.
Brief Description of Amendments	The amendment revised Technical Specification (TS) Table 3.3.1.1–1, ''Reactor Protection System Instrumentation,'' Function 9, ''Turbine Stop Valve Closure, Trip Oil Pressure—Low,'' and Function 10, ''Turbine Control Valve Fast Closure, Trip Oil Pressure—Low,'' and TS 3.3.4.1, ''End of Cycle Recirculation Pump Trip (EOC–RPT) Instrumentation,'' Surveillance Requirement (SR) 3.3.4.1.2 and SR 3.3.4.1.3. The change revised the Allowable Value for the Turbine Stop Valve Closure Trip Oil Pressure Function and Turbine Control Valve Fast Closure Trip Oil Pressure Function. Additionally, the amendment added new Notes to assess channel performance during testing that verify instrument channel setting values established by the Entergy setpoint methodology.
Docket Nos.	50–146.

Florida Power & Light Company; Turkey Point Nuclear Generating Unit Nos. 3. and 4; Miami-Dade County, FL

Date Issued	December 17, 2019.
ADAMS Accession No.	ML19266A585.
Amendment Nos.	289 (Unit 3) and 283 (Unit 4).
Brief Description of Amendments	The amendments revised certain Technical Specifications for shared equipment when one unit is defueled and also remove a footnote related to Technical Specification 4.04.
Docket No.	50–250, 50–251.

Holtec Pilgrim, LLC and Holtec Decommissioning International, LLC, Pilgrim Nuclear Power Station, Plymouth County, Massachusetts

Date Issued	January 2, 2020.
ADAMS Accession No.	ML19274C674.
Amendment Nos.	251.
Brief Description of Amendments	The amendment revised the site emergency plan and emergency action level scheme for the permanently shutdown and defueled condition.
Docket Nos.	50–293.

Holtec Pilgrim, LLC and Holtec Decommissioning International, LLC, Pilgrim Nuclear Power Station, Plymouth County, Massachusetts	
Date Issued	January 2, 2020.
ADAMS Accession No.	ML19276C420.
Amendment Nos.	252.
Brief Description of Amendments	The amendment removed the Pilgrim Cyber Security Plan from Pilgrim License Condition 3.G.
Docket Nos.	50–293.

Indiana Michigan Power Company; Donald C. Cook Nuclear Plant, Units 1 and 2; Berrien County, MI	
Date Issued	December 31, 2019.
ADAMS Accession No.	ML19304B672.
Amendment Nos.	348 (Unit 1) and 329 (Unit 2).
Brief Description of Amendments	The amendments revised the technical specifications (TSs) to address an issue identified in Westinghouse Nuclear Safety Advisory Letter (NSAL) NSAL–15–1, Revision 0, by expanding the criteria within TS 3.2.1 surveillance requirements which apply an appropriate penalty factor to measured transient $F^Q(Z)$.
Docket Nos.	50–315, 50–316.

NextEra Energy Duane Arnold, LLC; Duane Arnold Energy Center; Linn County, IA	
Date Issued	January 2, 2020.
ADAMS Accession No.	ML19310C204.
Amendment Nos.	309.
Brief Description of Amendments	The amendment revised certain staffing and training requirements, reports, programs, and editorial changes in the Technical Specification Section 1.1, ''Definitions,'' and Section 5.0, ''Administrative Controls,'' that will no longer be applicable once Duane Arnold Energy Center is permanently defueled.
Docket Nos.	50–245, 50–336, 50–423, 50–338, 50–339, 50–280, 50–281.

Pacific Gas and Electric Company; Diablo Canyon Power Plant, Units 1 and 2; San Luis Obispo County, CA	
Date Issued	January 9, 2020.
ADAMS Accession No.	ML19316A109.
Amendment Nos.	Unit 1—234; Unit 2—236.
Brief Description of Amendments	The amendments revised Technical Specification 5.6.5b, ''Core Operating Limits Report (COLR),'' for Full Spectrum Loss-of-Coolant Accident Methodology.
Docket Nos.	50–275, 50–323.

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Burke County, GA	
Date Issued	January 2, 2020.
ADAMS Accession No.	ML19339H089.
Amendment Nos.	Unit 1—171; Unit 2—169.
Brief Description of Amendments	Specifically, the amendments authorize changes to eliminate the performance of the Pressurizer Surge Line Stratification Evaluation first plant only test during the hot functional testing and first operating cycle by revising Combined License COL Condition 2.D.(2)(a)1 and Updated Final Safety Analysis Report, UFSAR Subsections 14.2.5, 14.2.9.1.7, and 14.2.9.2.22.
Docket Nos.	52–026, 52–025.

Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS	
Date Issued	January 6, 2020.
ADAMS Accession No.	ML19311C643.
Amendment Nos.	223.
Brief Description of Amendments	The amendment revised the Wolf Creek Generating Station, Unit 1 Technical Specification 3.6.3, ''Containment Isolation Valves,'' and Surveillance Requirement 3.6.3.1 to remove use of a blind flange.
Docket Nos.	50–482.

IV. Previously Published Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices either because time did not allow the commission to wait for this biweekly notice or because the action involved exigent circumstances. They are repeated here because the biweekly notice lists all amendments issued or proposed to be issued involving no significant hazards consideration.

For details, including the applicable notice period, see the individual notice in the **Federal Register** on the day and page cited.

Arizona Public Service Company, et al.; Palo Verde Nuclear Generating Station, Units 1, 2, and 3; Maricopa County, AZ	
Application Date	December 26, 2019.
ADAMS Accession No.	ML19360A155.

Brief Description of Amendment	The proposed amendments would extend the implementation date for License Amendment Nos. 209, 209, and 209 for Palo Verde Nuclear Generating Station, Units 1, 2, and 3, respectively (ADAMS Accession No. ML19085A525), from February 23, 2020, to August 31, 2020. License Amendment Nos. 209, 209, and 209, which were issued on May 29, 2019, approved the risk-informed completion times in accordance with Nuclear Energy Institute (NEI) Topical Report NEI 06–09, Revision 0–A, ''Risk-Informed Technical Specification Initiative 4b, Risk-Managed Technical Specifications (RMTS) Guidelines.''
Date & Cite of **Federal Register** Individual Notice.	January 8, 2020 (85 FR 936).
Expiration Dates for Public Comments & Hearing Requests.	February 7, 2020 (public comments); March 9, 2020 (hearing requests).
Docket Nos.	50–528, 50–529, 50–530.

Dated at Rockville, Maryland, this 17th day of January 2020.

For the Nuclear Regulatory Commission.

Craig G. Erlanger,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2020–01136 Filed 1–27–20; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2020–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of January 27, February 3, 10, 17, 24, March 2, 2020.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public.

Week of January 27, 2020

Tuesday, January 28, 2020

9:00 a.m.—Discussion of Medical Uses of Radioactive Materials (Public Meeting) (Contact: Lisa Dimmick: 301–415–0694)

This meeting will be webcast live at the Web address—*https://www.nrc.gov/.*

Week of February 3, 2020—Tentative

Thursday, February 6, 2020

9:00 a.m.—Briefing on Advanced Reactors and New Reactor Topics (Public Meeting) (Contact: Luis Betancourt: 301–415–6146)

This meeting will be webcast live at the Web address—*https://www.nrc.gov/.*

Week of February 10, 2020—Tentative

There are no meetings scheduled for the week of February 10, 2020.

Week of February 17, 2020—Tentative

There are no meetings scheduled for the week of February 17, 2020.

Week of February 24, 2020—Tentative

Tuesday, February 25, 2020

9:00 a.m.—Overview of Accident Tolerant Fuel Activities (Public Meeting) (Contact: Luis Betancourt: 301–415–6146)

This meeting will be webcast live at the Web address—*https://www.nrc.gov/.*

Week of March 2, 2020—Tentative

Thursday, March 5, 2020

10:00 a.m.—Briefing on NRC International Activities (Closed—Ex. 1 & 9)

CONTACT PERSON FOR MORE INFORMATION: For more information or to verify the status of meetings, contact Denise McGovern at 301–415–0681 or via email at *Denise.McGovern@nrc.gov.* The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: *https://www.nrc.gov/public-involve/public-meetings/schedule.html.*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301–287–0745, by videophone at 240–428–3217, or by email at *Anne.Silk@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or by email at *Wendy.Moore@nrc.gov* or *Tyesha.Bush@nrc.gov.*

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated at Rockville, Maryland, this 24th day of January 2020.

For the Nuclear Regulatory Commission.

Denise L. McGovern

Policy Coordinator, Office of the Secretary.

[FR Doc. 2020–01530 Filed 1–24–20; 11:15 am]

BILLING CODE 7590–01–P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Performance Review Board Membership

AGENCY: Office of Science and Technology Policy.

ACTION: Notice.

SUMMARY: The Office of Science and Technology Policy publishes the names of the members selected to serve on its SES Performance Review Board (PRB).

DATES: Membership is effective on the date of this notice to January 2022.

FOR FURTHER INFORMATION CONTACT: Ms. Stacy L. Murphy, Operations Manager, Office of Science and Technology Policy, 1650 Pennsylvania Ave. NW, Washington, DC 20504. Telephone 202–456–6123.

SUPPLEMENTARY INFORMATION: 5 U.S.C. 4314(c) requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more PRBs. The purpose of this PRB is to review and make recommendations concerning proposed performance appraisals, ratings, bonuses, pay adjustments, and other appropriate personnel actions for incumbents of the SES positions. The Board shall consist of at least three members and more than half of the members shall consist of career appointees. The names and titles of the PRB members are as follows:

Fred L. Ames, Assistant United States Trade Representative for Administration, United States Trade Representative;

Jared L. Ostermiller, Chief, Health Insurance and Data Analysis Branch, Office of Management and Budget;

Michele C. Marx, Deputy Assistant Director for Budget, Office of National Drug Council Policy;

John C. Pasquantino, Deputy Associate Director, Energy, Science, and Water, Office of Management and Budget.

Stacy Murphy,

Operations Manager.

[FR Doc. 2020–01390 Filed 1–27–20; 8:45 am]

BILLING CODE 3270–F0–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88013; File No. SR–ICEEU–2019–027]

Self-Regulatory Organizations; ICE Clear Europe Limited; Order Approving Proposed Rule Change, as Modified by Partial Amendment No. 1, Relating to Amendments to the ICE Clear Europe CDS Procedures

January 22, 2020.

I. Introduction

On December 2, 2019, ICE Clear Europe Limited (''ICE Clear Europe''), filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend its CDS Procedures to implement the 2019 Narrowly Tailored Credit Event Supplement to the 2014 ISDA Credit Derivatives Definitions (the ''NTCE Supplement''). On December 10, 2019, ICE Clear Europe filed Partial Amendment No. 1 to the proposed rule change.[3] The proposed rule change, as modified by Partial Amendment No. 1, was published for comment in the **Federal Register** on December 18, 2019.[4] The Commission did not receive comments on the proposed rule change, as modified by Partial Amendment No. 1. For the reasons discussed below, the Commission is approving the proposed rule change, as modified by Partial Amendment No. 1 (hereinafter, ''proposed rule change'').

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Partial Amendment No. 1 amended the filing to remove from the filed Exhibit 5 certain dates in brackets and replace them with new dates and remove other language left in brackets; update page numbering in the filed Exhibit 2 so that the page numbering in the filed Exhibit 2 states ''of 59'' instead of ''of 60''; and update a reference to paragraph 8(c) of the CDS Procedures in the original filing so that it instead refers to paragraph 8.1(c) of the CDS Procedures.

[4] Securities Exchange Act Release No. 87722 (Dec. 12, 2019), 84 FR 69421 (Dec. 18, 2019) (SR–ICEEU–2019–027) (''Notice'').

II. Description of the Proposed Rule Change

A. Background

Following certain events in the credit default swap (''CDS'')[5] market, the International Swaps and Derivatives Association, Inc. (''ISDA''), in consultation with market participants, developed and published the NTCE Supplement.[6] The NTCE Supplement reflects an effort by ISDA to address so-called narrowly-tailored credit events. According to ISDA, a narrowly-tailored credit event is an arrangement between a participant in the CDS marketplace and a corporation, through which the corporation triggers a credit event on CDS covering the corporation, thereby increasing payment to the buyers of CDS protection on the corporation while minimizing the impact on the corporation.[7]

The NTCE Supplement, if applied to a CDS transaction, would make two principal changes to the 2014 ISDA Credit Derivatives Definitions to address narrowly-tailored credit events.[8] First, the NTCE Supplement would change the definition of the ''Failure to Pay'' credit event to exclude certain narrowly-tailored credit events through a new Credit Deterioration Requirement. The Credit Deterioration Requirement would provide that a failure of a corporation to make a payment on an obligation would not constitute a Failure to Pay Credit Event triggering CDS on that corporation if the failure does not directly or indirectly result from, or result in, a deterioration in the creditworthiness or financial condition of the corporation.[9] Thus, a narrowly-tailored or manufactured failure to pay that does not reflect or result in a credit deterioration by a corporation would not constitute a Credit Event for CDS Contracts that incorporate the NTCE Supplement and thus would not necessarily trigger payment to buyers of CDS protection. The NTCE Supplement would also provide guidance related to the factors that would be relevant to determining whether a Failure to Pay Credit Event satisfies the Credit Deterioration Requirement. As would be the case with other Failure to Pay Credit Events under CDS contracts, the relevant Credit Derivatives Determinations Committee would, in the normal course, make the determination as to whether a Failure to Pay Credit Event satisfies the Credit Deterioration Requirement.

Second, the NTCE Supplement would reduce the amount of payout a CDS protection buyer could claim in certain circumstances by imposing a new provision for Fallback Discounting. Fallback Discounting would discount a CDS protection buyer's claim for payout under a CDS contract where that claim for payout is based on an obligation issued by a corporation at a discount.[10] This would address the potential scenario where a corporation issues a bond at a substantial discount to its principal amount and the bond is delivered in settlement of a CDS at its full principal amount. In this scenario, Fallback Discounting would prevent a buyer of CDS protection from using the full principal amount of the bond issued at a discount as a basis for payout under the CDS contract.

B. Changes to CDS Procedures

As described below, the proposed rule change would apply the NTCE Supplement to any non-sovereign single-name and index CDS contract that incorporates the 2014 ISDA definitions (a ''2014-type CDS Contract'') and that is open on, or entered into after, January 27, 2020 (or such later date as designated by ICE Clear Europe by Circular).

The proposed rule change would add new defined terms to the CDS Procedures to include new definitions related to the NTCE Supplement. The proposed rule change would further define the effective date of the changes, the ''NTCE Protocol Effective Date,'' as January 27, 2020, or such later date as designated by ICE Clear Europe by Circular.

The proposed rule change would next incorporate these new definitions into the defined terms associated with non-

[5] The following description is substantially excerpted from the Notice. *See* Notice, 84 FR at 69421. Capitalized terms not otherwise defined herein have the meanings assigned to them in the ICE Clear Europe Rules or CDS Procedures.

[6] *See* ISDA Board Statement on Narrowly Tailored Credit Events, *available at https://www.isda.org/2018/04/11/isda-board-statement-on-narrowly-tailored-credit-events/; see also* Joint Statement on Opportunistic Strategies in the Credit Derivatives Market (''The continued pursuit of various opportunistic strategies in the credit derivatives markets, including but not limited to those that have been referred to as 'manufactured credit events,' may adversely affect the integrity, confidence and reputation of the credit derivatives markets, as well as markets more generally.'') *available at https://www.sec.gov/news/press-release/2019-106.*

[7] *See* ISDA Board Statement on Narrowly Tailored Credit Events, *available at https://www.isda.org/2018/04/11/isda-board-statement-on-narrowly-tailored-credit-events/.*

[8] *See* ISDA 2019 NTCE Protocol FAQ, *available at https://www.isda.org/protocol/isda-2019-ntce-protocol.*

[9] *See* ISDA 2019 Narrowly Tailored Credit Event Supplement to the 2014 ISDA Credit Derivatives Definitions (Published on July 15, 2019), *available at https://www.isda.org/a/KDqME/Final-NTCE-Supplement.pdf.*

[10] *Id.*

sovereign single-name and index CDS contracts by amending the CDS Procedures to specify that the applicable contract definitions shall include the NTCE Supplement. This change would apply to any 2014-type CDS Contract that is part of an Open Contract Position on the NTCE Protocol Effective Date or is entered into on or after the NTCE Protocol Effective Date.

In addition to this change, the proposed rule change would make specific changes to the terms associated with single-name CDS and index CDS to update those terms in light of the NTCE Supplement. With respect to single-name CDS, the proposed rule change would update certain single-name CDS contracts that are open on the NTCE Protocol Effective Date to reference the new physical settlement matrix that will apply to new single-name CDS entered into after the NTCE Protocol Effective Date. This change would apply to CDS with non-sovereign reference entities that are 2014-type CDS Contracts.

With respect to index CDS, the proposed rule change would amend the terms associated with index CDS contracts to include the new standard terms supplement and confirmations issued in response to the NTCE Supplement. Such new standard terms supplement and confirmations would incorporate the NTCE Supplement. For new index CDS, the proposed rule change would apply the new standard terms supplement and confirmations incorporating the NTCE Supplement to any index CDS submitted for clearing on or after the NTCE Protocol Effective Date. For open index CDS, the proposed rule change would apply the NTCE Supplement to 2014-type CDS Contracts and those that include a 2014-type CDS Contract as a component position on the NTCE Protocol Effective Date. The proposed rule change therefore would convert existing index CDS contracts to reference the new standard terms incorporating the NTCE Supplement, thereby ensuring that those existing contracts would be fungible with new index CDS contracts after the NTCE Protocol Effective Date.

III. Commission Findings

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the organization.[11] For the reasons given below, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act[12] and Rule 17Ad–22(e)(1) thereunder.[13]

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of ICE Clear Europe be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, to assure the safeguarding of securities and funds which are in the custody or control of ICE Clear Europe or for which it is responsible, and, in general, to protect investors and the public interest.[14]

As described above, the NTCE Supplement would amend the underlying legal terms applicable to CDS contracts to which it applies by, among other things, limiting Credit Events to those that reflect a deterioration in the creditworthiness or financial condition of the relevant company. It also would reduce the amount of payout a CDS protection buyer could claim in certain circumstances where the claim for payout is based on an obligation issued by a company at a discount. Further, because ISDA has determined that the Protocol Effectiveness Condition is satisfied and set an implementation date of January 27, 2020, the NTCE Supplement will apply to all single-name CDS contracts and components of index CDS contracts that incorporate the 2014 ISDA Credit Derivatives Definitions currently in place or entered into on or after that date.

As noted above, because ICE Clear Europe will clear and settle CDS contracts that are subject to the changes being made by the NTCE Supplement, the proposed rule change would amend the CDS Procedures to incorporate the amendments resulting from the NTCE Supplement, thereby ensuring that ICE Clear Europe's CDS Procedures accurately reflect and appropriately apply the legal terms and conditions applicable to such CDS contracts.

In the Commission's view, a lack of clarity in the underlying legal terms and conditions applicable to the transactions that ICE Clear Europe clears and settles could hinder ICE Clear Europe's ability to promptly and accurately clear and settle such transactions. Likewise, disputes regarding the applicable legal terms and conditions of such transactions could lead to disputes or confusion regarding the necessary and appropriate margin submitted in connection with such transactions, thereby threatening ICE Clear Europe's ability to safeguard such margin. Accordingly, by making the changes described above, and in particular by ensuring ICE Clear Europe's CDS Procedures accurately reflect and appropriately apply the legal terms and conditions applicable to the CDS contracts that are cleared and settled by ICE Clear Europe, the Commission believes that the proposed rule change would help ensure that ICE Clear Europe's CDS Procedures continue to promote the prompt and accurate clearance and settlement of such CDS contracts and assure the safeguarding of securities and funds in ICE Clear Europe's custody and control. For these same reasons the Commission also finds that the proposed rule change would, in general, protect investors and the public interest.

Therefore, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act.[15]

B. Consistency With Rule 17Ad–22(e)(1)

Rule 17Ad–22(e)(1) requires that ICE Clear Europe establish, implement, maintain, and enforce written policies and procedures reasonably designed to provide for a well-founded, clear, transparent, and enforceable legal basis for each aspect of its activities in all relevant jurisdictions.[16] As discussed above, the proposed rule change would help to clarify and ensure that ICE Clear Europe's CDS Procedures accurately reflect and appropriately apply the legal terms and conditions applicable to the CDS contracts that are cleared and settled by ICE Clear Europe. The Commission believes that this, in turn, would help ensure that the ICE Clear Europe CDS Procedures provide a consistent and enforceable legal basis for clearing and settling CDS contracts to which the NTCE Supplement applies in light of the amendments made by the NTCE Supplement.

Therefore, the Commission finds that the proposed rule change is consistent with Rule 17Ad–22(e)(1).[17]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of

[11] 15 U.S.C. 78s(b)(2)(C).

[12] 15 U.S.C. 78q–1(b)(3)(F).

[13] 17 CFR 240.17Ad–22(e)(1).

[14] 15 U.S.C. 78q–1(b)(3)(F).

[15] 15 U.S.C. 78q–1(b)(3)(F).

[16] 17 CFR 240.17Ad–22(e)(1).

[17] *Id.*

Section 17A(b)(3)(F) of the Act [18] and Rule 17Ad–22(e)(1) thereunder.[19]

It is therefore ordered pursuant to Section 19(b)(2) of the Act [20] that the proposed rule change, as modified by Partial Amendment No. 1 (SR–ICEEU–2019–027), be, and hereby is, approved.[21]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2020–01367 Filed 1–27–20; 8:45 am]

BILLING CODE 8011–01–P

[18] 15 U.S.C. 78q–1(b)(3)(F).

[19] 17 CFR 240.17Ad–22(e)(1).

[20] 15 U.S.C. 78s(b)(2).

[21] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[22] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88016; File No. SR–CTA–2019–02]

Consolidated Tape Association; Notice of Filing of the Thirty-First Substantive Amendment to the Second Restatement of the CTA Plan

January 23, 2020.

Pursuant to Section 11A of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 608 thereunder,[2] notice is hereby given that on September 11, 2019,[3] the Consolidated Tape Association (''CTA'') Plan participants (''Participants'') [4] filed with the Securities and Exchange Commission (''Commission'') a proposal to amend the Second Restatement of the CTA Plan (''Plan'').[5] This Amendment represents the Thirty-First Substantive Amendment to the CTA Plan (''Amendment''). Under the Amendment, the Participants propose to amend the Plan to align provisions governing the reporting of last sale prices in an Eligible Security [6] by the Processor [7] during a Regulatory Halt [8] with corresponding provisions under the Nasdaq/UTP Plan.[9] The Participants also propose a non-substantive amendment to update cross references to the rules of NYSE and NYSE American in Section XI(a) of the Plan.

The proposed Amendment has been filed by the Participants pursuant to Rule 608(b)(2) under Regulation NMS.[10] The Commission is publishing this notice to solicit comments from interested persons on the proposed Amendment. Set forth in Sections I and II is the statement of the purpose and summary of the Amendment, along with the information required by Rules 608(a) and 601(a) under the Act, prepared and submitted by the Participants to the Commission.

[1] 15 U.S.C. 78k–1.

[2] 17 CFR 242.608.

[3] *See* Letter from Robert Books, Chair, CTA/CQ Operating Committee, to Vanessa Countryman, Secretary, Commission, dated September 6, 2019.

[4] The Participants are: Cboe BYX Exchange, Inc.; Cboe BZX Exchange, Inc.; Cboe EDGA Exchange, Inc.; Cboe EDGX Exchange, Inc.; Cboe Exchange, Inc.; NYSE Chicago, Inc.; Financial Industry Regulatory Authority, Inc.; The Investors' Exchange LLC; Long-Term Stock Exchange, Inc.; Nasdaq BX, Inc.; Nasdaq ISE, LLC; Nasdaq PHLX, Inc.; The Nasdaq Stock Market LLC; New York Stock Exchange LLC; NYSE American LLC; NYSE Arca, Inc.; and NYSE National, Inc. (collectively, the ''Participants'').

[5] *See* Securities Exchange Act Release Nos. 10787 (May 10, 1974), 39 FR 17799 (May 20, 1974) (declaring the CTA Plan effective). The most recent restatement of the Plan was in 1995. The CTA Plan, pursuant to which markets collect and disseminate last sale price information for non-NASDAQ listed securities, is a ''transaction reporting plan'' under Rule 601 under the Act, 17 CFR 242.601, and a ''national market system plan'' under Rule 608 under the Act, 17 CFR 242.608.

[6] Section VII(a) of the CTA Plan provides, in part, that the term ''Eligible Securities'' shall mean ''(i) NYSE and AMEX. Any common stock, long-term warrant or preferred stock registered or admitted to unlisted trading privileges on the NYSE or the AMEX on April 30, 1976; (ii) Other exchanges. Any common stock, long-term warrant or preferred stock registered or admitted to unlisted trading privileges on any other exchange which, on April 30, 1976, substantially met the original listing requirements of the NYSE or the AMEX for such securities; (iii) New listings. After April 30, 1976, any common stock, long-term warrant or preferred stock which becomes registered on any exchange or is admitted to unlisted trading privileges thereon and which at the time of such registration or at the commencement of such trading substantially meets the original listing requirements of the NYSE or the AMEX for such securities, as the same may be amended from time to time; (iv) Rights. Any right admitted to trading on an exchange which entitles the holder thereof to purchase or acquire a share or shares of an Eligible Security, provided that both the right and the Eligible Security to the holders of which the right is granted are admitted to trading on the same exchange.''

[7] The term ''Processor'' is defined in Section I(x) of the CTA Plan as ''the organization designated as recipient and processor of last sale price information furnished by Participants pursuant to this CTA Plan, as Section V describes.''

[8] A ''Regulatory Halt'' is defined in Section Xl(a) of the CTA Plan as a halt or suspension of trading in an Eligible Security by a listing market ''because such listing market has determined (i) that there are matters relating to such Security or the issuer thereof which have not been adequately disclosed to the public, or (ii) that there are regulatory problems relating to such Security which should be clarified before trading therein is permitted to continue.''

[9] The Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for NASDAQ-Listed Securities Traded on Exchanges on an Unlisted Trading Privilege Basis (the ''Nasdaq/UTP Plan'') governs the collection, consolidation, processing, and dissemination of last sale and quotation information for Network C securities.

[10] 17 CFR 242.608(b)(2).

I. Rule 608(a)

A. Purpose of the Amendment

Section XI(a) of the Plan currently prohibits the Processor from including any reports of last sale prices in an Eligible Security during a Regulatory Halt, even if the Processor receives a report due to a race condition or a late print where the trade occurred prior to the Regulatory Halt. The Processor only disseminates these reports of last sale prices after the Regulatory Halt is lifted or after the close of the market. In particular, when a primary market initiates a Regulatory Halt, it sends notifications to the Processor and other Participants. A trade may occur at a Participant before that Participant receives notification of the Regulatory Halt while a report of the trade is made to the Processor after the Processor receives notification of the Regulatory Halt. This race condition currently results in a transaction occurring at a Participant while the Processor delays the dissemination of the trade report.

With respect to the UTP Plan, the Processor will immediately disseminate such reports of last sale prices that occurred prior to the Regulatory Halt but received by the Processor after the Regulatory Halt. The Participants, in consultation with the Advisory Committee, have deemed it appropriate to align the operation of the Plan with the operation of the UTP Plan. As a result, the Participants are amending the language of the Plan to permit the dissemination of reports of last sale prices during a Regulatory Halt.

In addition, while the primary aim of this Amendment is to address situations associated with the race condition described above, it would be impractical for the Processor to determine that a transaction occurred either before or after a Participant received notification of a Regulatory Halt, and therefore whether to immediately disseminate or refrain from disseminating the trade report until permissible. Consequently, the Participants believe that it is appropriate to place the responsibility on the individual Participants to determine whether or not a transaction should be printed during a Regulatory Halt, and the Processor should simply act as a pass-through for the information that it receives from the Participants. Therefore, the Amendment will permit the Processor to disseminate any reports of last sale prices received during a Regulatory Halt, without reference to the specific race condition identified above.

The Participants also proposes a non-substantive amendment to update cross references to the rules of NYSE and NYSE American in Section XI.(a) of the Plan. Currently, the Plan refers to NYSE Rule 123D and AMEX Rule 119 as the rules that set forth those exchange's reopening procedures. The Participants propose to update those references to NYSE Rule 7.35 Series and NYSE American Rule 7.35E, which are the operative rules of those respective exchanges relating to reopening procedures.[11]

B. Governing or Constituent Documents

Not applicable.

C. Implementation of Amendment

Each of the Participants has approved the amendments in accordance with Section IV(b) of the CTA Plan and Section IV(c) of the CQ Plan, as applicable. The Participants also received feedback from the Advisory Committee on aligning the operation of the Plan with the UTP Plan.

D. Development and Implementation Phases

Not applicable.

E. Analysis of Impact on Competition

The Participants believe that the proposed amendments do not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Securities Exchange Act of 1934 (the ''Act''). The Participants believe that aligning the operation of the Plan with the UTP Plan with respect to dissemination of information during Regulatory Halts reduces inefficiencies and confusion among market participants with respect to the operation of the Plan and the UTP Plan during a Regulatory Halt. Additionally, the Participants believe that the amendment will serve to increase transparency in the marketplace by disseminating reports of last sale prices closer in time to when such transactions actually occurred.

F. Written Understanding or Agreements Relating to Interpretation of, or Participation in, Plan

Not applicable.

G. Approval by Sponsors in Accordance With Plan

Section IV(c)(i) of the CQ Plan and Section IV(b)(i) of the CTA Plan require the Participants to unanimously approve the amendments proposed herein. They so approved it.

H. Description of Operation of Facility Contemplated by the Proposed Amendment

Not applicable.

I. Terms and Conditions of Access

Not applicable.

J. Method of Determination and Imposition, and Amount of, Fees and Charges

Not applicable.

K. Method and Frequency of Processor Evaluation

Not applicable.

L. Dispute Resolution

Not applicable.

II. Regulation NMS Rule 601(a) (Solely in Its Application to the Amendments to the CTA Plan)

A. Equity Securities for Which Transaction Reports Shall Be Required by the Plan

Not applicable.

B. Reporting Requirements

Not applicable.

C. Manner of Collecting, Processing, Sequencing, Making Available and Disseminating Last Sale Information

As a result of the amendment, the Processor would be required to disseminate reports of last sale prices for transactions received by the Processor during a Regulatory Halt.

D. Manner of Consolidation

Not applicable.

E. Standards and Methods Ensuring Promptness, Accuracy and Completeness of Transaction Reports

Not applicable.

F. Rules and Procedures Addressed to Fraudulent or Manipulative Dissemination

Not applicable.

G. Terms of Access to Transaction Reports

Not applicable.

H. Identification of Marketplace of Execution

Not applicable.

III. Solicitation of Comments

The Commission seeks general comments on the Amendment. Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed Amendment is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CTA–2019–02 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–CTA–2019–02. 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 website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all written statements with respect to the proposed Amendment that are filed with the Commission, and all written communications relating to the proposed Amendment 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 website viewing and printing at the principal office of the Plan. 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–CTA–2019–02 and should be submitted on or before February 18, 2020.

By the Commission.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2020–01452 Filed 1–27–20; 8:45 am]

BILLING CODE 8011–01–P

[11] *See* Securities Exchange Act Release Nos. 85962 (May 29, 2019), 84 FR 26188 (June 5, 2019) (SR–NYSE–2019–05) (Order approving NYSE trading rules relating to auctions, which will be implemented beginning August 5, 2019); 80590 (May 4, 2017), 82 FR 21843 (May 10, 2017) (SR–NYSEMKT–2017–01) (Order approving new NYSE American equity trading rules, including auction rules).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88017; File No. S7–24–89]

Joint Industry Plan; Notice of Filing of the Forty-Fifth Amendment to the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis

January 23, 2020.

Pursuant to Section 11A of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 608 thereunder,[2] notice is hereby given that on September 11, 2019,[3] the Participants [4] in the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis (''Nasdaq/UTP Plan'' or ''Plan'') filed with the Securities and Exchange Commission (''Commission'') a proposal to amend the Nasdaq/UTP Plan.[5] The amendment represents the 45th amendment to the Nasdaq/UTP Plan (''Amendment''). Under the Amendment, the Participants propose to amend the Plan to resolve textual inconsistencies in Plan provisions governing the reporting of last sale price reports in an Eligible Security [6] by the Processor [7] during a Regulatory Halt.[8]

The proposed Amendment has been filed by the Participants pursuant to Rule 608(b)(2) under Regulation NMS.[9] The Commission is publishing this notice to solicit comments from interested persons on the proposed Amendment. Set forth in Sections I and II is the statement of the purpose and summary of the Amendment, along with the information required by Rules 608(a) and 601(a) under the Act, prepared and submitted by the Participants to the Commission.

I. Rule 608(a)

A. Purpose of the Amendment

Section X of the Plan currently includes inconsistent language with respect to the Processor's ability to disseminate last sale price reports in an Eligible Security during a Regulatory Halt. Section X.A prohibits the Processor from including any last sale reports in an Eligible Security during a Regulatory Halt. Section X.C, however, includes language that specifically permits the Processor during a Regulatory Halt to ''collect and disseminate Transaction Information.''

In practice, during a Regulatory Halt, the Processor has been following Section X.C and will immediately disseminate last sale price reports during a Regulatory Halt. The Participants believe that the Processor's current practice helps to reduce inefficiencies and confusion among market participants with respect to the operation of the Plan during a Regulatory Halt. As a result, the Participants have determined it appropriate to amend the language of the Plan to resolve the inconsistent language described above in order to confirm that the Processor may continue to disseminate last sale price reports during a Regulatory Halt. In addition, the Amendment would also align the Plan language with a corresponding Amendment being proposed by the CTA Plan.

Further, the Participants believe that the Amendment would help avoid race conditions. By way of example, when a primary market initiates a Regulatory Halt, it sends notifications to the Processor and other Participants. A trade may occur at a Participant before that Participant receives notification of the Regulatory Halt and thereby reports the trade to the Processor after the Processor receives notification of the Regulatory Halt. The Participants believe it would be impractical for the Processor to determine that a transaction occurred either before or after a Participant received notification of a Regulatory Halt, and therefore whether to immediately disseminate or refrain from disseminating the trade report until permissible. Consequently, the Participants believe that it is appropriate to place the responsibility on the individual Participants to determine whether or not a transaction should be printed during a Regulatory Halt, and the Processor should simply act as a pass-through for the information that it receives from the Participants. Therefore, the Amendment will permit the Processor to continue to disseminate any last sale price reports received during a Regulatory Halt, without reference to the specific race condition identified above.

B. Governing or Constituent Documents

Not applicable.

C. Implementation of Amendment

Each of the Participants has approved the Amendment in accordance with Section IV.C of the UTP Plan. The Participants also received feedback from the Advisory Committee on amending the Plan to resolve ambiguous language in the Plan to confirm that the Processor may disseminate last sale price reports and align the Plan with the corresponding Amendment proposed by the CTA Plan.

D. Development and Implementation Phases

Not applicable.

E. Analysis of Impact on Competition

The Participants believe that the proposed Amendment do not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Securities Exchange Act of 1934, as amended. The Participants believe that amending the Plan to resolve inconsistent language

[1] 15 U.S.C. 78k–1.

[2] 17 CFR 242.608.

[3] *See* Letter from Robert Books, Chair, UTP Operating Committee, to Vanessa Countryman, Secretary, Commission, dated September 6, 2019.

[4] The Participants are: Cboe BYX Exchange, Inc.; Cboe BZX Exchange, Inc.; Cboe EDGA Exchange, Inc.; Cboe EDGX Exchange, Inc.; Cboe Exchange, Inc.; NYSE Chicago, Inc.; Financial Industry Regulatory Authority, Inc.; The Investors' Exchange LLC; Long-Term Stock Exchange, Inc.; Nasdaq BX, Inc.; Nasdaq ISE, LLC; Nasdaq PHLX, Inc.; The Nasdaq Stock Market LLC; New York Stock Exchange LLC; NYSE American LLC; NYSE Arca, Inc.; and NYSE National, Inc. (collectively, the ''Participants'').

[5] The Plan governs the collection, processing, and dissemination on a consolidated basis of quotation information and transaction reports in Eligible Securities for its Participants. This consolidated information informs investors of the current quotation and recent trade prices of Nasdaq securities. It enables investors to ascertain from one data source the current prices in all the markets trading Nasdaq securities. The Plan serves as the required transaction reporting plan for its Participants, which is a prerequisite for their trading Eligible Securities. *See* Securities Exchange Act Release No. 55647 (April 19, 2007), 72 FR 20891 (April 26, 2007).

[6] Section III.B of the Plan defines ''Eligible Security'' as ''any Nasdaq Global Market or Nasdaq Capital Market security, as defined in NASDAQ Rule 4200. Eligible Securities under the UTP Plan does not include any security that is defined as an ''Eligible Security'' within Section VII of the Consolidated Tape Association Plan.''

[7] Section III.Q of the Plan defines the term ''Processor'' as ''the entity selected by the Participants to perform the processing functions set forth in the Plan.''

[8] Section III.S of the Plan defines the term ''Regulatory Halt'' as a ''trade suspension or halt called for the purpose of dissemination of material news, as described in Section X of the Plan or that is called for where there are regulatory problems relating to an Eligible Security that should be clarified before trading therein is permitted to continue, including a trading halt for extraordinary market activity due to system misuse or malfunction under Section X.E. l of the Plan ('Extraordinary Market Regulatory Halt').''

[9] 17 CFR 242.608(b)(2).

with respect to dissemination of information by the Processor during Regulatory Halts reduces inefficiencies and confusion among market participants with respect to the operation of the Plan during a Regulatory Halt. Additionally, the Participants believe that the Amendment will serve to increase transparency in the marketplace by disseminating Transaction Reports closer in time to when such transactions actually occurred. The Participants also have approved a corresponding Amendment to the CTA Plan thereby aligning the operation of the Plan with the CTA Plan.

F. Written Understanding or Agreements Relating to Interpretation of, or Participation in, Plan

Not applicable.

G. Approval by Sponsors in Accordance With Plan

Section IV.C.l of the UTP Plan requires the Participants to unanimously approve the Amendment proposed herein. They so approved it.

H. Description of Operation of Facility Contemplated by the Proposed Amendment

Not applicable.

I. Terms and Conditions of Access

Not applicable.

J. Method of Determination and Imposition, and Amount of, Fees and Charges

Not applicable.

K. Method and Frequency of Processor Evaluation

Not applicable.

L. Dispute Resolution

Not applicable.

II. Regulation NMS Rule 601(a) (Solely in Its Application to the Amendments to the UTP Plan)

A. Equity Securities for Which Transaction Reports Shall Be Required by the Plan

Not applicable.

B. Reporting Requirements

Not applicable.

C. Manner of Collecting, Processing, Sequencing, Making Available and Disseminating Last Sale Information

The Amendment would resolve ambiguous Plan language to clarify that the Processor may continue to disseminate Transaction Reports of last sale prices for transactions received by the Processor during a Regulatory Halt.

D. Manner of Consolidation

Not applicable.

E. Standards and Methods Ensuring Promptness, Accuracy and Completeness of Transaction Reports

Not applicable.

F. Rules and Procedures Addressed to Fraudulent or Manipulative Dissemination

Not applicable.

G. Terms of Access to Transaction Reports

Not applicable.

H. Identification of Marketplace of Execution

Not applicable.

III. Solicitation of Comments

The Commission seeks general comments on the Amendment. Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed Amendment is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number S7–24–89 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number S7–24–89. 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 website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all written statements with respect to the proposed Amendment that are filed with the Commission, and all written communications relating to the proposed Amendment 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 website viewing and printing at the principal office of the Plan. 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 S7–24–89 and should be submitted on or before February 18, 2020.

By the Commission.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2020–01453 Filed 1–27–20; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #16253 and #16254; Puerto Rico Disaster Number PR–00034]

Presidential Declaration Amendment of a Major Disaster for the State of Puerto Rico

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of Puerto Rico (FEMA–4473–DR), dated 01/22/2020.

Incident: Earthquakes.

Incident Period: 12/28/2019 and continuing.

DATES: Issued on 01/22/2020.

Physical Loan Application Deadline Date: 03/16/2020.

Economic Injury (EIDL) Loan Application Deadline Date: 10/16/2020.

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: The notice of the President's major disaster declaration for the State of Puerto Rico, dated 01/16/2020, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Adjuntas, Cabo Rojo, Corozal, Jayuya, Lajas, Lares, Maricao, San German, San Sebastian, Villalba.

Contiguous Counties (Economic Injury Loans Only):

Puerto Rico: Anasco, Barranquitas, Camuy, Coamo, Hormigueros, Isabela, Las Marias, Mayaguez, Moca, Morovis, Naranjito, Orocovis, Quebradillas, Toa Alta, Vega Alta.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 2020–01412 Filed 1–27–20; 8:45 am]

BILLING CODE 8026–03–P

DEPARTMENT OF STATE

[Public Notice: 11012]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''Francis Bacon: Late Paintings'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition ''Francis Bacon: Late Paintings,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Museum of Fine Arts, Houston, in Houston, Texas, from on or about February 23, 2020, until on or about May 25, 2020; and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–01458 Filed 1–27–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11014]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''J.M.W. Turner: Quest for the Sublime'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be exhibited in the exhibition ''J.M.W. Turner: Quest for the Sublime,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Frist Art Museum, Nashville, Tennessee, from on or about February 20, 2020, until on or about May 31, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–01525 Filed 1–27–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11008]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''Mesopotamia: Civilization Begins'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be exhibited in the exhibition ''Mesopotamia: Civilization Begins,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The J. Paul Getty Museum at the Getty Villa, Pacific Palisades, California, from on or about March 18, 2020, until on or about July 27, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–01399 Filed 1–27–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11013]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''Oskar Schlemmer, The Triadic Ballet'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby

determine that certain objects to be exhibited in the exhibition ''Oskar Schlemmer, The Triadic Ballet,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Walt Disney Concert Hall, Los Angeles, California, from on or about February 6, 2020, until on or about February 23, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–01524 Filed 1–27–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11009]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''A Superb Baroque: Art in Genoa, 1600–1750'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be exhibited in the exhibition ''A Superb Baroque: Art in Genoa, 1600–1750,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the National Gallery of Art, Washington, District of Columbia, from on or about May 3, 2020, until on or about August 16, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–01400 Filed 1–27–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11010]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''The Classical World in Context: Persia'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be exhibited in the exhibition ''The Classical World in Context: Persia,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at The J. Paul Getty Museum at the Getty Villa, Pacific Palisades, California, from on or about March 17, 2021, until on or about August 30, 2021, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–01401 Filed 1–27–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No: FAA–2020–0047]

Deadline for Notification of Intent To Use the Airport Improvement Program Primary, Cargo, and Nonprimary Entitlement Funds Available to Date for Fiscal Year 2020

AGENCY: Federal Aviation Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: This action announces April 1, 2020, as the deadline for each airport sponsor to notify the FAA if it will use its Fiscal Year (FY) 2020 entitlement funds (also referred to as apportioned funds) to accomplish Airport Improvement Program (AIP) eligible projects. Each sponsor has previously identified to the FAA such projects through the Airports Capital Improvement Plan process. This action further announces May 18, 2020, as the deadline for an airport sponsor to submit a final grant application to use FY 2020 entitlement funds.

FOR FURTHER INFORMATION CONTACT: Dave Cushing, Manager, Airports Financial Assistance Division, APP–500, at (202) 267–8827.

SUPPLEMENTARY INFORMATION: Title 49 U.S.C. 47105(f) provides that the sponsor of an airport for which entitlement funds are apportioned shall notify the Secretary, by such time and in a form as prescribed by the Secretary, of the airport sponsor's intent to submit a grant application for its available

entitlement funds. Therefore, the FAA is hereby notifying such airport sponsors of the steps required to ensure that the FAA has sufficient time to carry over and convert remaining entitlement funds.

The AIP grant program is operating under the requirements of Public Law 115–254, the ''FAA Reauthorization Act of 2018,'' enacted on October 5, 2018, which authorizes the FAA through September 30, 2023, and Public Law 116–94, the ''Further Continuing Appropriations Act, 2020,'' which appropriates FY 2020 funds for the AIP through September 30, 2020. In accordance with legislation enacted as of the date of this notice, the AIP has approximately $2.4 billion of entitlement funds available through September 30, 2020.

This notice applies only to those airports that have entitlement funds apportioned to them, except those nonprimary airports located in designated Block Grant States.

Under 49 U.S.C. 47114(d)(3)(C), an airport listed as having an unclassified status under the most recent National Plan of Integrated Airport Systems, shall accrue entitlement funds in FY 2020. The amount apportioned will only be available to the airport during the same fiscal year and may not be transferred to another airport.

An airport sponsor intending to apply for any of its available entitlement funds, including those unused from prior years, must notify the FAA of its intent to submit a grant application by 12:00 p.m. prevailing local time on Wednesday, April 1, 2020.

This notice must be in writing and address all entitlement funds available to date for FY 2020, including those entitlement funds not obligated from prior years. These notifications are critical to ensure efficient planning and administration of the AIP. The final grant application deadline is Monday, May 18, 2020. The final grant application funding requests are to be based on bids, not estimates.

An airport sponsor must provide its notification and grant applications to its designated FAA Airports District Office (or Regional Office in regions without Airports District Offices). Absent notification of the intent to submit a grant application, or submission of a grant application by the relevant deadlines noted above, the FAA will carry over the remainder of available entitlement funds on Monday, June 1, 2020. These funds will not be available again until at least the beginning of FY 2021. Dates are subject to possible adjustment based on future legislation. As of the publication of this notice, appropriations for the FAA expire on September 30, 2020, and authorization legislation for the FAA expires on September 30, 2023.

The FAA has determined this process and deadline will expedite and facilitate the FY 2020 grant-making process.

Issued in Washington, DC, on January 23, 2020.

Robert John Craven,

Director, Office of Airport Planning and Programming.

[FR Doc. 2020–01435 Filed 1–27–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more aircraft that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these vessels are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section for effective date(s).

FOR FURTHER INFORMATION CONTACT: *OFAC:* Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490; Assistant Director for Licensing, tel.: 202–622–2480; or Assistant Director for Regulatory Affairs, tel.: 202–622–4855.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List and additional information concerning OFAC sanctions programs are available on OFAC's website (*https://www.treasury.gov/ofac*).

Notice of OFAC Action(s)

On January 21, 2020, OFAC determined that the following aircraft subject to U.S. jurisdiction are blocked under the relevant sanctions authorities listed below.

Aircraft

1. YV1118; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–396; Aircraft Tail Number YV1118 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to Executive Order 13884, ''Blocking Property of the Government of Venezuela,'' 84 FR 38843 (''E.O. 13884'') as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

2. YV2040; Aircraft Model Falcon 900B; Aircraft Manufacturer's Serial Number (MSN) 133; Aircraft Tail Number YV2040 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

3. YV2485; Aircraft Model Falcon 900EX; Aircraft Manufacturer's Serial Number (MSN) 196; Aircraft Tail Number YV2485 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

4. YV2486; Aircraft Model Falcon 900EX; Aircraft Manufacturer's Serial Number (MSN) 197; Aircraft Tail Number YV2486 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

5. YV2565; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–389; Aircraft Tail Number YV2565 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

6. YV2567; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–390; Aircraft Tail Number YV2567 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

7. YV2716; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–415; Aircraft Tail Number YV2716 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property

and interests in property are blocked pursuant to E.O. 13884, has an interest.

8. YV2726; Aircraft Model Falcon 900; Aircraft Manufacturer's Serial Number (MSN) 136; Aircraft Tail Number YV2726 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

9. YV2734; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–407; Aircraft Tail Number YV2734 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

10. YV2738; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–424; Aircraft Tail Number YV2738 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

11. YV2739; Aircraft Model Learjet 45; Aircraft Manufacturer's Serial Number (MSN) 45–425; Aircraft Tail Number YV2739 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

12. YV2762; Aircraft Model 1900D; Aircraft Manufacturer's Serial Number (MSN) UE–275; Aircraft Tail Number YV2762 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

13. YV2763; Aircraft Model 1900D; Aircraft Manufacturer's Serial Number (MSN) UE–236; Aircraft Tail Number YV2763 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

14. YV2869; Aircraft Model 1900D; Aircraft Manufacturer's Serial Number (MSN) UE–352; Aircraft Tail Number YV2869 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

15. YV3360; Aircraft Model Falcon 200EX; Aircraft Manufacturer's Serial Number (MSN) 17; Aircraft Tail Number YV3360 (aircraft) [VENEZUELA–EO13884].

Identified pursuant to E.O. 13884 as property in which the Government of Venezuela, an entity whose property and interests in property are blocked pursuant to E.O. 13884, has an interest.

Dated: January 21, 2020.

Andrea Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2020–01349 Filed 1–27–20; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

United States Mint

2020 Pricing of Numismatic Gold, Commemorative Gold, Platinum, and Palladium Products Grid

AGENCY: United States Mint, Department of the Treasury.

ACTION: Notice.

The United States Mint announces 2020 revisions to include price increases for the Platinum Proof coins within the Numismatic Gold, Commemorative Gold, Platinum, and Palladium Products Grid.

An excerpt of the grid with a recent price range for the American Eagle Platinum Proof coin appears below:

2020 Pricing of Numismatic Gold, Commemorative Gold, Platinum, and Palladium Products

*Does not reflect $5 discount during introductory period

Average Price per Ounce	Size	American Eagle Gold Proof	American Eagle Gold Uncirculated	American Buffalo 24K Gold Proof	American Eagle Platinum Proof	American Eagle Palladium Reverse Proof	American Liberty 24K Gold	Commemorative Gold Proof*	Commemorative Gold Uncirculated*
$950.00 to $999.99	1 oz	$1,327.50	$1,290.00	$1,360.00	$1,545.00	$1,387.50	$1,390.00		
	1/2 oz	$680.00							
	1/4 oz	$352.50							
	1/10 oz	$152.50					$180.00		
	4-coin set	$2,460.00							
	commemorative gold							$350.25	$340.25
	commemorative 3-coin set							$415.75	

The complete 2020 Pricing of Numismatic Gold, Commemorative Gold, Platinum, and Palladium Products Grid will be available at *https://catalog.usmint.gov/coin-programs/american-eagle-coins.*

Pricing can vary weekly depending upon the London Bullion Market Association gold, platinum, and palladium prices weekly average. The pricing for all United States Mint numismatic gold, platinum, and palladium products is evaluated every Wednesday and modified as necessary.

FOR FURTHER INFORMATION CONTACT: Cathy Olson; Numismatic and Bullion Directorate; United States Mint; 801 9th Street NW, Washington, DC 20220; or call 202–354–7500.

Authority: 31 U.S.C. 5111, 5112, & 9701.

Dated: January 22, 2020.

David J. Ryder,

Director, United States Mint.

[FR Doc. 2020–01456 Filed 1–27–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee: National Academic Affiliations Council Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that a meeting of the National Academic Affiliations Council (NAAC) will be held March 11, 2020–March 12, 2020 at the VA Conference Room 230, 2nd Floor, 810 Vermont Avenue NW, Washington, DC 20420. The meetings will be held:

Date	Time
Wednesday, March 11, 2020.	1:00 p.m.–5:00 p.m. (EST).
Thursday, March 12, 2020.	9:00 a.m.–5:00 p.m. (EST).

The meetings are open to the public.

The purpose of the Council is to advise the Secretary on matters affecting partnerships between VA and its academic affiliates.

On March 11, 2020 the Council will explore the VA Electronic Health Record Modernization as related to education and research, discuss VA trainee onboarding, and trainee recruitment and hiring. The Council will have open discussions and receive public comments from 4:45 p.m. to 5:00 p.m.

On March 12, 2020 the Council will have open discussion with NAAC members and receive a presentation from the Strategic Academic Advisory Council (SAAC) and an update on recent activities of the Diversity and Inclusion Subcommittee and MISSION Act (Pub. L. 115–182) provisions related to health professions education. The Council will receive a status update on Academic Partnership Councils in VA. The Council will receive public comments from 4:30 p.m. to 4:45 p.m.

Interested persons may attend and present oral statements to the Council. A sign-in sheet for those who want to give comments will be available at the meeting. Individuals who speak are invited to submit a 1–2-page summary of their comments at the time of the meeting for inclusion in the official meeting record. Oral presentations will be limited to five minutes or less, depending on the number of participants. Interested parties may also provide written comments for review by the Council prior to the meeting or at any time, via email to, *Larissa.Emory@va.gov,* or by mail to Larissa Emory PMP, CBP, MS, Designated Federal Officer, Office of Academic Affiliations (10X1), 810 Vermont Avenue NW, Washington, DC 20420. Any member of the public wishing to attend or seeking additional information should contact Ms. Emory via email or by phone at (915) 269–0465. Because the meeting will be held in a Government building, anyone attending must be prepared to submit to security screening and present a valid photo I.D. Please allow at least 20 minutes prior to the meeting for this process.

Dated: January 22, 2020.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2020–01350 Filed 1–27–20; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0365]

Agency Information Collection Activity: (Request for Disinterment)

AGENCY: National Cemetery Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The National Cemetery Administration (NCA), 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. This notice solicits comments on the information needed to determine a claimant entitlement to disinter the remains of a loved one from or within a national cemetery.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before March 30, 2020.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Cynthia Harvey-Pryor, National Cemetery Administration (42E), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420; or email: *Cynthia.Harvey-Pryor@va.gov.* Please refer to ''OMB Control No. 2900–0365'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Aubrey David at 202–461–6739.

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, NCA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of NCA's functions, including whether the information will have practical utility; (2) the accuracy of NCA'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: Request for Disinterment, VA Form 40–4970.

OMB Control Number: 2900–0365.

Type of Review: Extension of a currently approved collection.

Abstract: Claimants complete VA Form 40–4970 to request removal of remains from a national cemetery for interment at another location. Interments made in national cemeteries are permanent and final. All immediate family members of the decedent, including the person who initiated the interment, (whether or not he/she is a member of the immediate family) must provide a written consent before disinterment is granted. VA will accept an order from a court of local jurisdiction in lieu of VA Form 40–4970.

Affected Public: Individuals or Households.

Estimated Annual Burden: 185.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 1106.

By direction of the Secretary.

Danny S. Green,

Department Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2020–01467 Filed 1–27–20; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0521]

Agency Information Collection Activity: Report and Certification of Loan Disbursement, Request for Verification of Employment and Request for Verification of Deposit

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 March 30, 2020.

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. 2900–0521'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Danny S. Green, (202) 421–1354 or email *Danny.Green2@va.gov.* Please refer to ''OMB Control No. 2900–0521'' in any correspondence.

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: Compliance Inspection Report (VA Form 26–1820, VA Form 26–8497, VA Form 26–8497a).

OMB Control Number: 2900–0521.

Type of Review: Extension of a currently approved collection.

Abstract: Lenders must obtain specific information concerning a veteran's credit history in order to properly underwrite the veteran's loan. VA loans may not be guaranteed unless the veteran is a satisfactory credit risk. The data collected on the following forms are used to ensure that applications for VA-guaranteed loans are underwritten in a reasonable and prudent manner.

a. VA Form 26–1820 is completed by lenders closing VA-guaranteed and insured loans under the automatic or prior approval procedures.

b. VA Form 26–8497 is used by lenders to verify a loan applicant's income and employment information when making guaranteed and insured loans. VA does not require the exclusive use of this form for verification purposes, any alternative verification document would be acceptable provided that all information requested on VA Form 26–8497 is provided.

c. Lenders making guaranteed and insured loans complete VA Form 26–8497a to verify the applicant's deposits in banks and other savings institutions.

Affected Public: Individuals or households.

Estimated Annual Burden: 187,500 hours.

VA Form 26–1820	150,000 hours
VA From 26–8497	25,000 hours
VA Form 26–8497a	12,500 hours

Estimated Average Burden per Respondent:

VA Form 26–1820	15 minutes
VA Form 26–8497	10 minutes
VA Form 26–8497a	5 minutes

Frequency of Response: One time.

Estimated Number of Respondents: 900,000.

VA Form 26–1820	600,000
VA Form 26–8497	150,000
VA Form 26–8497a	150,000

By direction of the Secretary:

Danny S. Green,

VA Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2020–01461 Filed 1–27–20; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 85 Tuesday,

No. 18 January 28, 2020

Part II

Department of the Interior

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Big Sandy Crayfish and the Guyandotte River Crayfish; Proposed Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R5–ES–2019–0098; 4500090023]

RIN 1018–BE19

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Big Sandy Crayfish and the Guyandotte River Crayfish

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to designate critical habitat for the Big Sandy crayfish (*Cambarus callainus*) and the Guyandotte River crayfish (*C. veteranus*) under the Endangered Species Act of 1973, as amended (Act). In total, approximately 582 stream kilometers (skm) (362 stream miles (smi)) in Martin and Pike Counties, Kentucky; Buchanan, Dickenson, and Wise Counties, Virginia; and McDowell, Mingo, and Wayne Counties, West Virginia, are proposed as critical habitat for the Big Sandy crayfish. Approximately 135 skm (84 smi) in Logan and Wyoming Counties, West Virginia, are proposed as critical habitat for the Guyandotte River crayfish. If we finalize this rule as proposed, it would extend the Act's protections to these species' critical habitat. We also announce the availability of a draft economic analysis of the proposed designation of critical habitat for these species.

DATES: We will accept comments on the proposed rule or draft economic analysis (DEA) that are received or postmarked on or before March 30, 2020. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. Eastern Time on the closing date. We must receive requests for a public hearing, in writing, at the address shown in **FOR FURTHER INFORMATION CONTACT** by March 13, 2020.

ADDRESSES: *Written comments:* You may submit comments on the proposed rule or DEA by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *http://www.regulations.gov.* In the Search box, enter FWS–R5–ES–2019–0098, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, click on the Proposed Rules link to locate this document. You may submit a comment by clicking on ''Comment Now!''

(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R5–ES–2019–0098, U.S. Fish and Wildlife Service, MS: JAO/1N, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see *Public Comments,* below, for more information).

Document availability: This proposed rule and the DEA are available on the internet at *http://www.regulations.gov* at Docket No. FWS–R5–ES–2019–0098, and at the North Atlantic-Appalachian Regional Office (see **FOR FURTHER INFORMATION CONTACT**).

The coordinates or plot points or both from which the maps are generated are included in the administrative record for this critical habitat designation and are available at *http://www.regulations.gov* at Docket No. FWS–R5–ES–2019–0098, and at the North Atlantic-Appalachian Regional Office (see **FOR FURTHER INFORMATION CONTACT**). Any additional tools or supporting information that we may develop for this critical habitat designation will also be available at the Regional Office set out above, and may also be included in the preamble and/or at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Martin Miller, Chief, Endangered Species, U.S. Fish and Wildlife Service, North Atlantic-Appalachian Regional Office, 300 Westgate Center Drive, Hadley, MA 01035; telephone 413–253–8615. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Executive Summary

Why we need to publish a rule. Under the Act, any species that is determined to be an endangered or threatened species requires critical habitat to be designated, to the maximum extent prudent and determinable. Designations and revisions of critical habitat can only be completed by issuing a rule.

This rule proposes to designate critical habitat for two species of crayfish, the Big Sandy crayfish and the Guyandotte River crayfish. We listed the Big Sandy crayfish as a threatened species and the Guyandotte River crayfish as an endangered species on April 7, 2016 (81 FR 20450).

The basis for our action. Under the Act, any species that is determined to be an endangered or threatened species shall, to the maximum extent prudent and determinable, have habitat designated that is considered to be critical habitat. Section 4(b)(2) of the Act states that the Secretary shall designate and make revisions to critical habitat on the basis of the best available scientific data after taking into consideration the economic impact, the impact on national security, and any other relevant impact of specifying any particular area as critical habitat. Section 3(5)(A) of the Act defines critical habitat as (i) the specific areas within the geographical area occupied by the species, at the time it is listed, on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protections; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination by the Secretary that such areas are essential for the conservation of the species. The Secretary may exclude an area from critical habitat if he determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat, unless he determines, based on the best scientific data available, that the failure to designate such area as critical habitat will result in the extinction of the species.

The critical habitat areas we are proposing to designate in this rule constitute our current best assessment of the areas that meet the definition of critical habitat for the Big Sandy and Guyandotte River crayfishes. We propose to designate:

- Approximately 582 stream kilometers (skm) (362 stream miles (smi)) of streams for the Big Sandy crayfish.
- Approximately 135 skm (84 smi) of streams for the Guyandotte River crayfish.

We prepared an economic analysis of the proposed designation of critical habitat. In order to consider economic impacts, we prepared an analysis of the economic impacts of the proposed critical habitat designation. We hereby announce the availability of the draft economic analysis and seek public review and comment.

Peer review. In accordance with our joint policy on peer review published in the **Federal Register** on July 1, 1994 (59 FR 34270), we are seeking comments

from independent specialists to ensure that this critical habitat proposal is based on scientifically sound data and analyses. We have invited these peer reviewers to comment on our specific assumptions and conclusions in this proposal to designate critical habitat. Because we will consider all comments and information we receive during the comment period, our final determinations may differ from this proposal.

Information Requested

Public Comments

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other concerned governmental agencies, Native American tribes, the scientific community, industry, or any other interested parties concerning this proposed rule. We particularly seek comments concerning:

(1) The reasons why we should or should not designate habitat as ''critical habitat'' under section 4 of the Act (16 U.S.C. 1531 *et seq.*), including information to answer the following questions:

(a) Are the species threatened by taking or other human activity, and would identification of critical habitat be expected to increase the degree of such threat to the species?

(b) Is the present or threatened destruction, modification, or curtailment of a species' habitat or range a threat to the species, or do the threats to the species' habitats stem solely from causes that cannot be addressed through management actions resulting from consultation under section 7(a)(2) of the Act?

(c) Do any areas meet the definition of critical habitat?

(2) Specific information on:

(a) The amount and distribution of Big Sandy crayfish or Guyandotte River crayfish habitat;

(b) What areas, that were occupied at the time of listing (*i.e.,* are currently occupied) and that contain features essential to the conservation of the species, should be included in the designation and why;

(c) Special management considerations or protection that may be needed in critical habitat areas we are proposing, including managing for the potential effects of climate change; and

(d) What areas not occupied at the time of listing are essential for the conservation of the species and why. We particularly seek comments regarding:

(i) Whether occupied areas are inadequate for the conservation of the species; and

(ii) Specific information that supports the determination that unoccupied areas will, with reasonable certainty, contribute to the conservation of the species and contain at least one physical or biological feature essential to the conservation of the species.

(3) Land use designations and current or planned activities in the subject areas and their possible effects on proposed critical habitat.

(4) Any probable economic, national security, or other relevant effects of designating any area that may be included in the final designation, and the benefits of including or excluding areas that may be affected.

(5) Information on the extent to which the description of probable economic effects in the draft economic analysis (DEA) is a reasonable estimate of the likely economic effects.

(6) Information on land ownership within proposed critical habitat areas, particularly tribal land ownership (allotments, trust, and/or fee) so that the Service may best implement Secretarial Order 3206 (American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act).

(7) Whether any specific areas we are proposing for critical habitat designation should be considered for exclusion under section 4(b)(2) of the Act, and whether the benefits of potentially excluding any specific area outweigh the benefits of including that area under section 4(b)(2) of the Act. Specific information we seek includes information on any conservation plans within the proposed critical habitat areas that provide conservation for the Big Sandy or Guyandotte River crayfishes and their habitats.

(8) The likelihood of adverse social reactions to the designation of critical habitat, as discussed in the associated documents of the DEA, and how the consequences of such reactions, if likely to occur, would relate to the conservation and regulatory benefits of the proposed critical habitat designation.

(9) Whether we could improve or modify our approach to designating critical habitat in any way to provide for greater public participation and understanding, or to better accommodate public concerns and comments.

Please include sufficient information with your submission (such as scientific journal articles or other publications) to allow us to verify any scientific or commercial information you include.

Please note also that comments merely stating support for or opposition to the action under consideration without providing supporting information, although noted, will not be considered in making a determination, as section 4(b)(1)(A) of the Act directs that we must make determinations ''solely on the basis of the best scientific and commercial data available.''

You may submit your comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via *http://www.regulations.gov,* your entire submission—including any personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on *http://www.regulations.gov.*

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on *http://www.regulations.gov,* or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Northeast Regional Office (see **FOR FURTHER INFORMATION CONTACT**).

Public Hearing

Section 4(b)(5) of the Act provides for a public hearing on this proposal, if requested. Requests must be received by the date specified above in **DATES**. Such requests must be sent to the address shown in **FOR FURTHER INFORMATION CONTACT**. We will schedule a public hearing on this proposal, if requested, and announce the date, time, and place of the hearing, as well as how to obtain reasonable accommodations, in the **Federal Register** and local newspapers at least 15 days before the hearing.

Previous Federal Actions

Federal actions prior to April 7, 2015, are described in the proposed rule to list the Big Sandy crayfish and the Guyandotte River crayfish under the Act (80 FR 18710; April 7, 2015).

On April 7, 2016 (81 FR 20450), we listed the Big Sandy crayfish as a threatened species and the Guyandotte River crayfish as an endangered species. In the April 7, 2015, proposed listing rule (80 FR 18710), we stated that designating critical habitat at that time

was prudent but not determinable. On March 28, 2018, the Service received a notice of intent (NOI) to sue letter from the Center for Biological Diversity (CBD) alleging that the Service failed to designate critical habitat for the Big Sandy crayfish and the Guyandotte River crayfish within the timeframe set forth in the Act. On May 23, 2018, the Service responded to CBD's NOI, explaining that the proposed critical habitat designations for these two species were not currently among the highest priority actions outlined in our 7-year National Listing Workplan and more specific fiscal year 2018 Workplan. On June 20, 2018, CBD filed suit alleging that the Service failed to designate critical habitat within the Act's required timeline (*CBD* v. *Zinke,* No. 2:18–cv–11111 (S.D.W.Va.)). On September 21, 2018, we filed an unopposed motion to stay litigation (No. 2:18–cv–01058 (S.D.W.Va.)) until December 31, 2019. On October 18, 2018, the court granted our motion to stay (No. 2:18–cv–01058 (S.D.W.Va.)).

Background

Critical habitat is defined in section 3 of the Act as:

(1) The specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features:

(a) Essential to the conservation of the species, and

(b) Which may require special management considerations or protection; and

(2) Specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Our regulations at 50 CFR 424.02 define the geographical area occupied by the species as an area that may generally be delineated around species' occurrences, as determined by the Secretary (*i.e.,* range). Such areas may include those areas used throughout all or part of the species' life cycle, even if not used on a regular basis (*e.g.,* migratory corridors, seasonal habitats, and habitats used periodically, but not solely by vagrant individuals).

Conservation, as defined under section 3 of the Act, means to use and the use of all methods and procedures that are necessary to bring an endangered or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary. Such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transplantation, and, in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved, may include regulated taking.

Critical habitat receives protection under section 7 of the Act through the requirement that Federal agencies ensure, in consultation with the Service, that any action they authorize, fund, or carry out is not likely to result in the destruction or adverse modification of critical habitat. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. Such designation does not allow the government or public to access private lands or require implementation of restoration, recovery, or enhancement measures by non-Federal landowners. Where a landowner requests Federal agency funding or authorization for an action that may affect a listed species or critical habitat, the consultation requirements of section 7(a)(2) of the Act would apply, but even in the event of a destruction or adverse modification finding, the obligation of the Federal action agency and the landowner is not to restore or recover the species, but to implement reasonable and prudent alternatives to avoid destruction or adverse modification of critical habitat.

Under the first prong of the Act's definition of critical habitat, areas within the geographical area occupied by the species at the time it was listed are included in a critical habitat designation if they contain physical or biological features (1) which are essential to the conservation of the species and (2) which may require special management considerations or protection. For these areas, critical habitat designations identify, to the extent known using the best scientific and commercial data available, those physical or biological features that are essential to the conservation of the species (such as space, food, cover, and protected habitat). In identifying those physical or biological features within an area, we focus on the specific features that support the life-history needs of the species, including, but not limited to, water characteristics, soil type, geological features, prey, vegetation, symbiotic species, or other features. A feature may be a single habitat characteristic, or a more complex combination of habitat characteristics. Features may include habitat characteristics that support ephemeral or dynamic habitat conditions. Features may also be expressed in terms relating to principles of conservation biology, such as patch size, distribution distances, and connectivity.

Under the second prong of the Act's definition of critical habitat, we can designate critical habitat in areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. When designating critical habitat, the Secretary will first evaluate areas occupied by the species. The Secretary will only consider unoccupied areas to be essential where a critical habitat designation limited to geographical areas occupied by the species would be inadequate to ensure the conservation of the species. In addition, for an unoccupied area to be considered essential, the Secretary must determine that there is a reasonable certainty both that the area will contribute to the conservation of the species and that the area contains one or more of those physical or biological features essential to the conservation of the species.

Section 4 of the Act requires that we designate critical habitat on the basis of the best scientific data available. Further, our Policy on Information Standards Under the Endangered Species Act (published in the **Federal Register** on July 1, 1994 (59 FR 34271)), the Information Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Pub. L. 106–554; H.R. 5658)), and our associated Information Quality Guidelines, provide criteria, establish procedures, and provide guidance to ensure that our decisions are based on the best scientific data available. They require our biologists, to the extent consistent with the Act and with the use of the best scientific data available, to use primary and original sources of information as the basis for recommendations to designate critical habitat.

When we are determining which areas should be designated as critical habitat, our primary source of information is generally the information from the species status assessment (SSA) report, if available, and information developed during the listing process for the species. Additional information sources may include any generalized conservation strategy, criteria, or outline that may have been developed for the species; the recovery plan for the species; articles in peer-reviewed journals; conservation plans developed by states and counties; scientific surveys

and studies; biological assessments; other published materials; or experts' opinions or personal knowledge.

Habitat is dynamic, and species may move from one area to another over time. We recognize that critical habitat designated at a particular point in time may not include all of the habitat areas that we may later determine are necessary for the recovery of the species. For these reasons, a critical habitat designation does not signal that habitat outside the designated area is unimportant or may not be needed for the recovery of the species. Areas that are important for the conservation of the listed species, both inside and outside the critical habitat designation, will continue to be subject to: (1) Conservation actions implemented under section 7(a)(1) of the Act; (2) regulatory protections afforded by the requirement in section 7(a)(2) of the Act for Federal agencies to ensure their actions are not likely to jeopardize the continued existence of any endangered or threatened species; and (3) section 9 of the Act's prohibitions on taking any individual of the species, including taking caused by actions that affect habitat. Federally funded or permitted projects affecting listed species outside their designated critical habitat areas may still result in jeopardy findings in some cases. These protections and conservation tools will continue to contribute to recovery of this species. Similarly, critical habitat designations made on the best available information at the time of designation will not control the direction and substance of future recovery plans, habitat conservation plans (HCPs), or other species conservation planning efforts if new information available at the time of these planning efforts indicates a different outcome.

Prudency Determination

Section 4(a)(3) of the Act and implementing regulations (50 CFR 424.12) require that the Secretary shall designate critical habitat at the time a species is determined to be an endangered or threatened species, to the maximum extent prudent and determinable. Our regulations (50 CFR 424.12(a)(1)) state that the Secretary may, but is not required to, determine that a designation would not be prudent in the following circumstances:

(i) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of such threat to the species;

(ii) The present or threatened destruction, modification, or curtailment of a species' habitat or range is not a threat to the species, or threats to the species' habitat stem from causes that cannot be addressed through management actions resulting from consultations under section 7(a)(2) of the Act;

(iii) Areas within the jurisdiction of the United States provide no more than negligible conservation value, if any, for a species occurring primarily outside the jurisdiction of the United States;

(iv) No areas meet the definition of critical habitat; or

(v) After analyzing the best scientific data available, the Secretary otherwise determines that designation of critical habitat would not be prudent.

We did not identify any of the factors above to apply to the Big Sandy crayfish or the Guyandotte River crayfish. Therefore, we find that designation of critical habitat is prudent for both the Big Sandy crayfish and the Guyandotte River crayfish.

Critical Habitat Determinability

Having determined that designation is prudent, under section 4(a)(3) of the Act we must find whether critical habitat for the species is determinable. Our regulations at 50 CFR 424.12(a)(2) state that critical habitat is not determinable when one or both of the following situations exist:

(i) Data sufficient to perform required analyses are lacking; or

(ii) The biological needs of the species are not sufficiently well known to identify any area that meets the definition of ''critical habitat.''

As we discussed in the proposed rule (80 FR 18710; April 7, 2015) and in accordance with 16 U.S.C. 1533(b)(6)(C)(ii)), we concluded that critical habitat was not determinable at that time because we were seeking additional information on the Big Sandy and Guyandotte River crayfishes, but that we would make a critical habitat determination no later than 1 year following publication of the final listing rule. We have since received and reviewed additional data on the biological needs of these species and the habitat characteristics where they are located. This and other information represent the best scientific data available and lead us to conclude that the designation of critical habitat is determinable for the Big Sandy and the Guyandotte River crayfishes.

Physical or Biological Features Essential to the Conservation of the Species

In accordance with section 3(5)(A)(i) of the Act and regulations at 50 CFR 424.12(b), in determining which areas within the geographical area occupied by the species at the time of listing to designate as critical habitat, we consider the physical or biological features that are essential to the conservation of the species and which may require special management considerations or protection. These include, but are not limited to:

(1) Space for individual and population growth and for normal behavior;

(2) Food, water, air, light, minerals, or other nutritional or physiological requirements;

(3) Cover or shelter;

(4) Sites for breeding, reproduction, or rearing (or development) of offspring; and

(5) Habitats that are protected from disturbance or are representative of the historical, geographical, and ecological distributions of a species.

The features may also be combinations of habitat characteristics and may encompass the relationship between characteristics or the necessary amount of a characteristic essential to support the life history of the species. In considering whether features are essential to the conservation of the species, the Service may consider an appropriate quality, quantity, and spatial and temporal arrangement of habitat characteristics in the context of the life-history needs, condition, and status of the species. We derived the specific physical or biological features required for the Big Sandy crayfish and the Guyandotte River crayfish from studies and observations of these species' habitat, ecology, and life history, which are discussed in full in the species' proposed and final listing rules (80 FR 18710, April 7, 2015; 81 FR 20450, April 7, 2016, respectively). The primary habitat elements that influence resiliency of these species include, but are not limited to, the degree of sedimentation, water quality thresholds, and extent of habitat connectedness.

Summary of Essential Physical or Biological Features

We derived the specific physical or biological features required for the Big Sandy crayfish and the Guyandotte River crayfish from studies and observations of these species' habitat, ecology, and life history, which are discussed in full in the species' proposed and final listing rules (80 FR 18710, April 7, 2015; 81 FR 20450, April 7, 2016, respectively), and summarized here. While data are sparse with which to quantitatively define the optimal or range of suitable conditions for a specific biological or physical feature needed by these species (*e.g.,* degree of sedimentation, water quality thresholds,

extent of habitat connectedness), the available species-specific information, in combination with information from other similar crayfish species, provides sufficient information to qualitatively discuss the physical and biological features needed to support these species. As discussed in the proposed (80 FR 18710, April 7, 2015) and final (81 FR 20450, April 7, 2016) listing rules, these species are classified as ''tertiary'' (stream) burrowing crayfish, meaning that they do not exhibit complex burrowing behavior; instead, of digging holes they shelter in shallow excavations under loose cobbles and boulders on the stream bottom (Loughman 2013, p. 1). These species are opportunistic omnivores, with seasonal-mediated tendencies for animal or plant material (Thoma 2009, p. 13; Loughman 2014, p. 21). The general life cycle pattern of these species is 2 to 3 years of growth, maturation in the third year, and first mating in midsummer of the third or fourth year (Thoma 2009, entire; Thoma 2010, entire). Following midsummer mating, the annual cycle involves egg laying in late summer or fall, spring release of young, and late spring/early summer molting (Thoma 2009, entire; Thoma 2010, entire). The Big Sandy and Guyandotte River crayfishes' likely lifespan is 5 to 7 years, with the possibility of some individuals reaching 10 years of age (Thoma 2009, entire; Thoma 2010, entire; Loughman 2014, p. 20).

Suitable habitat for both the Big Sandy crayfish and the Guyandotte River crayfish appears to be limited to higher elevation, clean, medium-sized streams and rivers in the upper reaches of the Big Sandy and Guyandotte river basins, respectively (Jezerinac *et al.* 1995, p. 171; Channell 2004, pp. 21–23; Taylor and Shuster 2004, p. 124; Thoma 2009, p. 7; Thoma 2010, pp. 3–4, 6; Loughman 2013, p. 1; Loughman 2014, pp. 22–23). Both species are associated with the faster moving water of riffles and runs or pools with current (Jezerinac *et al.* 1995, p. 170). An important habitat feature for both species is an abundance of large, unembedded slab boulders on a sand, cobble, or bedrock stream bottom (Loughman 2013, p. 2; Loughman 2014, pp. 9–11). Excessive sedimentation leading to substrate embeddedness creates unsuitable conditions for these species (Jezerinac *et al.* 1995, p. 171; Channell 2004, pp. 22–23; Thoma 2009, p. 7; Thoma 2010, pp. 3–4; Loughman 2013, p. 6). As such, we have determined that the following physical and biological features (PBFs) are essential for the conservation of the Big Sandy and Guyandotte River crayfishes:

(1) Fast-flowing stream reaches with unembedded slab boulders, cobbles, or isolated boulder clusters within an unobstructed stream continuum (*i.e.,* riffle, run, pool complexes) of permanent, moderate- to large-sized (generally third order and larger) streams and rivers (up to the ordinary high water mark as defined at 33 CFR 329.11).

(2) Streams and rivers with natural variations in flow and seasonal flooding sufficient to effectively transport sediment and prevent substrate embeddedness.

(3) Water quality characterized by seasonally moderated temperatures and physical and chemical parameters (*e.g.,* pH, conductivity, dissolved oxygen) sufficient for the normal behavior, growth, reproduction, and viability of all life stages of the species.

(4) An adequate food base, indicated by a healthy aquatic community structure including native benthic macroinvertebrates, fishes, and plant matter (*e.g.,* leaf litter, algae, detritus).

(5) Aquatic habitats protected from riparian and instream activities that degrade the physical and biological features described in (1) through (4), above, or cause physical (*e.g.,* crushing) injury or death to individual Big Sandy or Guyandotte River crayfish.

(6) An interconnected network of streams and rivers that have the physical and biological features described in (1) through (4), above, that allow for the movement of individual crayfish in response to environmental, physiological, or behavioral drivers. The scale of the interconnected stream network should be sufficient to allow for gene flow within and among watersheds.

Special Management Considerations or Protections

When designating critical habitat, we assess whether the specific areas within the geographical area occupied by the species at the time of listing contain features which are essential to the conservation of the species and which may require special management considerations or protection. The features essential to the conservation of the Big Sandy and Guyandotte River crayfishes may require special management considerations or protections to reduce the following threats: (1) Resource extraction (coal mining, timber harvesting, and oil and gas development); (2) road construction and maintenance (including unpaved roads and trails); (3) instream dredging or construction projects; (4) off-road vehicle (ORV) use; and (5) other sources of non-point source pollution. These activities are discussed in more detail under Summary of Factors Affecting the Species in the final listing rule (81 FR 20450; April 7, 2016). These threats are in addition to potential adverse effects of drought, floods, or other natural phenomena.

Management activities that could ameliorate these threats include, but are not limited to: Use of best management practices (BMPs) designed to reduce erosion, sedimentation, and stream bank destruction; development of alternatives that avoid and minimize stream bed disturbances; regulation of ORV use in or near streams; and reduction of other watershed and floodplain disturbances that contribute excess sediments or pollutants into the water.

Criteria Used To Identify Critical Habitat

As required by section 4(b)(2) of the Act, we use the best scientific data available to designate critical habitat. In accordance with the Act and our implementing regulations at 50 CFR 424.12(b), we review available information pertaining to the habitat requirements of the species and identify specific areas within the geographical area occupied by the species at the time of listing and any specific areas outside the geographical area occupied by the species to be considered for designation as critical habitat. We are proposing to designate critical habitat in areas within the geographical area occupied by the Big Sandy crayfish and Guyandotte River crayfish at the time of listing in 2016. For the Guyandotte River crayfish, we also are proposing to designate three specific streams outside the geographical area occupied by the species at the time of listing because we have determined that a designation limited to occupied areas would be inadequate to ensure the conservation of the species. These currently unoccupied streams are within the larger occupied watershed of the Guyandotte River crayfish's range and adjacent to currently occupied streams. Proposed critical habitat includes the water and stream channel up to the ordinary high water mark as defined at 33 CFR 329.11.

The current distribution of both the Big Sandy and the Guyandotte River crayfishes is fragmented and much reduced from their historical distributions. As specified in the Service's recovery outline for these species (Service 2018, entire), we anticipate that recovery will require protection of existing populations and habitat for both species, and in the case of the Guyandotte River crayfish,

reestablishing populations in some historically occupied streams where the species is presumed extirpated. These additional populations will increase the species' resiliency, representation, and redundancy, thereby increasing the likelihood that it will sustain populations over time.

Sources of data for this proposed critical habitat designation include crayfish survey and habitat assessment reports (Jezerinac *et al.* 1995, entire; Channell 2004, entire; Taylor and Shuster 2004, entire; Thoma 2009a, entire; Thoma 2009b, entire; Thoma 2010, entire; Loughman 2013, entire; Loughman 2014, entire; Loughman 2015a, entire; Loughman 2015b, entire) and project-specific reports submitted to the Service (Appalachian Technical Services, Inc. (ATS) 2009, entire; ATS 2010, entire; Vanasse Hangen Brustlin, Inc. (VHB) 2011, entire; ATS 2012a, entire; ATS 2012b, entire; Virginia Department of Transportation (VDOT) 2014a, entire; VDOT 2014b, entire; VDOT 2015, entire; ATS 2017, entire; Red Wing 2017, entire; Third Rock 2017, entire; Red Wing 2018, entire).

Areas Occupied at the Time of Listing

As described in the final listing rule for the Big Sandy and Guyandotte River crayfishes (81 FR 20450; April 7, 2016), the best available data (stream surveys conducted between 2006 and 2016) indicate that at the time of listing, the Big Sandy crayfish occupied 26 streams and rivers (generally third order and larger) in the Russell Fork, Upper Levisa Fork, Lower Levisa Fork, and Tug Fork watersheds in the upper Big Sandy River basin of Kentucky, Virginia, and West Virginia. The Guyandotte River crayfish occupied two similarly-sized streams in the Upper Guyandotte River basin of West Virginia.

We propose to designate a total of 4 occupied units, including a total of 19 occupied subunits, as critical habitat for the Big Sandy crayfish in the aforementioned watersheds. In addition, we propose to designate one unit, including two occupied subunits, as critical habitat for the Guyandotte River crayfish in the Upper Guyandotte River watershed in West Virginia. For the Guyandotte River crayfish, we have determined that a designation limited to the two occupied subunits would be inadequate to ensure the conservation of the species. The Guyandotte River crayfish is historically known from six connected stream systems within the Upper Guyandotte River basin (its geographical range); however, at the time of listing, the species was limited to two isolated subunits in Pinnacle Creek and Clear Fork. In our review, we determined that these two subunits do not provide sufficient redundancy or resiliency necessary for the conservation of the species. The Pinnacle Creek population is known from a 5.2-skm (3.3-smi) stream reach, and survey data collected between 2009 and 2015 indicate that this area has low crayfish numbers. This small, isolated population is at risk of extirpation from demographic and environmental stochasticity, and a catastrophic event. The Clear Fork population occurs along a 33-skm (22-smi) stream reach, and surveys from 2015 indicate several sites with ''robust'' crayfish numbers. The primary risk to this population is extirpation from a catastrophic event; however, because it is an isolated population, demographic or stochastic declines present some risk.

Areas Outside of the Geographic Range at the Time of Listing

Because we have determined occupied areas alone are not adequate for the conservation of the Guyandotte River crayfish, we have evaluated whether any unoccupied areas are essential for the conservation of the species. We are proposing as critical habitat three currently unoccupied subunits within the Upper Guyandotte basin unit. We have determined that each is essential for the conservation of the species. Two of the currently unoccupied subunits, Guyandotte River and Indian Creek, provide for an increase in the species' redundancy and, by providing connectivity between the subunits, increase the resiliency of the extant populations in Pinnacle Creek and Clear Fork. One of the proposed unoccupied subunits, Huff Creek, is isolated from the other units by the R.D. Bailey dam, but provides for increased overall redundancy of the species and adds representation in this area of its historical range. As discussed in the recovery outline for the species (Service 2018, entire), successful conservation of the Guyandotte River crayfish will require the establishment of additional populations within the species' historical range; the three proposed unoccupied subunits advance this goal. All three subunits have at least one of the physical or biological features essential to the conservation of the species. To reduce threats to the species and its habitat, the Service is working cooperatively with the West Virginia Department of Environmental Protection and the coal industry to develop protection and enhancement plans for coal mining permits that may affect crayfish streams and the Hatfield McCoy Trail system and the Federal Highway Administration to avoid and minimize effects from ORV use in and around Pinnacle Creek and other trail systems adjacent to crayfish streams. In addition, the Service, West Virginia Department of Natural Resources, Virginia Department of Game and Inland Fisheries, and West Liberty University are working together to conduct additional research on both the Guyandotte River and Big Sandy crayfishes, including research on habitat use and activity patterns and captive holding and propagation. We are reasonably certain that each unoccupied subunit will contribute to the conservation of the species by furthering the preliminary recovery goals identified in the recovery outline of increasing the Guyandotte River crayfish's resiliency, redundancy and representation. Bolstering the species' viability will reduce the species' risk of extinction.

General Information on the Maps of the Proposed Critical Habitat Designation

The proposed critical habitat designation is defined by the map or maps, as modified by any accompanying regulatory text, presented at the end of this document under Proposed Regulation Promulgation. We include more detailed information on the boundaries of the proposed critical habitat designation in the discussion of individual units and subunits, below. We will make the coordinates or plot points or both on which each map is based available to the public on *http://www.regulations.gov* under Docket No. FWS–R5–ES–2019–0098, and at the North Atlantic-Appalachian Regional Office (see **FOR FURTHER INFORMATION CONTACT**, above). When determining proposed critical habitat boundaries, we made every effort to avoid including developed areas such as lands covered by pavement, buildings, and other structures because such lands lack physical or biological features necessary for the Big Sandy and Guyandotte River crayfishes. The scale of the maps we prepared under the parameters for publication within the Code of Federal Regulations may not reflect the exclusion of such developed lands. Any such lands inadvertently left inside critical habitat boundaries shown on the maps of this proposed rule have been excluded by text in the proposed rule and are not proposed for designation as critical habitat. Therefore, if the critical habitat is finalized as proposed, a Federal action involving these lands would not trigger section 7 consultation under the Act with respect to critical habitat and the requirement of no adverse modification unless the specific action would affect the physical or

biological features in the adjacent critical habitat.

Under §§ 424.12(b)(1) and (2) of the implementing regulations, the Service determines the appropriate scale for designating critical habitat. This is further clarified in the final rule titled, ''Implementing Changes to the Regulations for Designating Critical Habitat'' (81 FR 7414; February 11, 2016; see Discussion of Changes to Part 424 in that rule): The Service ''cannot and need not make determinations at an infinitely fine scale.'' Thus, the Service need not determine that each square inch, square yard, acre, or even square mile independently meets the definition of ''critical habitat.'' In making its determination on the appropriate scale for designating critical habitat, the Service may consider, among other things, the life history of the species, the scales at which data are available, and biological or geophysical boundaries (such as watersheds). For the Big Sandy and the Guyandotte River crayfishes, we propose that streams or stream segments (as opposed to individual occurrence locations) are the appropriate units for designating critical habitat. We base this on the following factors:

(1) The regional geology and stream morphology in the upper Big Sandy and Upper Guyandotte River basins lead to a general abundance of slab boulders and/or cobble in most streams, although in some areas this habitat is sparse or occurs as isolated boulder clusters. Furthermore, while continuous crayfish survey data do not exist (*i.e.,* not every reach of every stream has been surveyed), more intensive crayfish surveys in portions of the Russell Fork watershed and in Clear Fork and Pinnacle Creek in the Upper Guyandotte basin indicate that the Big Sandy and Guyandotte River crayfishes may occur throughout stream reaches where the required physical and biological features (*e.g.,* riffles and runs with unembedded slab boulders or unembedded boulder clusters, adequate water quality, and connectivity) are present.

(2) Streams are dynamic, linear systems, and local water quality parameters (*e.g.,* dissolved oxygen, temperature, pH) can vary temporally and are largely reliant on upstream conditions (barring known point or non-point source discharges or other factors that affect water quality more locally). Likewise, the various stream microhabitats (*e.g.,* riffles, runs, pools) with attendant fauna do not generally occur in isolation, but form a continuous gradient along the stream continuum. Because the known occupied Big Sandy and Guyandotte River crayfish sites possess the required physical and biological features, at least to some minimal degree, for these species to survive, and because these physical and biological features are likely representative of stream conditions beyond any single survey location, we conclude that Big Sandy and Guyandotte River crayfish likely occupy, or otherwise rely upon, stream areas beyond any single occurrence location.

(3) Studies of other crayfish species suggest that adult and larger juvenile Big Sandy and Guyandotte River crayfish likely move both upstream and downstream in response to changes in environmental conditions or local crayfish demographics, or for other behavioral or physiological reasons (Momot 1966, pp. 158–159; Kerby *et al.* 2005, p. 407). The evidence also indicates that some individuals, especially newly independent juveniles, may be passively dispersed to downstream locations by swiftly flowing water (Loughman 2019).

Therefore, within the greater geographical ranges of the Big Sandy crayfish and Guyandotte River crayfish (*i.e.,* the upper Big Sandy River basin and the Upper Guyandotte River basin, respectively), the general morphology and connectedness of the streams and the life history of these species lead us to reasonably conclude that both species likely occupy, transit through, or otherwise rely upon stream reaches beyond any known occurrence location. We acknowledge that some areas along a stream segment proposed as critical habitat may not contain all of the physical and biological features required by either species, either naturally or as a result of habitat modification, but based on the considerations discussed above, we conclude that streams or stream segments are appropriate units of scale for describing critical habitat for these species.

In summary, we propose to designate as critical habitat streams and stream segments up to the ordinary high water mark that were occupied at the time of listing and contain one or more of the physical and biological features to support the life-history processes essential to the conservation of the Big Sandy crayfish and the Guyandotte River crayfish. Additionally, for the Guyandotte River crayfish, we propose to designate three subunits outside the geographical range of that species occupied at the time of listing; however, these subunits are within the larger occupied watershed. Two of these subunits have historical records of the species, and one subunit, while not having a record of the species, is within its historical range and provides connectivity between occupied and unoccupied subunits. These unoccupied subunits provide for increased redundancy, resiliency, and representation of the Guyandotte River crayfish. We propose specific critical habitat unit/subunit boundaries based on the following general criteria:

(1) We delineated areas within the historical range of each species that had positive survey data between 2006 and 2016 (the time of listing). For the Guyandotte River crayfish, we also delineated three stream segments as unoccupied critical habitat.

(2) Upstream termini of proposed critical habitat units/subunits are located at the confluence of the primary stream and a smaller named tributary stream (usually a second-order stream). These termini are generally within about 5 skm (3.1 smi) upstream of a known crayfish occurrence record. The downstream termini are usually located at the confluence of the primary stream and the next larger receiving stream or river. In some instances, dams or reservoirs are used to demark critical habitat units/subunits.

(3) We included intervening stream segments between occurrence locations unless there are data suggesting the physical and biological features required by the species are absent in the intervening segment.

(4) We describe the proposed critical habitat units/subunits by their upstream and downstream coordinates (*i.e.,* latitude and longitude) and geographic landmarks (*e.g.,* confluence of named streams and/or a town or population center).

Within these stream segments, proposed critical habitat includes the stream channel within the ordinary high water mark. As defined at 33 CFR 329.11, the ''ordinary high water mark'' on nontidal rivers is the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas.

For the purposes of analyzing the potential economic effects of proposed critical habitat designation for the Big Sandy and Guyandotte River crayfishes, the critical habitat units/subunits are determined to be in either private, Federal, or State ownership. In Kentucky, Virginia, and West Virginia, jurisdiction over the water itself is maintained by the State or

Commonwealth; however, ownership of the stream bottom may vary depending on specific State law or legal interpretation (Energy & Mineral Law Institute 2011, pp. 409–427; Virginia Code at section 62.1–44.3; West Virginia Department of Environmental Protection 2013, section C). For the purposes of our economic analysis, we describe ownership of proposed critical habitat units/subunits based on the identification of the adjacent riparian landowner(s) (*i.e.,* private, Federal, or State entity).

Proposed Critical Habitat Designation

For the Big Sandy crayfish, we propose to designate approximately 582 skm (362 smi) in 4 units (including 19 subunits) in Kentucky, Virginia, and West Virginia as critical habitat (see table 1, below). These streams or stream segments are considered occupied at the time of listing and represent the entire known range of the species and all extant populations. Based on our review, we conclude that the units occupied by the Big Sandy crayfish at the time of listing (described below) are representative of the species' historical range and include core population areas in the Russell Fork watershed in Virginia and the upper Tug Fork watershed (*e.g.,* Dry Fork) in West Virginia, as well as other peripheral populations in Kentucky, Virginia, and West Virginia. We determined that there is sufficient area for the conservation of the Big Sandy crayfish within these occupied units, and we therefore do not propose to designate any unoccupied critical habitat for the species. The proposed units constitute our best assessment of areas that meet the definition of critical habitat for the Big Sandy crayfish.

TABLE 1—PROPOSED CRITICAL HABITAT UNITS AND SUBUNITS FOR THE BIG SANDY CRAYFISH

Unit/watershed	Subunit	River/stream	State	County(ies)	Occupied at listing	Stream length	
						skm	smi
Unit 1: Upper Levisa Fork		Dismal Creek	VA	Buchanan	Yes	29.2	18.1
Unit 2: Russell Fork	a	Russell Fork	KY/VA	Buchanan, Dickenson, Pike	Yes	83.8	52.1
	b	Hurricane Creek	VA	Buchanan	Yes	5.9	3.7
	c	Indian Creek	VA	Buchanan, Dickenson	Yes	7.4	4.6
	d	Fryingpan Creek	VA	Dickenson	Yes	4.6	2.9
	e	Lick Creek	VA	Dickenson	Yes	16.2	10.1
	f	Russell Prater Creek	VA	Buchanan, Dickenson	Yes	8.4	5.2
	g	McClure River	VA	Dickenson	Yes	35.6	22.1
		Open Fork	VA	Dickenson	Yes	4.9	3.0
	h	Elkhorn Creek	KY	Pike	Yes	8.5	5.3
	i	Cranes Nest River	VA	Dickenson, Wise	Yes	24.6	15.3
		Birchfield Creek	VA	Wise	Yes	6.9	4.3
	j	Pound River	VA	Dickenson, Wise	Yes	28.5	17.7
Unit 3: Lower Levisa Fork	a	Levisa Fork (upstream)	KY	Pike	Yes	15.9	9.9
		Levisa Fork (downstream)	KY	Floyd, Johnson	Yes	17.5	10.9
	b	Shelby Creek	KY	Pike	Yes	32.2	20.0
		Long Fork	KY	Pike	Yes	12.9	8.0
Unit 4: Tug Fork	a	Tug Fork (upstream)	KY/VA/WV	Buchanan, McDowell, Mingo, Wayne, Pike.	Yes	106.1	65.9
		Tug Fork (downstream)	KY/WV	Martin, Wayne	Yes	11.7	7.3
	b	Dry Fork	WV	McDowell	Yes	45.2	28.1
		Bradshaw Creek	WV	McDowell	Yes	4.6	2.9
	c	Panther Creek	WV	McDowell	Yes	10.7	6.6
	d	Knox Creek	KY/VA	Buchanan, Pike	Yes	16.6	10.3
	e	Peter Creek	KY	Pike	Yes	10.1	6.3
	f	Blackberry Creek	KY	Pike	Yes	9.1	5.7
	g	Pigeon Creek	WV	Mingo	Yes	14.0	8.7
		Laurel Fork	WV	Mingo	Yes	11.1	6.9
Total:						582	362

Table 2 identifies the ownership of lands adjacent to the entirely aquatic Big Sandy crayfish proposed critical habitat.

TABLE 2—LAND OWNERSHIP ADJACENT TO PROPOSED CRITICAL HABITAT UNITS FOR THE BIG SANDY CRAYFISH

Critical habitat unit	Federal		State/local		Private		Total	
	skm	smi	skm	smi	skm	smi	skm	smi
Unit 1: Upper Levisa Fork	0	0	0	0	29	18	29	18
Unit 2: Russell Fork	23	14	11	7	201	125	235	146
Unit 3: Lower Levisa Fork	0	0	0	0	79	49	79	49
Unit 4: Tug Fork	0	0	11	7	228	142	239	149
Grand Total BSC	23	14	22	14	537	334	582	362

For the Guyandotte River crayfish, we propose to designate approximately 135 skm (84 smi) in one unit, consisting of five subunits, in West Virginia as critical habitat. Approximately 67 skm (41 smi) in two subunits are considered occupied by the species at the time of listing and represent all known extant populations (see table 3, below). However, we determined that these two subunits do not provide sufficient resiliency, representation, or

redundancy to ensure the conservation of the species. Therefore, we propose to designate approximately 68 skm (42 smi) in three subunits as unoccupied critical habitat (see table 3, below). The proposed subunits constitute our best assessment of areas that meet the definition of critical habitat for the Guyandotte River crayfish.

TABLE 3—PROPOSED CRITICAL HABITAT UNIT FOR THE GUYANDOTTE RIVER CRAYFISH

Unit/watershed	Subunit	River/stream	State	County(ies)	Occupied at listing	Stream length	
						skm	smi
Unit 1: Upper Guyandotte	a	Pinnacle Creek	WV	Wyoming	Yes	28.6	17.8
	b	Clear Fork	WV	Wyoming	Yes	24.9	15.5
		Laurel Fork	WV	Wyoming	Yes	13.1	8.1
	c	Guyandotte River	WV	Wyoming	No	35.8	22.2
	d	Indian Creek	WV	Wyoming	No	4.2	2.6
	e	Huff Creek	WV	Wyoming, Logan	No	28.0	17.4
Total:						135	84

Table 4 identifies the ownership of lands adjacent to the entirely aquatic Guyandotte River crayfish proposed critical habitat.

TABLE 4—LAND OWNERSHIP ADJACENT TO PROPOSED CRITICAL HABITAT UNITS FOR THE GUYANDOTTE RIVER CRAYFISH

Critical habitat unit	Federal		State/local		Private		Total	
	skm	smi	skm	smi	skm	smi	skm	smi
Unit 1:								
Occupied	0	0	6	4	60	38	67	41
Unoccupied	0	0	16	10	52	32	68	42
Grand Total GRC	0	0	23	14	112	70	135	84

Below, we present brief descriptions of all units/subunits and reasons why they meet the definition of critical habitat for the Big Sandy and Guyandotte River crayfishes.

Big Sandy Crayfish

Unit 1: Dismal Creek, Buchanan County, Virginia

This unit includes approximately 29.2 stream kilometers (skm) (18.1 stream miles (smi)) of Dismal Creek in the Upper Levisa Fork watershed. The threats within this unit that may need special management consideration include resource extraction (coal mining, timber harvesting, and oil and gas development); road construction and maintenance (including unpaved roads and trails); instream dredging or construction projects; and other sources of non-point source pollution. The upper limit of this unit is the confluence of Dismal Creek and Laurel Fork, and the downstream limit is the confluence of Dismal Creek and Levisa Fork. Recent surveys of Dismal Creek indicated an abundance of unembedded slab boulders and boulder clusters, and live Big Sandy crayfish have been collected in relatively high numbers from several locations within this unit (Thoma 2009b, p. 10; Loughman 2015a, p. 26). The Dismal Creek watershed is mostly forested; however, U.S. Geological Survey (USGS) topographic maps and aerial imagery (ESRI) provide evidence of legacy and ongoing surface coal mining throughout the watershed. The narrow stream valley contains scattered residences and small communities, commercial facilities, occasional gas wells, and transportation infrastructure (*i.e.,* roads and rail lines). There is a large coal coke plant straddling Dismal Creek at the confluence of Dismal Creek and Levisa Fork. This unit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. The Dismal Creek population of Big Sandy crayfish represents the species' only representation in the upper Levisa Fork watershed, which is physically isolated from the rest of the Big Sandy basin by the Fishtrap Dam and Reservoir. The Dismal Creek population appears to be relatively robust and contributes to the representation and redundancy of the species.

Unit 2: Russell Fork

Unit 2 consists of the 10 subunits described below. The threats within this entire unit that may need special management consideration include resource extraction (coal mining, timber harvesting, and oil and gas development); road construction and maintenance (including unpaved roads and trails); instream dredging or construction projects; and other sources of non-point source pollution.

Subunit 2a: Russell Fork, Buchanan and Dickenson Counties, Virginia, and Pike County, Kentucky

Subunit 2a includes approximately 83.8 skm (52.1 smi) of the Russell Fork mainstem from the confluence of Russell Fork and Ball Creek at Council, Virginia, downstream to the confluence of Russell Fork and Levisa Fork at Levisa Junction, Kentucky. Recent surveys of the Russell Fork indicated an abundance of unembedded slab boulders, boulder clusters, isolated boulders, and large cobbles, and live Big Sandy crayfish have been captured at numerous locations within this subunit (Thoma 2009b, p. 10; Loughman 2015a, p. 23). The Russell Fork watershed is mostly forested; however, USGS topographic maps and aerial imagery (ESRI) provide evidence of legacy and ongoing coal mining throughout the watershed. In the upper portion of the watershed, the narrow stream valley contains scattered residences and roads, but human development increases farther downstream in the form of small communities and towns, commercial facilities, and transportation infrastructure (*i.e.,* roads and rail lines). Approximately 12 skm (7.4 smi) of Subunit 2a is within the Jefferson National Forest and Breaks Interstate Park. The remainder of the subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge

crossings or road easements. The Big Sandy crayfish population in Subunit 2a appears to be relatively robust and provides important connectivity between crayfish populations in several tributary streams and rivers, contributing to their resiliency. Additionally, some Big Sandy crayfish from Subunit 2a likely disperse to areas downstream in the Levisa Fork basin, contributing to the species' representation and redundancy.

Subunit 2b: Hurricane Creek, Buchanan County, Virginia

Subunit 2b includes approximately 5.9 skm (3.7 smi) of Hurricane Creek, a tributary to Russell Fork. This subunit extends from the confluence of Hurricane Creek and Gilbert Branch downstream to the confluence of Hurricane Creek and Russell Fork at Davenport, Virginia. Recent surveys of Hurricane Creek indicate an abundance of unembedded slab boulders, boulders, and cobbles, and live Big Sandy crayfish have been collected from two locations in lower Hurricane Creek (ATS 2009, entire; VDOT 2014, entire). The USGS topographic maps and aerial imagery (ESRI) indicate the Hurricane Creek watershed is relatively intact forest, with the exception of ongoing oil or gas development on the ridges to the north and south of the creek and scattered residences, small agricultural fields, and roads in the narrow valley. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2c: Indian Creek, Buchanan and Dickenson Counties, Virginia

This subunit includes approximately 7.4 skm (4.6 smi) of Indian Creek, a tributary to Russell Fork. Subunit 2c extends from the confluence of Indian Creek and Three Forks upstream of Duty, Virginia, to the confluence of Indian Creek and Russell Fork below Davenport, Virginia. Recent surveys of Indian Creek indicate an abundance of slab boulders and boulders with low to moderate embeddedness, and live Big Sandy crayfish have been collected from several locations (ATS 2009, entire; ATS 2010, entire; Loughman 2015a, pp. 24–25). The USGS topographic maps and aerial imagery (ESRI) indicate the lower portion of the Indian Creek watershed is mostly forested, with the exception of oil or gas development on a ridgeline to the west of the creek. The upper portion of the watershed is dominated by a large surface coal mine. The narrow creek valley contains scattered residences, small agricultural fields, and roads. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2d: Fryingpan Creek, Dickenson County, Virginia

Subunit 2d includes approximately 4.6 skm (2.9 smi) of Fryingpan Creek, a tributary to Russell Fork. This subunit extends from the confluence of Fryingpan Creek and Priest Fork downstream to the confluence of Fryingpan Creek and Russell Fork. Recent surveys of Fryingpan Creek indicate an abundance of isolated slab boulders and boulder clusters with low embeddedness, and live Big Sandy crayfish have been collected from the lower reach of Fryingpan Creek (Loughman 2015a, pp. 24–25). The USGS topographic maps and aerial imagery (ESRI) indicate the watershed is mostly intact forest, with the exception of oil or gas development on some adjacent ridgelines and legacy coal mining in the upper portion of the watershed. The narrow creek valley contains scattered residences, small agricultural fields, and roads. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2e: Lick Creek, Dickenson County, Virginia

Subunit 2e includes approximately 16.2 skm (10.1 smi) of Lick Creek, a tributary of Russell Fork. This subunit extends from the confluence of Lick Creek and Cabin Fork near Aily, Virginia, downstream to the confluence of Lick Creek and Russell Fork at Birchfield, Virginia. Recent surveys of Lick Creek indicate an abundance of unembedded slab boulders and cobbles, with live Big Sandy crayfish collected at several locations (ATS 2012a, entire; ATS 2012b, entire). The USGS topographic maps and aerial imagery (ESRI) indicate the watershed is mostly forested, with the exception of oil or gas development on some adjacent ridgelines and legacy coal mining and timber harvesting sites at various locations within the watershed. The narrow creek valley contains scattered residences, small agricultural fields, and roads. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2f: Russell Prater Creek, Buchanan and Dickenson Counties, Virginia

This subunit includes approximately 8.4 skm (5.2 smi) of Russell Prater Creek, a tributary to Russell Fork. This subunit extends from the confluence of Russell Prater Creek and Greenbrier Creek downstream to the confluence of Russell Prater Creek and Russell Fork at Haysi, Virginia. Recent surveys of Russell Prater Creek indicate abundant unembedded slab boulders, boulders, and cobbles, with live Big Sandy crayfish collected from two sites in the lower portion of the creek (Thoma 2009b, p. 10; Loughman 2015a, pp. 22–23). The USGS topographic maps and aerial imagery (ESRI) indicate the Russell Prater watershed is mostly forested; however, legacy coal mines and valley fills occur throughout the watershed. The narrow creek valley contains scattered residences, commercial facilities, small agricultural fields, and roads. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2g: McClure River and Creek and Open Fork, Dickenson County, Virginia

Subunit 2g includes approximately 35.6 skm (22.1 smi) of the McClure River and Creek, a major tributary to Russell Fork, and its tributary stream Open Fork (4.9 skm (3.0 smi)). The McClure River and Creek section extends from the confluence of McClure Creek and Wakenva Branch downstream to the confluence of McClure River and Russell Fork. Recent surveys of the McClure River indicated an often sandy bottom with unembedded, isolated slab boulders and boulder clusters, with live Big Sandy crayfish collected at several locations (Thoma 2009b, p. 18; Loughman 2015a, p. 22). The McClure River valley contains scattered residences, small communities, commercial mining-related facilities, small agricultural fields, roads, railroads, and other infrastructure. The riparian zone along much of the river appears to be relatively intact.

The Open Fork section of Subunit 2g extends from the confluence of Middle Fork Open Fork and Coon Branch downstream to the confluence of Open Fork and McClure Creek at Nora, Virginia. Recent surveys of Open Fork indicated unembedded, isolated slab

boulders and boulder clusters, with live Big Sandy crayfish collected at one location (Loughman 2015a, p. 22). The narrow valley contains scattered residences, some small agricultural fields, roads, and railroads.

The USGS topographic maps and aerial imagery (ESRI) indicate the McClure River watershed is mostly forested; however, legacy and active coal mining occurs in the middle and upper portions of the watershed. Natural gas development is also apparent on many of the adjacent ridges, and recent or ongoing logging operations continue at several locations in the watershed. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2h: Elkhorn Creek, Pike County, Kentucky

Subunit 2h includes approximately 8.5 skm (5.3 smi) of Elkhorn Creek, a tributary to Russell Fork. This subunit extends from the confluence of Elkhorn Creek and Mountain Branch downstream to the confluence of Elkhorn Creek and Russell Fork at Elkhorn City, Kentucky. Recent surveys indicated unembedded slab boulders and boulders in Elkhorn Creek with ''extensive bedrock glides'' in the lower reaches of the creek. Live Big Sandy crayfish were collected from under slab boulders in lower Elkhorn Creek (Loughman 2015a, pp. 18–19). The USGS topographic maps and aerial imagery (ESRI) indicate the watershed is mostly forested; however, significant legacy and active coal mining and other mining and quarrying occurs in the watershed. Human development, in the form of small communities, residences, small agricultural fields, and commercial and industrial facilities, as well as roads, railroads, and other infrastructure, occurs almost continually in the riparian zone along Elkhorn Creek. The watershed to the south of Elkhorn Creek is a unit of the Jefferson National Forest; however, Subunit 2h is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 2i: Cranes Nest River and Birchfield Creek, Dickenson and Wise Counties, Virginia

This subunit includes approximately 24.6 skm (15.3 smi) of Cranes Nest River, a major tributary to Russell Fork, and approximately 6.9 skm (4.3 smi) of Birchfield Creek, a tributary to Cranes Nest River. The Cranes Nest River section of Subunit 2i extends from the confluence of Cranes Nest River and Birchfield Creek downstream to the confluence of Cranes Nest River and Lick Branch. Recent surveys of the Cranes Nest River indicated abundant unembedded slab boulders, boulder clusters, isolated boulders, and coarse woody debris, and live Big Sandy crayfish have been collected at multiple sites (Thoma 2009b, p. 10; VDOT 2014b, entire; VDOT 2015, entire; Loughman 2015a, pp. 21–22). The riparian zone of this section is largely intact; however, human development, in the form of residences, small communities, small agricultural fields, roads, railroads, and other infrastructure, occurs along some segments of Cranes Nest River.

The Birchfield Creek section of this subunit extends from the confluence of Birchfield Creek and Dotson Creek downstream to the confluence of Birchfield Creek and Cranes Nest River. Recent surveys resulted in observations of live Big Sandy crayfish from a site in the lower portion of Birchfield Creek. Human development, in the form of residences, roads, and other infrastructure, occurs in the riparian zone along Birchfield Creek.

The USGS topographic maps and aerial imagery (ESRI) indicate the Cranes Nest River watershed is mostly forested; however, significant legacy and active coal mining is evident throughout the watershed. Natural gas development is ongoing on some of the ridges adjacent to the Cranes Nest River. Approximately 10.3 skm (6.4 smi) of Subunit 2i is within the John W. Flannagan Recreation Area. The remainder of the subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. Since 1964, this subunit has been physically isolated from the Russell Fork by the John W. Flannagan Dam and Reservoir. The Big Sandy crayfish population in Subunit 2i appears to be relatively robust and contributes to the redundancy of the species.

Subunit 2j: Pound River, Dickenson and Wise Counties, Virginia

Subunit 2j includes approximately 28.5 skm (17.7 smi) of the Pound River, a major tributary to Russell Fork that has been physically isolated from that river since 1964 by the John W. Flannagan Dam and Reservoir. This subunit extends from the confluence of Pound River and Bad Creek downstream to the confluence of Pound River and Jerry Branch. Recent surveys indicate abundant unembedded slab boulders, boulders, and boulder clusters in the riffle and run sections, and live Big Sandy crayfish have been collected from multiple locations (Thoma 2009b, entire; VHB, Inc. 2011, entire; Loughman 2015a, p. 21). The USGS topographic maps and aerial imagery (ESRI) indicate the Pound River watershed is mostly forested; however, significant legacy and recent coal mining is evident, especially to the south of the river. Aerial imagery also indicates recent or ongoing logging operations at several locations in the watershed. Much of the immediate riparian zone is intact forest, with occasional human development in the form of small communities, residences, small agricultural fields, commercial development, and roads and other infrastructure adjacent to the river. Approximately 11.4 skm (7.1 smi) of Subunit 2j is within the John W. Flannagan Recreation Area. The remainder of the subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. The Big Sandy crayfish population in Subunit 2j appears to be relatively robust and contributes to the redundancy of the species.

Unit 3: Lower Levisa Fork

Unit 3 consists of the two subunits described below. The threats within this entire unit that may need special management consideration include resource extraction (coal mining, timber harvesting, and oil and gas development); road construction and maintenance (including unpaved roads and trails); instream dredging or construction projects; and other sources of non-point source pollution.

Subunit 3a: Levisa Fork, Pike, Floyd, and Johnson Counties, Kentucky

Subunit 3a includes approximately 33.4 skm (20.8 smi) of the mainstem Levisa Fork in two disjunct segments. The upstream segment includes approximately 15.9 skm (9.9 smi) of the Levisa Fork from its confluence with the Russell Fork at Levisa Junction, Kentucky, downstream to the confluence of Levisa Fork and Island Creek at Pikeville, Kentucky. Surveys indicate that suitable unembedded boulder habitat is present in the Levisa Fork, and live Big Sandy crayfish have been recently collected both upstream of Subunit 3a in the Russell Fork and at one location near Pikeville, Kentucky (Thoma 2010, pp. 5–6; Loughman 2015a, pp. 5–10).

The downstream segment of Subunit 3a includes approximately 17.5 skm (10.9 smi) of the Levisa Fork near Auxier, Kentucky, from the confluence of Levisa Fork and Abbott Creek downstream to the confluence of Levisa Fork and Miller Creek. Recent surveys indicate isolated boulder clusters in this segment, with live Big Sandy crayfish collected from two locations (Thoma 2009b, entire; Loughman 2014, pp. 12–13).

The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 3a watershed is mostly forested; however, legacy and ongoing coal mining is evident in several locations. Human development, in the form of towns, small communities, residences, small agricultural fields, commercial and industrial development, roads, railroads, and other infrastructure, occurs nearly continuously in the riparian zone of these segments of the Levisa Fork. Subunit 3a is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. The upper segment of the subunit provides connectivity between the Russell Fork and Shelby Creek populations (discussed below), and the lower segment supports the most downstream population of Big Sandy crayfish in the Levisa Fork basin. Because the natural habitat characteristics (*e.g.,* size, gradient, bottom substrate) in the Levisa Fork differ from those in the upper tributaries, this subunit increases Big Sandy crayfish representation as well as the species' redundancy.

Subunit 3b: Shelby Creek and Long Fork, Pike County, Kentucky

This subunit includes approximately 32.2 skm (20.0 smi) of Shelby Creek, a tributary to Levisa Fork, and approximately 12.9 skm (8.0 smi) of Long Fork, a tributary to Shelby Creek. The Shelby Creek portion of this subunit extends from the confluence of Shelby Creek and Burk Branch downstream to the confluence of Shelby Creek and Levisa Fork at Shelbiana, Kentucky. The Long Fork portion of Subunit 3b extends from the confluence of Right Fork Long Fork and Left Fork Long Fork downstream to the confluence of Long Fork and Shelby Creek at Virgie, Kentucky. Recent surveys of this subunit indicated an abundance of unembedded slab boulders, boulder clusters, and anthropogenic structures such as concrete slabs and blocks in Shelby Creek and Long Fork, and live Big Sandy crayfish have been collected at multiple locations within this subunit (Thoma 2010, pp. 5–6; Loughman 2015a, p. 18). The USGS topographic maps and aerial imagery (ESRI) indicate the Shelby Creek watershed is mostly forested; however, several large surface coal mines are evident west of the creek. The Long Fork watershed is also mostly forested; however, legacy and active coal mining is evident in the upper portion of this watershed. Human development, in the form of towns, small communities, residences, small agricultural fields, commercial and industrial development, roads, railroads, and other infrastructure, occurs nearly continuously in the riparian zone of Shelby Creek. In the riparian zone of Long Fork, residences, small agricultural fields, roads, and other infrastructure occur nearly continuously. Subunit 3b is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit maintains the most robust population of Big Sandy crayfish in the lower Levisa Fork (as indicated by recent survey capture rates) and increases the representation and redundancy of the species.

Unit 4: Tug Fork

Unit 4 consists of the seven subunits described below. The threats within this entire unit that may need special management consideration include resource extraction (coal mining, timber harvesting, and oil and gas development); road construction and maintenance (including unpaved roads and trails); instream dredging or construction projects; and other sources of non-point source pollution.

Subunit 4a: Tug Fork, McDowell, Mingo, and Wayne Counties, West Virginia; Buchanan County, Virginia; and Pike County, Kentucky

Subunit 4a includes approximately 117.8 skm (73.2 smi) of the Tug Fork mainstem in two disjunct segments. The upstream segment includes approximately 106.1 skm (65.9 smi) of the Tug Fork from the confluence of Tug Fork and Elkhorn Creek at Welch, West Virginia, downstream to the confluence of Tug Fork and Blackberry Creek in Pike County, Kentucky. Surveys indicate that suitable unembedded boulder habitat is sparse and discontinuous in this segment of the Tug Fork; however, live Big Sandy crayfish have been collected at four locations within this subunit (Loughman 2015a, p. 16). The downstream segment includes approximately 11.7 skm (7.3 smi) of the Tug Fork near Crum, West Virginia, from the confluence of Tug Fork and Bull Creek downstream to the confluence of Tug Fork and Little Elk Creek.

The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 4a watershed is mostly forested; however, there is evidence of legacy and ongoing coal mining throughout the subunit. The riparian zone in the upper segment of Subunit 4a is relatively intact, with human development consisting primarily of road and railroad corridors. In the lower segment of the subunit, towns, small communities, residences, small agricultural fields, commercial and industrial development, roads, railroads, and other infrastructure become prevalent. Subunit 4a is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. Because of the diversity of natural habitat characteristics (*e.g.,* size, gradient, bottom substrate) in this subunit, it contributes to Big Sandy crayfish representation and redundancy. This subunit provides habitat for the Big Sandy crayfish, as well as providing potential connectivity between the Dry Fork, Panther Creek, Knox Creek, Peter Creek, Blackberry Creek, and Pigeon Creek populations (discussed below).

Subunit 4b: Dry Fork and Bradshaw Creek, McDowell County, West Virginia

This subunit includes approximately 45.2 skm (28.1 smi) of Dry Fork, a large tributary to the Tug Fork, and approximately 4.6 skm (2.9 smi) of Bradshaw Creek, a tributary to Dry Fork. The Dry Fork portion of Subunit 4b extends from the confluence of Dry Fork and Jacobs Fork downstream to the confluence of Dry Fork and Tug Fork at Iaeger, West Virginia. The Bradshaw Creek portion extends from the confluence of Bradshaw Creek and Hite Fork at Jolo, West Virginia, downstream to the confluence of Bradshaw Creek and Dry Fork at Bradshaw, West Virginia. Recent surveys indicate abundant unembedded slab boulders, boulders, boulder clusters, and large cobbles, with live Big Sandy crayfish collected at numerous locations within this subunit (Loughman 2013, pp. 7–8; Loughman 2014, pp. 10–11; Loughman 2015a, pp. 14–15). The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 4b watershed is mostly forested; however, legacy coal mining is evident throughout, and natural gas development is apparent in the upper portions of the watershed. The riparian zone in the upper portion of Dry Fork is relatively intact, with human development consisting primarily of

road and railroad corridors. In the middle and lower portions of Dry Fork, small communities, residences, small agricultural fields, commercial and industrial development, roads, railroads, and other infrastructure become prevalent. The Bradshaw Creek riparian zone is dominated by residences, small agricultural fields, roads, and other infrastructure. The middle portion of Dry Fork passes through the Berwind Lake State Wildlife Management Area; otherwise, Subunit 4b is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit appears to maintain a relatively robust population of the Big Sandy crayfish and likely serves as a source population for areas downstream in the Tug Fork basin. This subunit contributes to the redundancy of the species.

Subunit 4c: Panther Creek, McDowell County, West Virginia

This subunit includes approximately 10.7 skm (6.6 smi) of Panther Creek, a tributary to Tug Fork. Subunit 4c extends from the confluence of Panther Creek and George Branch downstream to the confluence of Panther Creek and Tug Fork at Panther, West Virginia. Big Sandy crayfish have been collected at one site in the lower portion of this subunit. The USGS topographic maps and aerial imagery (ESRI) indicate the majority of the Panther Creek watershed is intact forest with evidence of only limited legacy coal mining. The riparian zone of this narrow valley is largely intact, containing a road and occasional residences (mostly in the lower portion of the subunit). Approximately 6.1 skm (3.8 smi) of Subunit 4c is located within the Panther State Forest, and the remainder is located on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 4d: Knox Creek, Buchanan County, Virginia, and Pike County, Kentucky

Subunit 4d includes approximately 16.6 skm (10.3 smi) of Knox Creek, a tributary to Tug Fork. This subunit extends from the confluence of Knox Creek and Cedar Branch downstream to the confluence of Knox Creek and Tug Fork in Pike County, Kentucky. Recent surveys indicated abundant unembedded slab boulders, boulders, and boulder clusters, with live Big Sandy crayfish collected at four sites in the Kentucky portion of the creek (Thoma 2010, p. 5; Loughman 2015a, p. 12). The USGS topographic maps and aerial imagery (ESRI) indicate the Knox Creek watershed is mostly forested, with evidence of significant legacy, recent, and ongoing coal mining in the watershed. In the upper portion of this subunit, human development in the form of small communities, residences, roads, railroads, and other infrastructure is common. In the middle and lower sections, the riparian zone is relatively intact, except for scattered residences and a road and railroad line. Subunit 4d is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. This subunit contributes to the redundancy of the species.

Subunit 4e: Peter Creek, Pike County, Kentucky

Subunit 4e includes approximately 10.1 skm (6.3 smi) of Peter Creek, a tributary to Tug Fork. This subunit extends from the confluence of Left Fork Peter Creek and Right Fork Peter Creek at Phelps, Kentucky, downstream to the confluence of Peter Creek and Tug Fork at Freeburn, Kentucky. Recent surveys indicate moderate sedimentation issues in Peter Creek, but some unembedded bottom substrates continue to be present (Loughman 2015a, p. 12). Big Sandy crayfish have been collected at two sites in the lower portion of this subunit. The USGS topographic maps and aerial imagery (ESRI) indicate the Peter Creek watershed is mostly forested, with evidence of significant legacy, recent, and ongoing coal mining throughout the watershed. The riparian zone in Subunit 4e is dominated by human development in the form of small communities, residences, roads, railroads, and other infrastructure. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. Subunit 4e contributes to the redundancy of the species.

Subunit 4f: Blackberry Creek, Pike County, Kentucky

Subunit 4f includes approximately 9.1 skm (5.7 smi) of Blackberry Creek, a tributary to Tug Fork. This subunit extends from the confluence of Blackberry Creek and Bluespring Branch downstream to the confluence of Blackberry Creek and Tug Fork. Recent surveys indicate moderate sedimentation in Blackberry Creek, but some unembedded bottom substrates continue to be present (Loughman 2015a, p. 12). Big Sandy crayfish have been collected at two sites in the lower portion of this subunit. The USGS topographic maps and aerial imagery (ESRI) indicate the Blackberry Creek watershed is mostly forested, with evidence of significant legacy, recent, and ongoing coal mining throughout the watershed. The narrow riparian zone in Subunit 4f is dominated by human development in the form of small communities, residences, roads, and other infrastructure. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. Subunit 4f contributes to the redundancy of the species.

Subunit 4g: Pigeon Creek and Laurel Creek, Mingo County, West Virginia

Subunit 4g includes approximately 14.0 skm (8.7 smi) of Pigeon Creek, a tributary to Tug Fork, and approximately 11.1 skm (6.9 smi) of Laurel Fork, a tributary to Pigeon Creek. The Pigeon Creek portion of this subunit extends from the confluence of Pigeon Creek and Trace Fork downstream to the confluence of Pigeon Creek and Tug Fork. The Laurel Creek portion extends from the confluence of Laurel Fork and Lick Branch 0.6 skm (0.4 smi) downstream of the Laurel Lake dam to the confluence of Laurel Fork and Pigeon Creek at Lenore, West Virginia.

Recent surveys indicate the bottom substrates in Pigeon Creek consist of fine sediments, sand, and occasional boulders, with Big Sandy crayfish collected at a single site (Loughman 2015a, p. 11). Laurel Fork maintains a bottom substrate of sand, gravel, cobble, and occasional slab boulders, with Big Sandy crayfish collected at two sites (Loughman 2015a, pp. 10–11). The USGS topographic maps and aerial imagery (ESRI) indicate the Pigeon Creek watershed is mostly forested, with evidence of significant legacy, recent, and ongoing coal mining and valley fills in the upper portion of the watershed. The Pigeon Creek riparian zone is dominated by human development in the form of small communities, residences, roads, railroads, and other infrastructure. The majority of the Laurel Creek watershed is within the Laurel Creek State Wildlife Management Area and is mostly intact forest; however, the narrow riparian zone is dominated by human development in the form of residences, roads, and other infrastructure. Subunit 4g is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements. With the exception of the Big Sandy crayfish occurrence in the Tug Fork mainstem near Crum, West Virginia, Subunit 4g supports the most

downstream Big Sandy crayfish population in the Tug Fork watershed. Therefore, this subunit contributes to the representation and redundancy of the species.

Guyandotte River Crayfish

Unit 1: Upper Guyandotte

We propose to designate a single critical habitat unit (Unit 1), consisting of five subunits, for the Guyandotte River crayfish. The threats within this entire unit that may need special management consideration include resource extraction (coal mining, timber harvesting, and oil and gas development); road construction and maintenance (including unpaved roads and trails); instream dredging or construction projects; and other sources of non-point source pollution. In addition, subunits 1a and 1e may need special management consideration from the threat of ORV use. The subunits are described below.

Subunit 1a: Pinnacle Creek, Wyoming County, West Virginia

This subunit includes approximately 28.6 skm (17.8 smi) of Pinnacle Creek, a tributary to the Guyandotte River. Subunit 1a extends from the confluence of Pinnacle Creek and Beartown Fork downstream to the confluence of Pinnacle Creek and the Guyandotte River at Pineville, West Virginia. The USGS topographic maps and aerial imagery (ESRI) indicate the Pinnacle Creek watershed is mostly forested; however, legacy, recent, and ongoing coal mining is evident in the watershed. The riparian zone in this subunit is mostly intact, with human development consisting of unimproved roads or trails. In the lower portion of the subunit, some commercial and coal-related facilities are adjacent to the creek. This subunit is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements.

Recent surveys of Pinnacle Creek confirmed the presence of the Guyandotte River crayfish at five sites in the upper portion of the creek, with the bottom substrate being characterized as gravel, with unembedded cobbles, small boulders, and isolated slab boulders. Substrate embeddedness was reported to increase markedly in downstream reaches (Loughman 2015b, p. 11). As one of only two known Guyandotte River crayfish populations, this subunit provides critical representation and redundancy for the species.

Subunit 1b: Clear Fork and Laurel Fork, Wyoming County, West Virginia

Subunit 1b includes approximately 38.0 skm (23.6 smi) of Clear Fork and its primary tributary Laurel Fork. This subunit extends from the confluence of Laurel Creek and Acord Branch downstream to the confluence of Clear Fork and the Guyandotte River. The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 1b watershed is mostly forested; however, coal mining activity occurs throughout the subunit. Human development is prevalent in the riparian zone in this subunit and consists of communities, residences, commercial facilities, agricultural fields, roads, railroads, and other infrastructure. Approximately 6.2 skm (3.9 smi) of Subunit 1b is within the R.D. Bailey Lake State Wildlife Management Area, and the remainder is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements.

Surveys confirmed the Guyandotte River crayfish at six sites within this subunit, with the stream bottom substrate generally characterized as sand with abundant unembedded slab boulders, boulders, or boulder clusters (Loughman 2015b, pp. 9–10). Of the two remaining Guyandotte River crayfish populations, Subunit 1b contains the most robust population and provides critical representation and redundancy for the species.

Subunit 1c: Guyandotte River, Wyoming County, West Virginia

Because we have determined occupied areas are not adequate for the conservation of the Guyandotte River crayfish, we have evaluated whether any unoccupied areas are essential for the conservation of the species and identified this area as essential for the conservation of the species. Subunit 1c includes approximately 35.8 skm (22.2 smi) of the Guyandotte River from its confluence with Pinnacle Creek at Pineville, West Virginia, downstream to its confluence with Clear Fork. The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 1c watershed is mostly forested; however, some legacy and ongoing coal mining is evident along with natural gas development on adjacent ridges. In the lower portion of the subunit, the riparian zone is largely intact, with the exception of road and railroad rights-of-way. In the middle and upper portions of this subunit, human development in the riparian zone increases and consists of communities, residences, commercial facilities, agricultural fields, roads, railroads, and other infrastructure. Approximately 15.0 skm (9.3 smi) of Subunit 1c is located within the R.D. Bailey Lake State Wildlife Management Area, and the remainder is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements.

Although it is considered unoccupied, this subunit contains at least two of the physical or biological features (PBFs) essential to the conservation of the Guyandotte River crayfish, and we are reasonably certain that it will contribute to the conservation of the species. This subunit maintains ''optimal'' Guyandotte River crayfish habitat, including abundant unembedded slab boulders, boulders, boulder clusters, and cobble (PBF 1) (Loughman 2015b, pp. 22–24). Along with providing potential habitat for the Guyandotte River crayfish and thereby increasing its redundancy, this subunit provides connectivity (PBF 6) between the extant Pinnacle Creek and Clear Fork populations and provides connectivity between these two populations and the proposed unoccupied critical habitat subunit at Indian Creek (Subunit 1d, described below).

Subunit 1d: Indian Creek, Wyoming County, West Virginia

Because we have determined occupied areas are not adequate for the conservation of the Guyandotte River crayfish, we have evaluated whether any unoccupied areas are essential for the conservation of the species and identified this area as essential for the conservation of the species. Subunit 1d includes approximately 4.2 skm (2.6 smi) of Indian Creek, a tributary to the Guyandotte River. This subunit extends from the confluence of Indian Creek and Brier Creek at Fanrock, West Virginia, downstream to the confluence of Indian Creek and the Guyandotte River. The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 1d watershed is mostly intact forest, with evidence of legacy coal mining and natural gas drilling on the adjacent slopes. Residences, roads, and other infrastructure occur in the narrow riparian zone. Approximately 1.3 skm (0.8 smi) of Subunit 1d is located within the R.D. Bailey Lake State Wildlife Management Area, and the remainder is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements.

Although it is considered unoccupied, this subunit contains at least two of the physical or biological features essential to the conservation of the Guyandotte

River crayfish, and we are reasonably certain that it will contribute to the conservation of the species. This subunit represents the type location for the Guyandotte River crayfish, with specimens last collected in 1947. The best available survey data (Loughman 2015b, p. 14) indicate this subunit maintains unembedded slab boulders and boulders in the faster moving stream sections, with some sedimentation observed in slow or slack water sections (PBF 1). This subunit is located approximately midway between the extant Pinnacle Creek and Clear Fork populations and, if recolonized, would increase the redundancy of the Guyandotte River crayfish and contribute to population connectedness within the species' range (PBF 6).

Subunit 1e: Huff Creek, Wyoming and Logan Counties, West Virginia

Because we have determined occupied areas are not adequate for the conservation of the Guyandotte River crayfish, we have evaluated whether any unoccupied areas are essential for the conservation of the species and identified this area as essential for the conservation of the species. Subunit 1e includes approximately 28.0 skm (17.4 smi) of Huff Creek, a tributary of the Guyandotte River. This subunit extends from the confluence of Huff Creek and Straight Fork downstream to the confluence of Huff Creek and the Guyandotte River at Huff, West Virginia. The USGS topographic maps and aerial imagery (ESRI) indicate the Subunit 1e watershed is mostly intact forest, with evidence of legacy and ongoing coal mining and legacy natural gas drilling on the adjacent slopes. Human development, in the form of residences, roads, and other infrastructure, occurs in the narrow riparian zone throughout this subunit. Subunit 1e is located almost entirely on private land, except for any small amount that is publicly owned in the form of bridge crossings or road easements.

Although it is considered unoccupied, this subunit contains at least one of the physical or biological features essential to the conservation of the Guyandotte River crayfish, and we are reasonably certain that it will contribute to the conservation of the species. The best available survey data (Loughman 2015b, pp. 14–15) indicate this subunit maintains unembedded slab boulders and boulder clusters with only minimal sedimentation (PBF 1). Guyandotte River crayfish were last collected from this subunit in 1989. While the R.D. Bailey Dam, constructed in 1980, prevents connectivity between this subunit and the extant Guyandotte River crayfish populations upstream, successful reintroduction of the species to this subunit would contribute to the species' redundancy.

Effects of Critical Habitat Designation

Section 7 Consultation

Section 7(a)(2) of the Act requires Federal agencies, including the Service, to ensure that any action they fund, authorize, or carry out is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of designated critical habitat of such species. In addition, section 7(a)(4) of the Act requires Federal agencies to confer with the Service on any agency action which is likely to jeopardize the continued existence of any species proposed to be listed under the Act or result in the destruction or adverse modification of proposed critical habitat.

We published a final regulation with a revised definition of destruction or adverse modification on August 27, 2019 (84 FR 44976). Destruction or adverse modification means a direct or indirect alteration that appreciably diminishes the value of critical habitat as a whole for the conservation of a listed species.

If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency (action agency) must enter into consultation with us. Examples of actions that are subject to the section 7 consultation process are actions on State, tribal, local, or private lands that require a Federal permit (such as a permit from the U.S. Army Corps of Engineers under section 404 of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or a permit from the Service under section 10 of the Act) or that involve some other Federal action (such as funding from the Federal Highway Administration, Federal Aviation Administration, or the Federal Emergency Management Agency). Federal actions not affecting listed species or critical habitat—and actions on State, tribal, local, or private lands that are not federally funded, authorized, or carried out by a Federal agency—do not require section 7 consultation.

Compliance with the requirements of section 7(a)(2) is documented through our issuance of:

(1) A concurrence letter for Federal actions that may affect, but are not likely to adversely affect, listed species or critical habitat; or

(2) A biological opinion for Federal actions that may affect, and are likely to adversely affect, listed species or critical habitat.

When we issue a biological opinion concluding that a project is likely to jeopardize the continued existence of a listed species and/or destroy or adversely modify critical habitat, we provide reasonable and prudent alternatives to the project, if any are identifiable, that would avoid the likelihood of jeopardy and/or destruction or adverse modification of critical habitat. We define ''reasonable and prudent alternatives'' (at 50 CFR 402.02) as alternative actions identified during consultation that:

(1) Can be implemented in a manner consistent with the intended purpose of the action,

(2) Can be implemented consistent with the scope of the Federal agency's legal authority and jurisdiction,

(3) Are economically and technologically feasible, and

(4) Would, in the Service Director's opinion, avoid the likelihood of jeopardizing the continued existence of the listed species and/or avoid the likelihood of destroying or adversely modifying critical habitat.

Reasonable and prudent alternatives can vary from slight project modifications to extensive redesign or relocation of the project. Costs associated with implementing a reasonable and prudent alternative are similarly variable.

Regulations at 50 CFR 402.16 require Federal agencies to reinitiate consultation on previously reviewed actions. These requirements apply when the Federal agency has retained discretionary involvement or control over the action (or the agency's discretionary involvement or control is authorized by law), and, subsequent to the previous consultation, we have listed a new species or designated critical habitat that may be affected by the Federal action, or the action has been modified in a manner that affects the species or critical habitat in a way not considered in the previous consultation. In such situations, Federal agencies sometimes may need to request reinitiation of consultation with us, but the regulations also specify some exceptions to the requirement to reinitiate consultation on specific land management plans after subsequently listing a new species or designating new critical habitat. See the regulations for a description of those exceptions.

Application of the ''Adverse Modification'' Standard

The key factor related to the adverse modification determination is whether implementation of the proposed Federal

action directly or indirectly alters the designated critical habitat in a way that appreciably diminishes the value of critical habitat as a whole for the conservation of the listed species. As discussed above, the role of critical habitat is to support physical and biological features essential to the conservation of a listed species and provide for the conservation of the species.

Section 4(b)(8) of the Act requires us to briefly evaluate and describe, in any proposed or final regulation that designates critical habitat, activities involving a Federal action that may destroy or adversely modify such habitat, or that may be affected by such designation.

Activities that the Service may, during a consultation under section 7(a)(2) of the Act, find are likely to destroy or adversely modify critical habitat include, but are not limited to:

(1) Actions that would significantly increase sediment deposition within the stream channel. Such activities could include, but are not limited to, excessive erosion and sedimentation from coal mining or abandoned mine lands, oil or natural gas development, timber harvests, unpaved forest roads, road construction, channel alteration, off-road vehicle use, and other land-disturbing activities in the watershed and floodplain. Sedimentation from these activities could lead to stream bottom embeddedness that eliminates or reduces the sheltering habitat necessary for the conservation of these crayfish species.

(2) Actions that would significantly alter channel morphology or geometry. Such activities could include, but are not limited to, channelization, dredging, impoundment, road and bridge construction, pipeline construction, and destruction of riparian vegetation. These activities may cause changes in water flows or channel stability and lead to increased sedimentation and stream bottom embeddedness that eliminates or reduces the sheltering habitat necessary for the conservation of these crayfish species.

(3) Actions that would significantly alter water chemistry or temperature. Such activities could include, but are not limited to, the release of chemicals, fill, biological pollutants, or heated effluents into the surface water or connected groundwater at a point source or by dispersed release (non-point source). These activities could alter water conditions to levels that are beyond the tolerances of the Big Sandy or Guyandotte River crayfish and result in direct or cumulative adverse effects to individual crayfish.

Exemptions

Application of Section 4(a)(3) of the Act

Section 4(a)(3)(B)(i) of the Act (16 U.S.C. 1533(a)(3)(B)(i)) provides that: ''The Secretary shall not designate as critical habitat any lands or other geographical areas owned or controlled by the Department of Defense, or designated for its use, that are subject to an integrated natural resources management plan [INRMP] prepared under section 101 of the Sikes Act (16 U.S.C. 670a), if the Secretary determines in writing that such plan provides a benefit to the species for which critical habitat is proposed for designation.'' There are no Department of Defense (DoD) lands with a completed INRMP within the proposed critical habitat designation.

Consideration of Impacts Under Section 4(b)(2) of the Act

Section 4(b)(2) of the Act states that the Secretary shall designate and make revisions to critical habitat on the basis of the best available scientific data after taking into consideration the economic impact, national security impact, and any other relevant impact of specifying any particular area as critical habitat. The Secretary may exclude an area from critical habitat if he determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat, unless he determines, based on the best scientific data available, that the failure to designate such area as critical habitat will result in the extinction of the species. In making that determination, the statute on its face, as well as the legislative history, are clear that the Secretary has broad discretion regarding which factor(s) to use and how much weight to give to any factor.

The first sentence in section 4(b)(2) of the Act requires that we take into consideration the economic, national security, or other relevant impacts of designating any particular area as critical habitat. We describe below the process that we undertook for taking into consideration each category of impacts and our analyses of the relevant impacts.

Consideration of Economic Impacts

Section 4(b)(2) of the Act and its implementing regulations require that we consider the economic impact that may result from a designation of critical habitat. To assess the probable economic impacts of a designation, we must first evaluate specific land uses or activities and projects that may occur in the area of the critical habitat. We then must evaluate the impacts that a specific critical habitat designation may have on restricting or modifying specific land uses or activities for the benefit of the species and its habitat within the areas proposed. We then identify which conservation efforts may be the result of the species being listed under the Act versus those attributed solely to the designation of critical habitat for this particular species. The probable economic impact of a proposed critical habitat designation is analyzed by comparing scenarios both ''with critical habitat'' and ''without critical habitat.'' The ''without critical habitat'' scenario represents the baseline for the analysis, which includes the existing regulatory and socioeconomic burden imposed on landowners, managers, or other resource users potentially affected by the designation of critical habitat (*e.g.,* under the Federal listing as well as other Federal, State, and local regulations). The baseline, therefore, represents the costs of all efforts attributable to the listing of the species under the Act (*i.e.,* conservation of the species and its habitat incurred regardless of whether critical habitat is designated). The ''with critical habitat'' scenario describes the incremental impacts associated specifically with the designation of critical habitat for the species. The incremental conservation efforts and associated impacts would not be expected without the designation of critical habitat for the species. In other words, the incremental costs are those attributable solely to the designation of critical habitat, above and beyond the baseline costs. These are the costs we use when evaluating the benefits of inclusion and exclusion of particular areas from the final designation of critical habitat should we choose to conduct a discretionary 4(b)(2) exclusion analysis.

For this particular designation, we developed an incremental effects memorandum (IEM) considering the probable incremental economic impacts that may result from this proposed designation of critical habitat. The information contained in our IEM was then used to develop a screening analysis of the probable effects of the designation of critical habitat for the Big Sandy and Guyandotte River crayfishes (Industrial Economics, Incorporated (IEc) 2019, entire). We began by conducting a screening analysis of the proposed designation of critical habitat in order to focus on the key factors that are likely to result in incremental economic impacts. The purpose of the screening analysis is to filter out the geographic areas in which the critical habitat designation is unlikely to result

in probable incremental economic impacts. In particular, the screening analysis considers baseline costs (*i.e.,* absent critical habitat designation) and includes probable economic impacts where land and water use may be subject to conservation plans, land management plans, best management practices, or regulations that protect the habitat area as a result of the Federal listing status of the species. The screening analysis filters out particular areas of critical habitat that are already subject to such protections and are, therefore, unlikely to incur incremental economic impacts. Ultimately, the screening analysis allows us to focus on evaluating the specific areas or sectors that may incur probable incremental economic impacts as a result of the designation. The screening analysis also assesses whether units/subunits are unoccupied by the species and may require additional management or conservation efforts as a result of the critical habitat designation for the species which may incur incremental economic impacts. This screening analysis combined with the information contained in our IEM are what we consider our draft economic analysis of the proposed critical habitat designation for the Big Sandy and Guyandotte River crayfishes and is summarized in the narrative below.

Executive Orders (E.O.s) 12866 and 13563 direct Federal agencies to assess the costs and benefits of available regulatory alternatives in quantitative (to the extent feasible) and qualitative terms. Consistent with the E.O. regulatory analysis requirements, our effects analysis under the Act may take into consideration impacts to both directly and indirectly affected entities, where practicable and reasonable. If sufficient data are available, we assess to the extent practicable the probable impacts to both directly and indirectly affected entities. As part of our screening analysis, we considered the types of economic activities that are likely to occur within the areas likely affected by the critical habitat designation. In our evaluation of the probable incremental economic impacts that may result from the proposed designation of critical habitat for the Big Sandy and Guyandotte River crayfishes, first we identified, in the IEM dated August 14, 2019 (Service 2019, entire), probable incremental economic impacts associated with the following categories of activities: (1) Watershed and stream restoration activities; (2) construction of recreation improvements and management of recreation activities; (3) energy extraction (coal, oil, and gas) and maintenance/management of facilities (*e.g.,* abandoned mine lands, active mines, pipelines); (4) road and bridge maintenance; (5) pesticide use; (6) timber harvest; (7) agriculture; and (8) instream emergency response activities. We considered each industry or category individually. Additionally, we considered whether their activities have any Federal involvement. Critical habitat designation generally will not affect activities that do not have any Federal involvement; under the Act, designation of critical habitat only affects activities conducted, funded, permitted, or authorized by Federal agencies. In areas where the Big Sandy and Guyandotte River crayfishes are present, Federal agencies already are required to consult with the Service under section 7 of the Act on activities they fund, permit, or implement that may affect the species. If we finalize this proposed critical habitat designation, consultations to avoid the destruction or adverse modification of critical habitat would be incorporated into the existing consultation process.

In our IEM, we attempted to clarify the distinction between the effects that will result from the species being listed and those attributable to the critical habitat designation (*i.e.,* difference between the jeopardy and adverse modification standards) for the Big Sandy or Guyandotte River crayfishes' critical habitat. Because all of the units/subunits we are proposing to designate as critical habitat for the Big Sandy crayfish are occupied, we do not expect that the critical habitat designation will result in any additional consultations. The conservation recommendations provided to address impacts to the occupied critical habitat will be the same as those recommended to address impacts to the species because the habitat tolerances of the Big Sandy crayfish are inextricably linked to the health, growth, and reproduction of the crayfish, which are present year-round in their occupied streams. Furthermore, because the proposed critical habitat and the Big Sandy crayfish's known range are identical, the results of consultation under adverse modification are not likely to differ from the results of consultation under jeopardy. In the event of an adverse modification determination, we expect that reasonable and prudent alternatives to avoid jeopardy to the species would also avoid adverse modification of the critical habitat. The only incremental impact of critical habitat designation that we anticipate is the small administrative effort required during section 7 consultation to document effects on the physical and biological features of the critical habitat and whether the action appreciably diminishes the value of critical habitat as a whole for the conservation of the listed species.

The above conclusion is also accurate for the occupied Guyandotte River crayfish subunits (1a and 1b). For the unoccupied Guyandotte River crayfish subunits (1c, 1d, and 1e), we anticipate project modifications may result in the future from consultations on one planned surface mining project as well as one existing surface mining project. Examples of project modifications may include, but are not limited to, sediment monitoring, chemical testing, macroinvertebrate monitoring, installing box culverts at all stream crossings, collocating valley fills or constructing regarded backstacks, and maintaining a spill response plan (IEc 2019, p. 15). Informed by discussions with a mining company operating in Guyandotte River crayfish occupied habitat, the cost estimates associated with such project modifications are projected to be relatively minor, ranging from $30,000 to $60,000 in the year of implementation.

The proposed critical habitat designation for the Big Sandy crayfish totals approximately 582 skm (362 smi), all of which is currently occupied by the species. The proposed critical habitat designation for the Guyandotte River crayfish totals approximately 135 skm (84 smi), of which approximately 49 percent is currently occupied by the species.

As stated in the DEA (IEc 2019, p. 1), critical habitat designation for the Big Sandy and Guyandotte River crayfish would be unlikely to generate costs exceeding $100 million in a single year, and therefore would not be significant. The direct section 7 costs would most likely be limited to additional administrative effort to consider adverse modification, as well as the project modifications discussed above, in unoccupied habitat for the Guyandotte River crayfish. All of the proposed critical habitat units/subunits for the Big Sandy crayfish and two subunits of critical habitat for the Guyandotte River crayfish are occupied year-round by these species. Within occupied habitat, regardless of whether critical habitat is designated, all projects with a Federal nexus are already subject to section 7 requirements. The administrative time required to address critical habitat in these consultations is minor. The results of consultation for adverse modification are not likely to differ from the results of consultation for jeopardy. Three subunits of critical habitat for the

Guyandotte River crayfish are currently unoccupied by the species. Section 7 consultations for all projects with a Federal nexus in this unoccupied habitat would be fully attributable to the critical habitat designation. We anticipate incremental project modifications resulting from these consultations, including for existing and planned surface mines.

Based on the rate of historical consultations in occupied units/subunits, these two species are likely to generate a total of approximately 285 consultations and technical assistances in a given year. The total additional administrative cost of addressing adverse modification in these new and existing consultations is not expected to exceed $860,000 to $920,000, depending on the range of cost estimates for unoccupied critical habitat (see below), in a given year. This value likely overestimates the cost because technical assistance consultations, which cost substantially less, cannot be separated from informal consultations in the consultation information provided to the economists. The cost of project modifications resulting from currently identified existing and future activities in unoccupied habitat for the Guyandotte River crayfish range from $30,000 to $60,000 in a given year.

Further, the designation of critical habitat is not expected to trigger additional requirements under State or local regulations. Additionally, because the proposed critical habitat is located in stretches of river, rather than on land, impacts on property values resulting from the perception of additional regulation are unlikely. Project modifications in unoccupied habitat for the Guyandotte River crayfish have the potential to increase conservation in these areas, resulting in an incremental benefit. Data limitations preclude IEc's ability to monetize these benefits; however, these benefits are unlikely to exceed $100 million in a given year.

The proposed units with the highest potential costs resulting from the designation of critical habitat are Unit 2 for the Big Sandy crayfish and the unoccupied subunits of Unit 1 for the Guyandotte River crayfish. Proposed Unit 2 for the Big Sandy crayfish (Russell Fork, spanning both Kentucky and Virginia) contains the most stream miles with adjacent Federal land ownership and, therefore, a higher probability of intersecting with projects or activities with a Federal nexus that require consultation. Because proposed Unit 1 for the Guyandotte River crayfish (in West Virginia) includes unoccupied stream miles, requests for project modifications would be likely for existing and planned surface mines.

As we stated earlier, we are soliciting data and comments from the public on the DEA, as well as all aspects of this proposed rule and our required determinations. We may revise the proposed rule or supporting documents to incorporate or address information we receive during the public comment period. In particular, we may exclude an area from critical habitat if we determine that the benefits of excluding the area outweigh the benefits of including the area, provided the exclusion will not result in the extinction of this species.

During the development of a final designation, we will consider any additional economic impact information we receive during the public comment period (see **DATES**, above), and areas may be excluded from the final critical habitat designation under section 4(b)(2) of the Act and our implementing regulations at 50 CFR 424.19.

Consideration of National Security Impacts

Section 4(a)(3)(B)(i) of the Act may not cover all DoD lands or areas that pose potential national-security concerns (*e.g.,* a DoD installation that is in the process of revising its INRMP for a newly listed species or a species previously not covered). If a particular area is not covered under section 4(a)(3)(B)(i) of the Act, national-security or homeland-security concerns are not a factor in the process of determining what areas meet the definition of ''critical habitat.'' Nevertheless, when designating critical habitat under section 4(b)(2) of the Act, the Service must consider impacts on national security, including homeland security, on lands or areas not covered by section 4(a)(3)(B)(i) of the Act. Accordingly, we will always consider for exclusion from the designation areas for which DoD, Department of Homeland Security (DHS), or another Federal agency has requested exclusion based on an assertion of national-security or homeland-security concerns.

We cannot, however, automatically exclude requested areas. When DoD, DHS, or another Federal agency requests exclusion from critical habitat on the basis of national-security or homeland-security impacts, it must provide a reasonably specific justification of an incremental impact on national security that would result from the designation of that specific area as critical habitat. That justification could include demonstration of probable impacts, such as impacts to ongoing border-security patrols and surveillance activities, or a delay in training or facility construction, as a result of compliance with section 7(a)(2) of the Act. If the agency requesting the exclusion does not provide us with a reasonably specific justification, we will contact the agency to recommend that it provide a specific justification or clarification of its concerns relative to the probable incremental impact that could result from the designation. If the agency provides a reasonably specific justification, we will defer to the expert judgment of DoD, DHS, or another Federal agency as to: (1) Whether activities on its lands or waters, or its activities on other lands or waters, have national-security or homeland-security implications; (2) the importance of those implications; and (3) the degree to which the cited implications would be adversely affected in the absence of an exclusion. In that circumstance, in conducting a discretionary section 4(b)(2) exclusion analysis, we will give great weight to national-security and homeland-security concerns in analyzing the benefits of exclusion.

In preparing this proposal, we have determined that the lands within the proposed designation of critical habitat for the Big Sandy and the Guyandotte River crayfishes are not owned or managed by DoD or DHS, and, therefore, we anticipate no impact on national security. Consequently, the Secretary is not intending to exercise his discretion to exclude any areas from the final designation based on impacts on national security unless we receive new information on such impacts during the public comment period.

Consideration of Other Relevant Impacts

We have not considered any areas for exclusion from critical habitat. As explained above, there are no DoD or national security impacts, and as described below, there are no Tribal trust impacts associated with the proposed designation. However, the final decision on whether to exclude any areas will be based on the best scientific data available at the time of the final designation, including information obtained during the comment period and information about the economic impact of designation. Accordingly, we have prepared a draft economic analysis (DEA) concerning the proposed critical habitat designation, which is available for review and comment (see **ADDRESSES**, above).

Exclusions

Under section 4(b)(2) of the Act, we consider any other relevant impacts, in addition to economic impacts and

impacts on national security. We consider a number of factors including whether there are permitted conservation plans covering the species in the area, such as habitat conservation plans (HCPs), safe harbor agreements, or candidate conservation agreements with assurances, or whether there are non-permitted conservation agreements and partnerships that would be encouraged by designation of, or exclusion from, critical habitat. In addition, we look at the existence of tribal conservation plans and partnerships and consider the government-to-government relationship of the United States with tribal entities. We also consider any social impacts that might occur because of the designation.

In preparing this proposal, we have determined that there are currently no HCPs or other management plans for the Big Sandy or Guyandotte River crayfishes, and the proposed designation does not include any tribal lands or trust resources. We anticipate no impact on tribal lands, partnerships, or HCPs from this proposed critical habitat designation.

During the development of a final designation, we will consider any information currently available or received during the public comment period regarding the economic, national security, or other relevant impacts of the proposed designation and will determine whether any specific areas should be excluded from the final critical habitat designation under authority of section 4(b)(2) and our implementing regulations at 50 CFR 424.19.

Required Determinations

Clarity of the Rule

We are required by Executive Orders 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

(1) Be logically organized;

(2) Use the active voice to address readers directly;

(3) Use clear language rather than jargon;

(4) Be divided into short sections and sentences; and

(5) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in **ADDRESSES**. To better help us revise the rule, your comments should be as specific as possible. For example, you should tell us the numbers of the sections or paragraphs that are unclearly written, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) will review all significant rules. The Office of Information and Regulatory Affairs has determined that this rule is not significant.

Executive Order (E.O.) 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

Under the Regulatory Flexibility Act (RFA; 5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA; 5 U.S.C. 801 *et seq.*), whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effects of the rule on small entities (*i.e.,* small businesses, small organizations, and small government jurisdictions). However, no regulatory flexibility analysis is required if the head of the agency certifies the rule will not have a significant economic impact on a substantial number of small entities. The SBREFA amended the RFA to require Federal agencies to provide a certification statement of the factual basis for certifying that the rule will not have a significant economic impact on a substantial number of small entities.

According to the Small Business Administration, small entities include small organizations such as independent nonprofit organizations; small governmental jurisdictions, including school boards and city and town governments that serve fewer than 50,000 residents; and small businesses (13 CFR 121.201). Small businesses include manufacturing and mining concerns with fewer than 500 employees, wholesale trade entities with fewer than 100 employees, retail and service businesses with less than $5 million in annual sales, general and heavy construction businesses with less than $27.5 million in annual business, special trade contractors doing less than $11.5 million in annual business, and agricultural businesses with annual sales less than $750,000. To determine if potential economic impacts to these small entities are significant, we considered the types of activities that might trigger regulatory impacts under this designation as well as types of project modifications that may result. In general, the term ''significant economic impact'' is meant to apply to a typical small business firm's business operations.

The Service's current understanding of the requirements under the RFA, as amended, and following recent court decisions, is that Federal agencies are only required to evaluate the potential incremental impacts of rulemaking on those entities directly regulated by the rulemaking itself and, therefore, are not required to evaluate the potential impacts to indirectly regulated entities. The regulatory mechanism through which critical habitat protections are realized is section 7 of the Act, which requires Federal agencies, in consultation with the Service, to ensure that any action authorized, funded, or carried out by the agency is not likely to destroy or adversely modify critical habitat. Therefore, under section 7, only Federal action agencies are directly subject to the specific regulatory requirement (avoiding destruction and adverse modification) imposed by critical habitat designation. Consequently, it is our position that only Federal action agencies would be directly regulated by this designation. There is no requirement under the RFA to evaluate the potential impacts to entities not directly regulated. Moreover, Federal agencies are not small entities. Therefore, because no small entities would be directly regulated by this rulemaking, the Service certifies that, if adopted as proposed, the critical habitat designation will not have a significant economic impact on a substantial number of small entities.

In summary, we have considered whether the proposed designation would result in a significant economic impact on a substantial number of small entities. For the above reasons and based on currently available information, we certify that, if adopted, the proposed critical habitat designation

would not have a significant economic impact on a substantial number of small business entities. Therefore, an initial regulatory flexibility analysis is not required.

Executive Order 13771

This proposed rule is not an E.O. 13771 (''Reducing Regulation and Controlling Regulatory Costs'') (82 FR 9339, February 3, 2017) regulatory action because this rule is not significant under E.O. 12866.

Energy Supply, Distribution, or Use—Executive Order 13211

Executive Order 13211 (Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use) requires agencies to prepare Statements of Energy Effects when undertaking certain actions. Coal mining, pipeline and utility crossings, and oil and gas exploration activities regularly occur within the range of the Big Sandy and Guyandotte River crayfishes and their proposed critical habitat units/subunits (Service 2019, pp. 7–8). These are routine activities that the Service consults on with the Office of Surface Mining, the Federal Energy Regulatory Commission, and the U.S. Army Corps of Engineers under section 7 of the Act. In our draft economic analysis (DEA), we do not find that the designation of this proposed critical habitat would significantly affect energy supplies, distribution, or use. As discussed in the DEA, the costs associated with consultations related to occupied critical habitat would be largely administrative in nature and the costs associated with the two mining projects in unoccupied critical habitat are estimated not to exceed $60,000 per year (IEc 2019, pp. 1, 14–15). The full cost of the entire proposed designation is not expected to exceed $920,000 per year, which does not reach the significant threshold of $100 million per year. Therefore, this action is not a significant energy action, and no Statement of Energy Effects is required. However, we will further evaluate this issue as we conduct our economic analysis, and review and revise this assessment as warranted.

Unfunded Mandates Reform Act (2 U.S.C. 1501 et seq.)

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*), we make the following findings:

(1) This proposed rule would not produce a Federal mandate. In general, a Federal mandate is a provision in legislation, statute, or regulation that would impose an enforceable duty upon State, local, or tribal governments, or the private sector, and includes both ''Federal intergovernmental mandates'' and ''Federal private sector mandates.'' These terms are defined in 2 U.S.C. 658(5)–(7). ''Federal intergovernmental mandate'' includes a regulation that ''would impose an enforceable duty upon State, local, or tribal governments'' with two exceptions. It excludes ''a condition of Federal assistance.'' It also excludes ''a duty arising from participation in a voluntary Federal program,'' unless the regulation ''relates to a then-existing Federal program under which $500,000,000 or more is provided annually to State, local, and tribal governments under entitlement authority,'' if the provision would ''increase the stringency of conditions of assistance'' or ''place caps upon, or otherwise decrease, the Federal Government's responsibility to provide funding,'' and the State, local, or tribal governments ''lack authority'' to adjust accordingly. At the time of enactment, these entitlement programs were: Medicaid; Aid to Families with Dependent Children work programs; Child Nutrition; Food Stamps; Social Services Block Grants; Vocational Rehabilitation State Grants; Foster Care, Adoption Assistance, and Independent Living; Family Support Welfare Services; and Child Support Enforcement. ''Federal private sector mandate'' includes a regulation that ''would impose an enforceable duty upon the private sector, except (i) a condition of Federal assistance or (ii) a duty arising from participation in a voluntary Federal program.''

The designation of critical habitat does not impose a legally binding duty on non-Federal Government entities or private parties. Under the Act, the only regulatory effect is that Federal agencies must ensure that their actions do not destroy or adversely modify critical habitat under section 7. While non-Federal entities that receive Federal funding, assistance, or permits, or that otherwise require approval or authorization from a Federal agency for an action, may be indirectly impacted by the designation of critical habitat, the legally binding duty to avoid destruction or adverse modification of critical habitat rests squarely on the Federal agency. Furthermore, to the extent that non-Federal entities are indirectly impacted because they receive Federal assistance or participate in a voluntary Federal aid program, the Unfunded Mandates Reform Act would not apply, nor would critical habitat shift the costs of the large entitlement programs listed above onto State governments.

(2) We do not believe that this rule would significantly or uniquely affect small governments. The waters we are proposing to designate as critical habitat are owned by the States of Kentucky, Virginia, and West Virginia. None of these government entities fits the definition of ''small governmental jurisdiction.'' Therefore, a Small Government Agency Plan is not required.

Takings—Executive Order 12630

In accordance with E.O. 12630 (Government Actions and Interference with Constitutionally Protected Private Property Rights), we have analyzed the potential takings implications of designating critical habitat for the Big Sandy and Guyandotte River crayfishes in a takings implications assessment. The Act does not authorize the Service to regulate private actions on private lands or confiscate private property as a result of critical habitat designation. Designation of critical habitat does not affect land ownership, or establish any closures, or restrictions on use of or access to the designated areas. Furthermore, the designation of critical habitat does not affect landowner actions that do not require Federal funding or permits, nor does it preclude development of habitat conservation programs or issuance of incidental take permits to permit actions that do require Federal funding or permits to go forward. However, Federal agencies are prohibited from carrying out, funding, or authorizing actions that would destroy or adversely modify critical habitat. A takings implications assessment has been completed and concludes that this designation of critical habitat for the Big Sandy and Guyandotte River crayfishes does not pose significant takings implications for lands within or affected by the designation.

Federalism—Executive Order 13132

In accordance with E.O. 13132 (Federalism), this proposed rule does not have significant federalism effects. A federalism summary impact statement is not required. In keeping with Department of the Interior and Department of Commerce policy, we requested information from, and coordinated development of this proposed critical habitat designation with, appropriate State resource agencies in Kentucky, Virginia, and West Virginia. From a federalism perspective, the designation of critical habitat directly affects only the responsibilities of Federal agencies. The Act imposes no other duties with respect to critical habitat, either for

States and local governments, or for anyone else. As a result, the rule would not have substantial direct effects either on the States, or on the relationship between the national government and the States, or on the distribution of powers and responsibilities among the various levels of government. The designation may have some benefit to these governments because the areas that contain the features essential to the conservation of the species are more clearly defined, and the physical or biological features of the habitat necessary to the conservation of the species are specifically identified. This information does not alter where and what federally sponsored activities may occur. However, it may assist these local governments in long-range planning (because these local governments no longer have to wait for case-by-case section 7 consultations to occur).

Where State and local governments require approval or authorization from a Federal agency for actions that may affect critical habitat, consultation under section 7(a)(2) would be required. While non-Federal entities that receive Federal funding, assistance, or permits, or that otherwise require approval or authorization from a Federal agency for an action, may be indirectly impacted by the designation of critical habitat, the legally binding duty to avoid destruction or adverse modification of critical habitat rests squarely on the Federal agency.

Civil Justice Reform—Executive Order 12988

In accordance with Executive Order 12988 (Civil Justice Reform), the Office of the Solicitor has determined that the rule does not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of the Order. We propose designating critical habitat in accordance with the provisions of the Act. To assist the public in understanding the habitat needs of the species, this proposed rule identifies the elements of physical or biological features essential to the conservation of the species. The designated areas of critical habitat are presented on maps, and the proposed rule provides several options for the interested public to obtain more detailed location information, if desired.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)

This rule does not contain any new collections of information that require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

National Environmental Policy Act (42 U.S.C. 4321 et seq.)

It is our position that, outside the jurisdiction of the U.S. Court of Appeals for the Tenth Circuit, we do not need to prepare environmental analyses pursuant to the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) in connection with designating critical habitat under the Act. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244). This position was upheld by the U.S. Court of Appeals for the Ninth Circuit (*Douglas County* v. *Babbitt,* 48 F.3d 1495 (9th Cir. 1995), cert. denied 516 U.S. 1042 (1996)).

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994 (Government-to-Government Relations with Native American Tribal Governments; 59 FR 22951), Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), and the Department of the Interior's manual at 512 DM 2, we readily acknowledge our responsibility to communicate meaningfully with recognized Federal Tribes on a government-to-government basis. In accordance with Secretarial Order 3206 of June 5, 1997 (American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act), we readily acknowledge our responsibilities to work directly with tribes in developing programs for healthy ecosystems, to acknowledge that tribal lands are not subject to the same controls as Federal public lands, to remain sensitive to Indian culture, and to make information available to tribes.

We determined that there are no tribal lands that were occupied by the Big Sandy or Guyandotte River crayfishes at the time of listing that contain the features essential for conservation of the species, and no tribal lands unoccupied by the Big Sandy or Guyandotte River crayfishes that are essential for the conservation of the species. Therefore, we are not proposing to designate critical habitat for the Big Sandy or Guyandotte River crayfishes on tribal lands.

References Cited

A complete list of references cited in this proposed rule is available on the internet at *http://www.regulations.gov* and upon request from the North Atlantic–Appalachian Regional Office (see **FOR FURTHER INFORMATION CONTACT**).

Authors

The primary authors of this proposed rulemaking are the staff members of the North Atlantic–Appalachian Regional Office, Kentucky Ecological Services Field Office, Southwestern Virginia Field Office, and the West Virginia Field Office.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Proposed Regulation Promulgation

Accordingly, we propose to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

■ 1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

■ 2. Amend § 17.11(h) by revising the entries for ''Crayfish, Big Sandy'' and ''Crayfish, Guyandotte River'' under ''CRUSTACEANS'' in the List of Endangered and Threatened Wildlife to read as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Common name	Scientific name	Where listed	Status	Listing citations and applicable rules
*	*	*	*	* * *
CRUSTACEANS				

Common name	Scientific name	Where listed	Status	Listing citations and applicable rules
*	*	*	*	*
Crayfish, Big Sandy	*Cambarus callainus*	Wherever found	T	81 FR 20450, 4/7/2016; 50 CFR 17.95(h).[CH]
*	*	*	*	*
Crayfish, Guyandotte River.	*Cambarus veteranus*	Wherever found	E	81 FR 20450, 4/7/2016; 50 CFR 17.95(h).[CH]
*	*	*	*	*

■ 3. Amend § 17.95(h) by adding entries for ''Big Sandy Crayfish (*Cambarus callainus*)'' and ''Guyandotte River Crayfish (*Cambarus veteranus*)'' in the same order that these species appear in the table at § 17.11(h) to read as follows:

§ 17.95 Critical habitat—fish and wildlife.

* * * * *

(h) *Crustaceans.*

* * * * *

Big Sandy Crayfish (*Cambarus callainus*)

(1) Critical habitat units are depicted for Martin, Pike, Johnson, and Floyd Counties, Kentucky; Buchanan, Dickenson, and Wise Counties, Virginia; and McDowell, Mingo, and Wayne Counties, West Virginia, on the maps in this entry.

(2) Within these areas, the physical or biological features essential to the conservation of the Big Sandy crayfish consist of the following components:

(i) Fast-flowing stream reaches with unembedded slab boulders, cobbles, or isolated boulder clusters within an unobstructed stream continuum (*i.e.*. riffle, run, pool complexes) of permanent, moderate- to large-sized (generally third order and larger) streams and rivers (up to the ordinary high water mark as defined at 33 CFR 329.11).

(ii) Streams and rivers with natural variations in flow and seasonal flooding sufficient to effectively transport sediment and prevent substrate embeddedness.

(iii) Water quality characterized by seasonally moderated temperatures and physical and chemical parameters (*e.g.,* pH, conductivity, dissolved oxygen) sufficient for the normal behavior, growth, reproduction, and viability of all life stages of the species.

(iv) An adequate food base, indicated by a healthy aquatic community structure including native benthic macroinvertebrates, fishes, and plant matter (*e.g.,* leaf litter, algae, detritus).

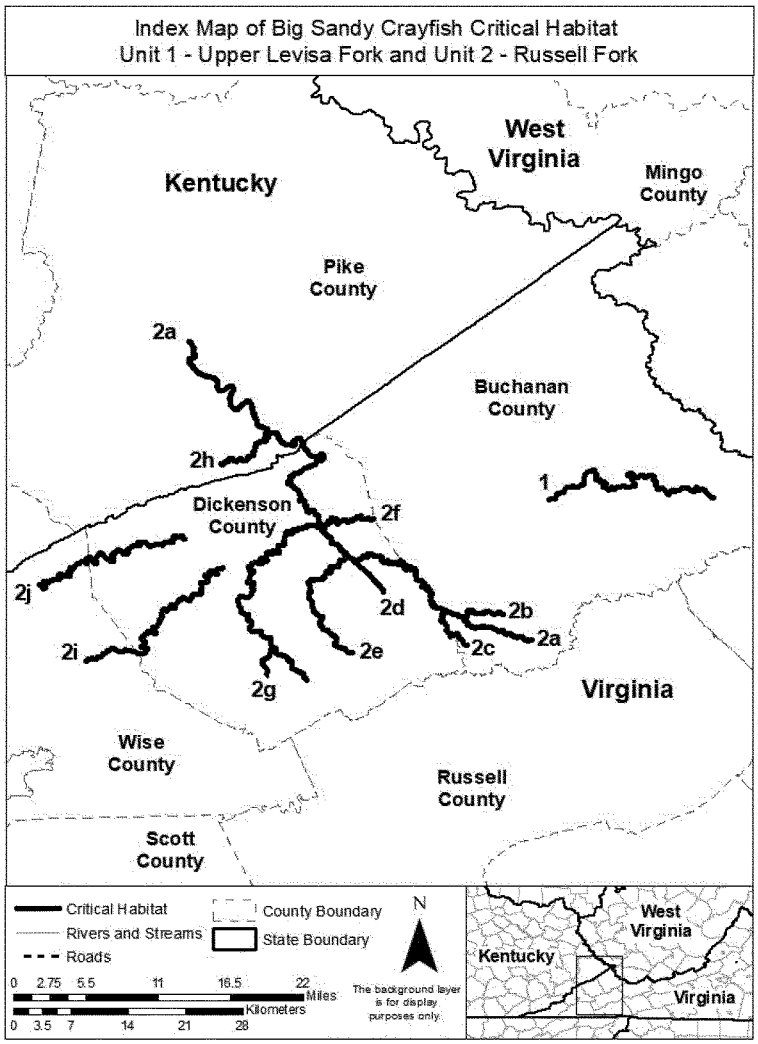
(v) Aquatic habitats protected from riparian and instream activities that degrade the physical and biological features described in paragraphs (2)(i) through (iv) of this entry or cause physical (*e.g.,* crushing) injury or death to individual Big Sandy crayfish.

(vi) An interconnected network of streams and rivers that have the physical and biological features described in paragraphs (2)(i) through (iv) of this entry and that allow for the movement of crayfish in response to environmental, physiological, or behavioral drivers. The scale of the interconnected stream network should be sufficient to allow for gene flow within and among watersheds.

(3) Critical habitat does not include manmade structures (such as buildings, aqueducts, runways, roads, and other paved areas) and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) *Critical habitat map units.* Data layers defining map units were created on a base of U.S. Geological Survey digital ortho-photo quarter-quadrangles, and critical habitat units were then mapped using Universal Transverse Mercator (UTM) Zone 15N coordinates. ESRI's ArcGIS 10.0 software was used to determine latitude and longitude coordinates using decimal degrees. The USA Topo ESRI online basemap service was referenced to identify features (like roads and streams) used to delineate the upstream and downstream extents of critical habitat units. The maps in this entry, as modified by any accompanying regulatory text, establish the boundaries of the critical habitat designation. The coordinates or plot points or both on which each map is based are available to the public at the Service's internet site at *https://www.fws.gov/westvirginiafieldoffice/,* at *http://www.regulations.gov* at Docket No. FWS–R5–ES–2019–0098, and at the North Atlantic–Appalachian Regional Office. You may obtain field office location information by contacting one of the Service regional offices, the addresses of which are listed at 50 CFR 2.2.

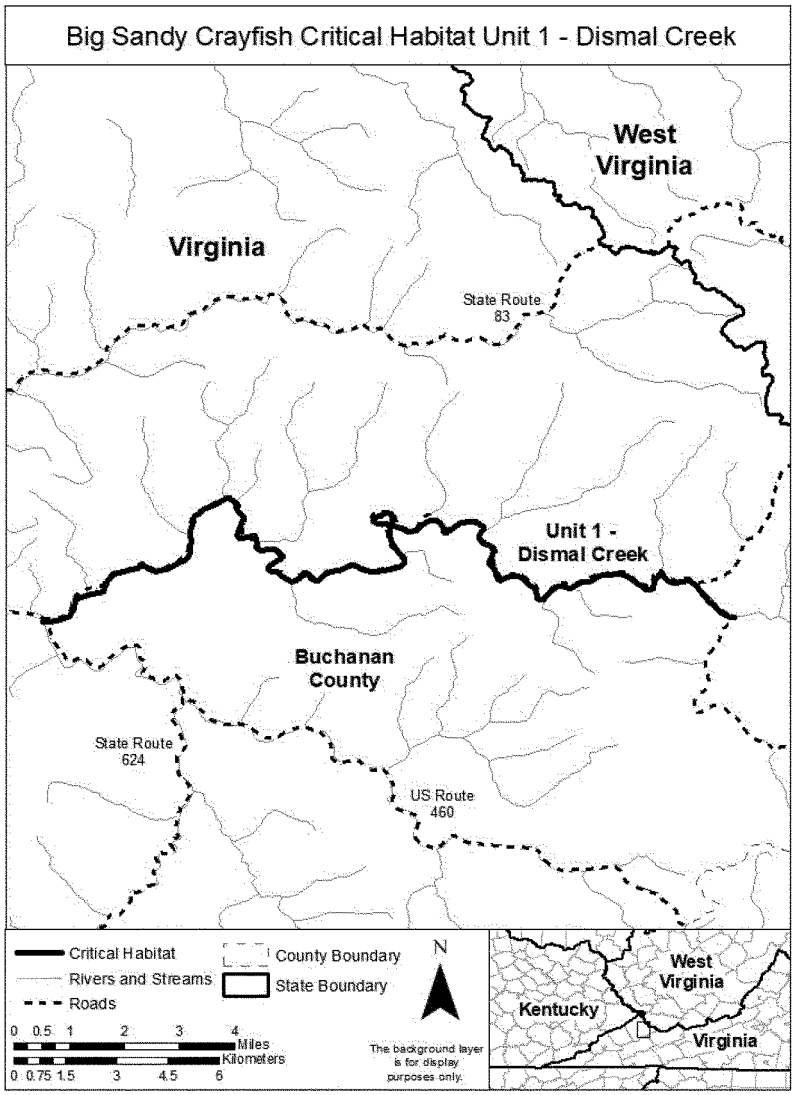
(5) **Note:** Index map of Units 1 and 2 follows:



(6) Unit 1: Upper Levisa Fork—Dismal Creek, Buchanan County, Virginia.

(i) *General description:* Unit 1 includes approximately 29.2 stream kilometers (skm) (18.1 stream miles (smi)) of Dismal Creek from its confluence with Laurel Fork (37.234458, −81.862347) downstream to its confluence with Levisa Fork (37.233465, −82.043663) in Buchanan County, Virginia.

(ii) Map of Unit 1 follows:

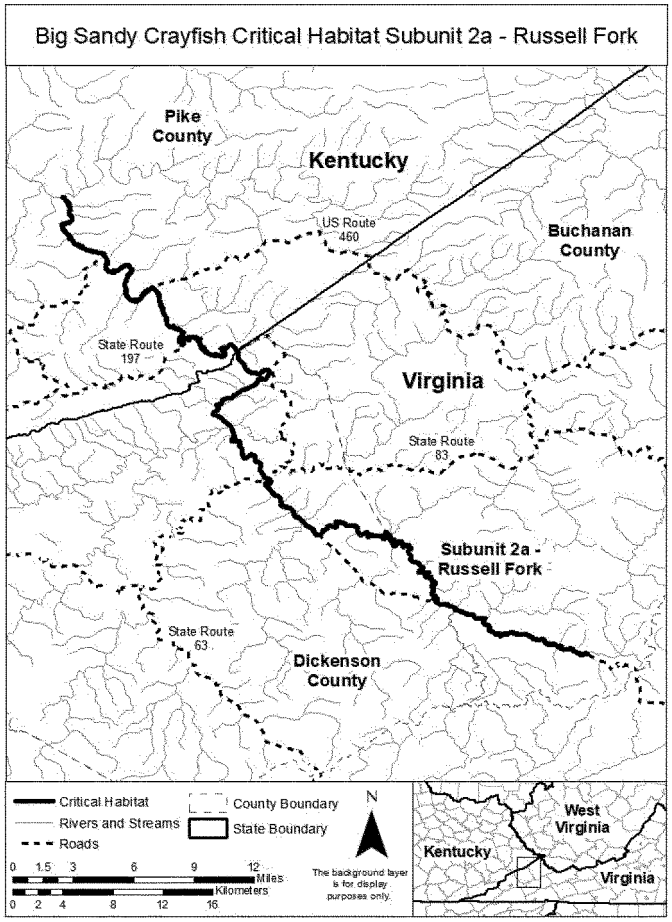

Big Sandy Crayfish Critical Habitat Unit 1 - Dismal Creek
West Virginia
Virginia
State Route 83
Unit 1 - Dismal Creek
Buchanan County
State Route 624
US Route 460
Critical Habitat
Rivers and Streams
Roads
County Boundary
State Boundary
N
0 0.5 1 2 3 4 Miles
0 0.75 1.5 3 4.5 6 Kilometers
The background layer is for display purposes only.
West Virginia
Kentucky
Virginia

(7) Unit 2: Russell Fork—Buchanan, Dickenson, and Wise Counties, Virginia, and Pike County, Kentucky.

(i) Subunit 2a: Russell Fork, Buchanan and Dickenson Counties, Virginia, and Pike County, Kentucky.

(A) *General description:* Subunit 2a consists of approximately 83.8 skm (52.1 smi) of Russell Fork from its confluence with Ball Creek at Council, Virginia (37.077889, −82.062759), downstream to its confluence with Levisa Fork at Levisa Junction, Kentucky (37.407259, −82.439904).

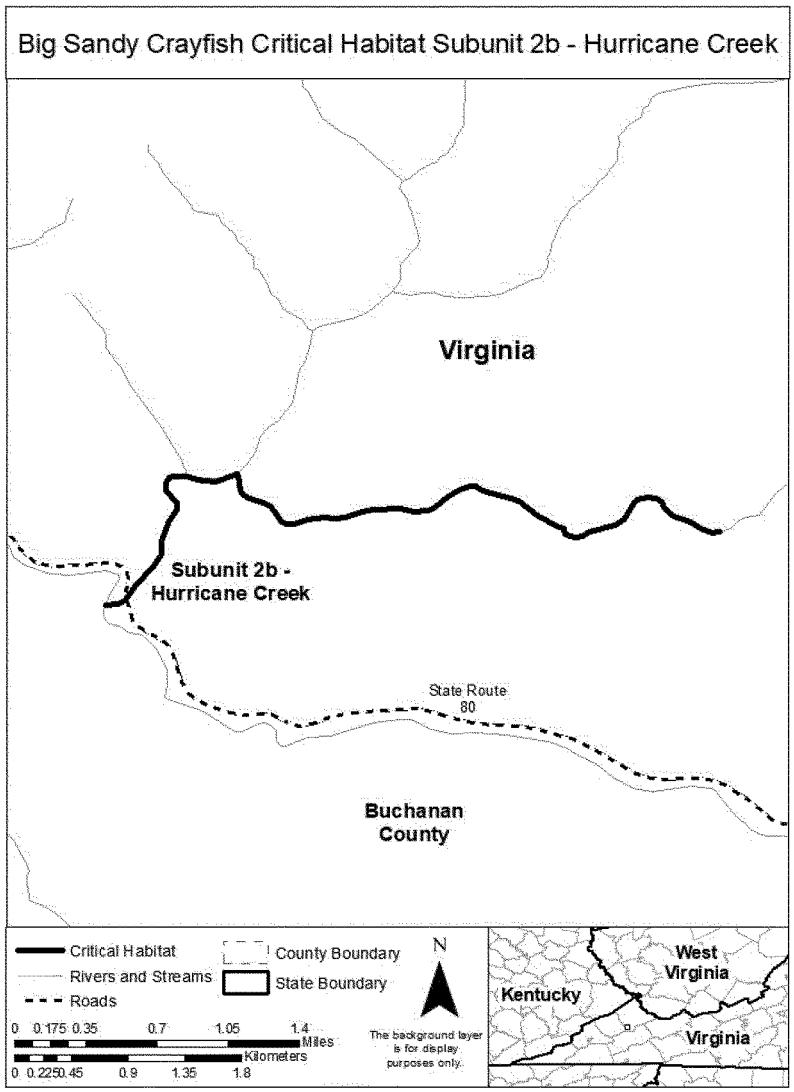
(B) Map of Subunit 2a follows:



(ii) Subunit 2b: Hurricane Creek, Buchanan County, Virginia.

(A) *General description:* Subunit 2b consists of approximately 5.9 skm (3.7 smi) of Hurricane Creek from its confluence with Gilbert Branch (37.106350, −82.0939999) downstream to its confluence with Russell Fork at Davenport, Virginia (37.101311, −82.137719).

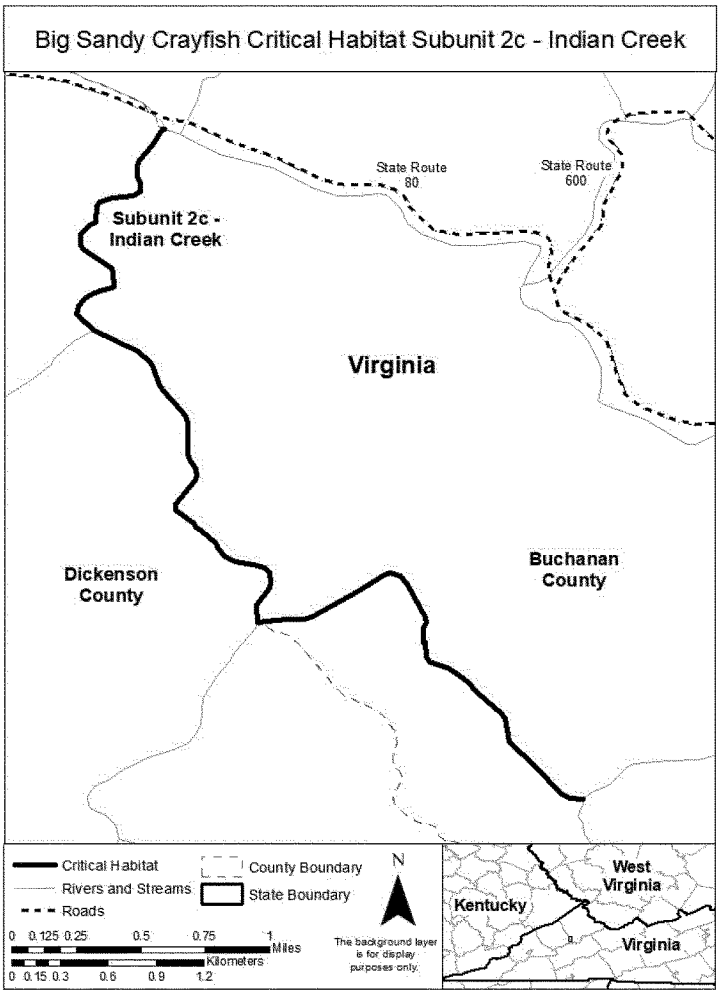
(B) Map of Subunit 2b follows:



(iii) Subunit 2c: Indian Creek, Buchanan and Dickenson Counties, Virginia.

(A) *General description:* Subunit 2c consists of approximately 7.4 skm (4.6 smi) of Indian Creek from its confluence with Three Forks in Buchanan County, Virginia (37.072393, −82.134788), downstream to its confluence with Russell Fork in Buchanan and Dickenson Counties, Virginia (37.109915, −82.157881).

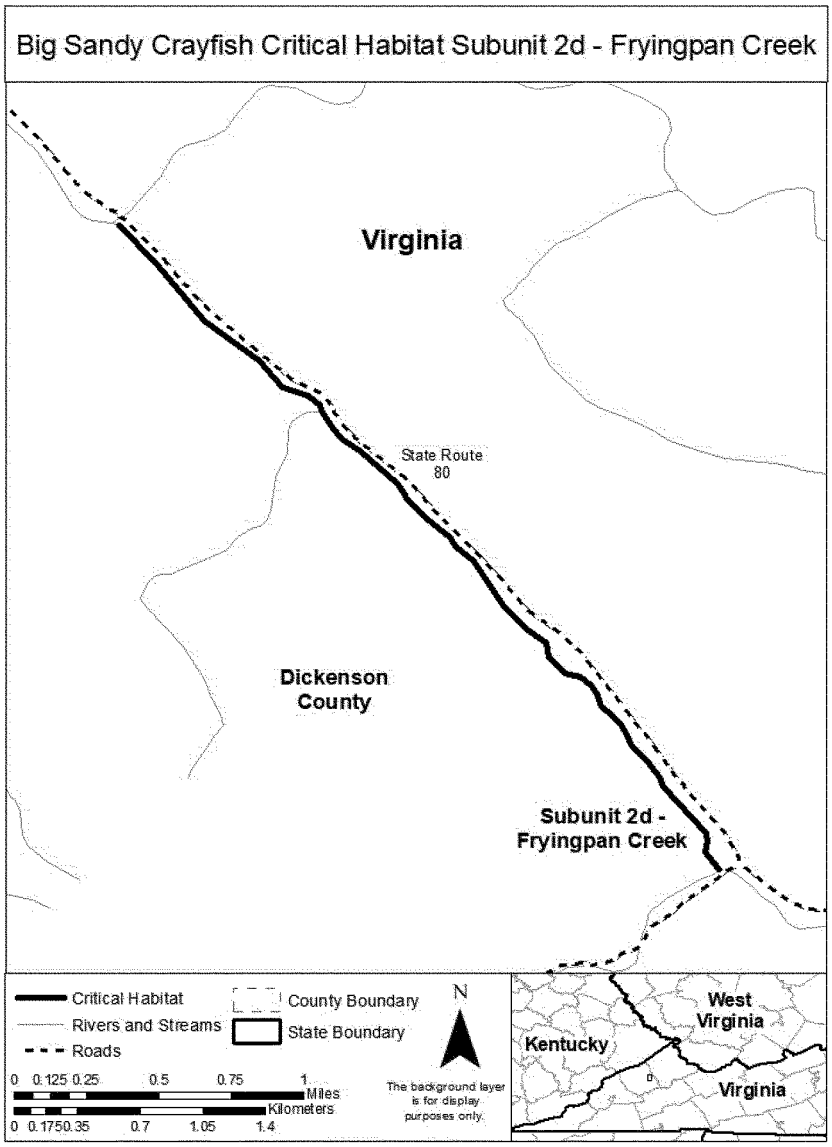
(B) Map of Subunit 2c follows:



(iv) Subunit 2d: Fryingpan Creek, Dickenson County, Virginia.

(A) *General description:* Subunit 2d consists of approximately 4.6 skm (2.9 smi) of Fryingpan Creek from its confluence with Priest Fork (37.068649, −82.214330) downstream to its confluence with Russell Fork (37.163426, −82.255683).

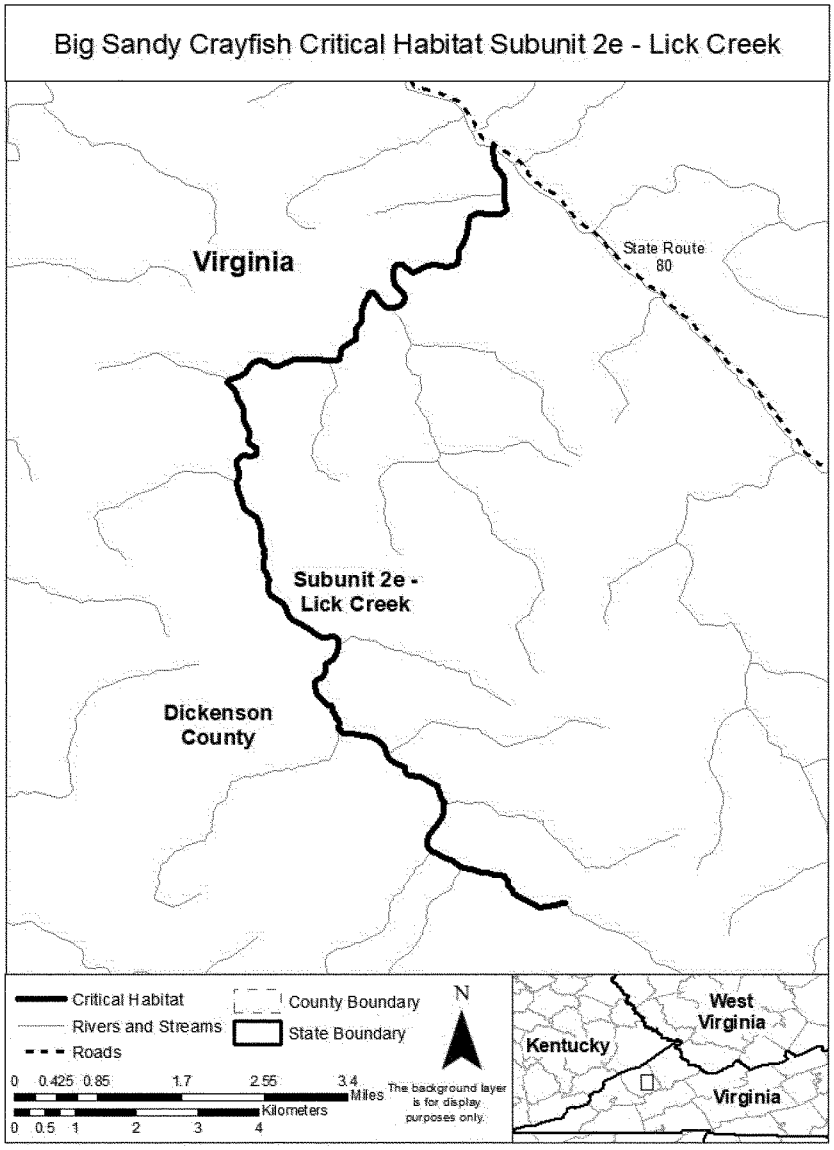
(B) Map of Subunit 2d follows:



(v) Subunit 2e: Lick Creek, Dickenson County, Virginia.

(A) *General description:* Subunit 2e consists of approximately 16.2 skm (10.1 smi) of Lick Creek from its confluence with Cabin Fork near Aily, Virginia (37.89885, −82.293036), downstream to its confluence with Russell Fork at Birchfield, Virginia (37.176104, −82.270633).

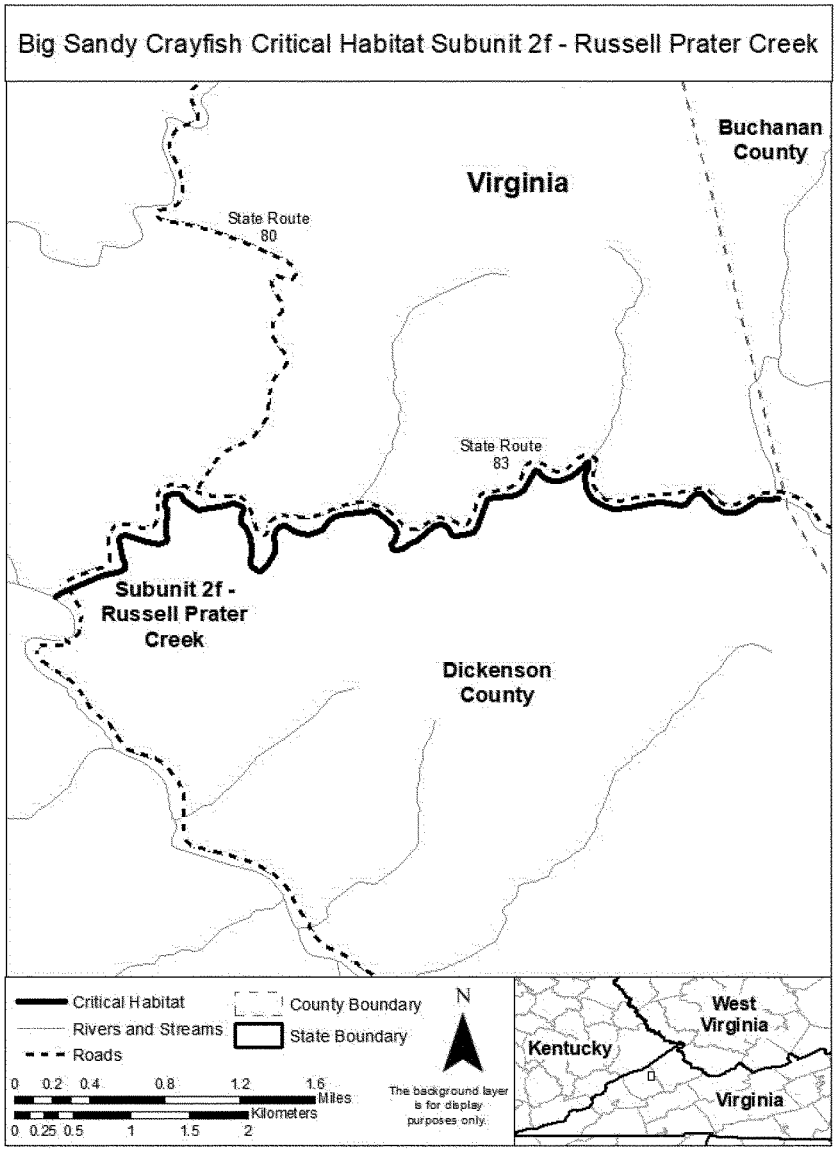
(B) Map of Subunit 2e follows:



(vi) Subunit 2f: Russell Prater Creek, Buchanan and Dickenson Counties, Virginia.

(A) *General description:* Subunit 2f consists of approximately 8.4 skm (5.2 smi) of Russell Prater Creek from its confluence with Greenbrier Creek (37.211915, −82.236479) downstream to its confluence with Russell Fork at Haysi, Virginia (37.204347, −82.291918).

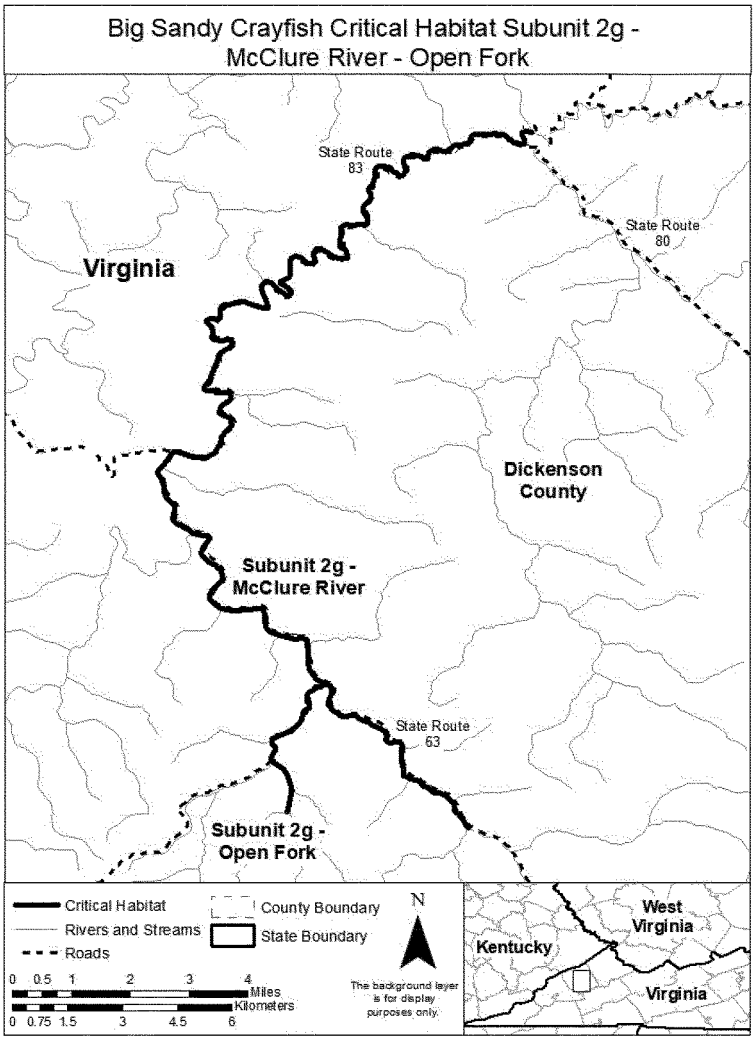
(B) Map of Subunit 2f follows:



(vii) Subunit 2g: McClure River and Open Fork, Dickenson County, Virginia.

(A) *General description:* Subunit 2g consists of approximately 35.6 skm (22.1 smi) of the McClure River and McClure Creek from the confluence of McClure Creek and Wakenva Branch (37.034201, −82.311081) downstream to the confluence of McClure River and Russell Fork (37.205175, −82.295412); and approximately 4.9 km (3.0 mi) of Open Fork from the confluence of Middle Fork Open Fork and Coon Branch (37.038336, −82.355402) downstream to the confluence of Open Fork and McClure Creek at Nora, Virginia (37.069451, −82.346317).

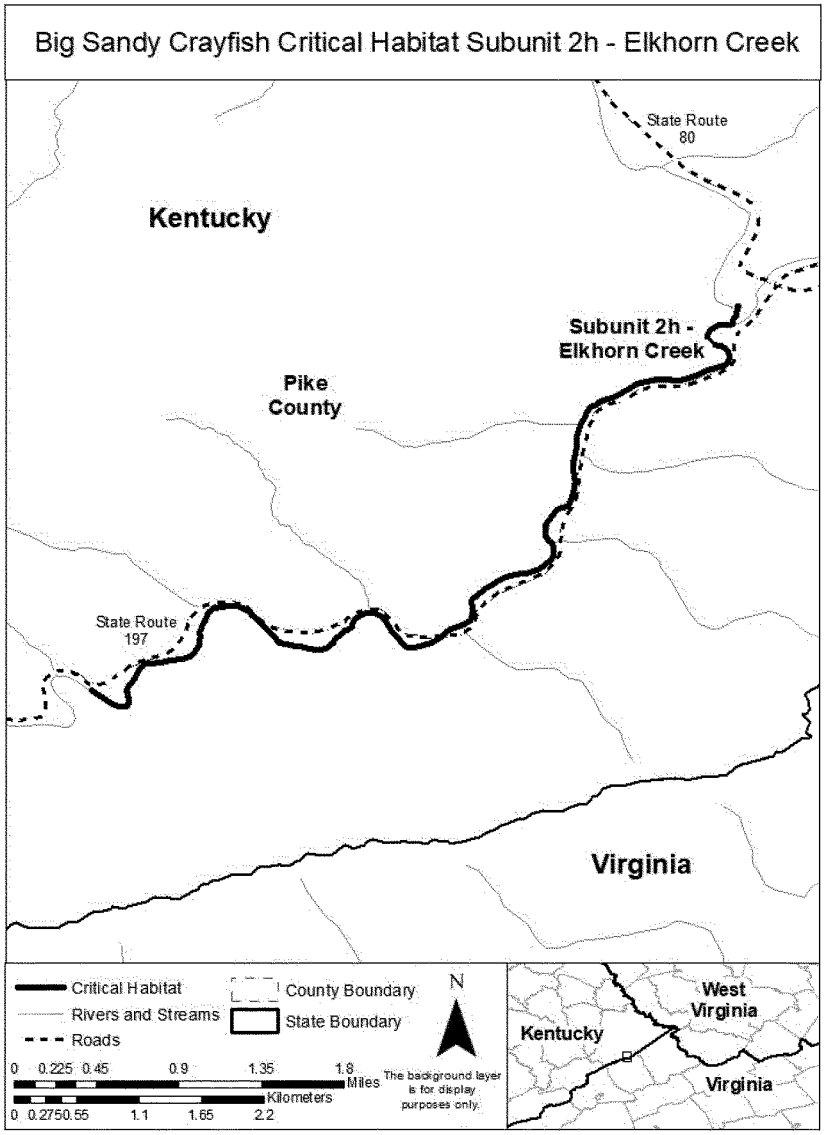
(B) Map of Subunit 2g follows:



(viii) Subunit 2h: Elkhorn Creek, Pike County, Kentucky.

(A) *General description:* Subunit 2h consists of approximately 8.5 skm (5.3 smi) of Elkhorn Creek from its confluence with Mountain Branch (37.271984, −82.405623) downstream to its confluence with Russell Fork at Elkhorn City, Kentucky (37.302386, −82.354708).

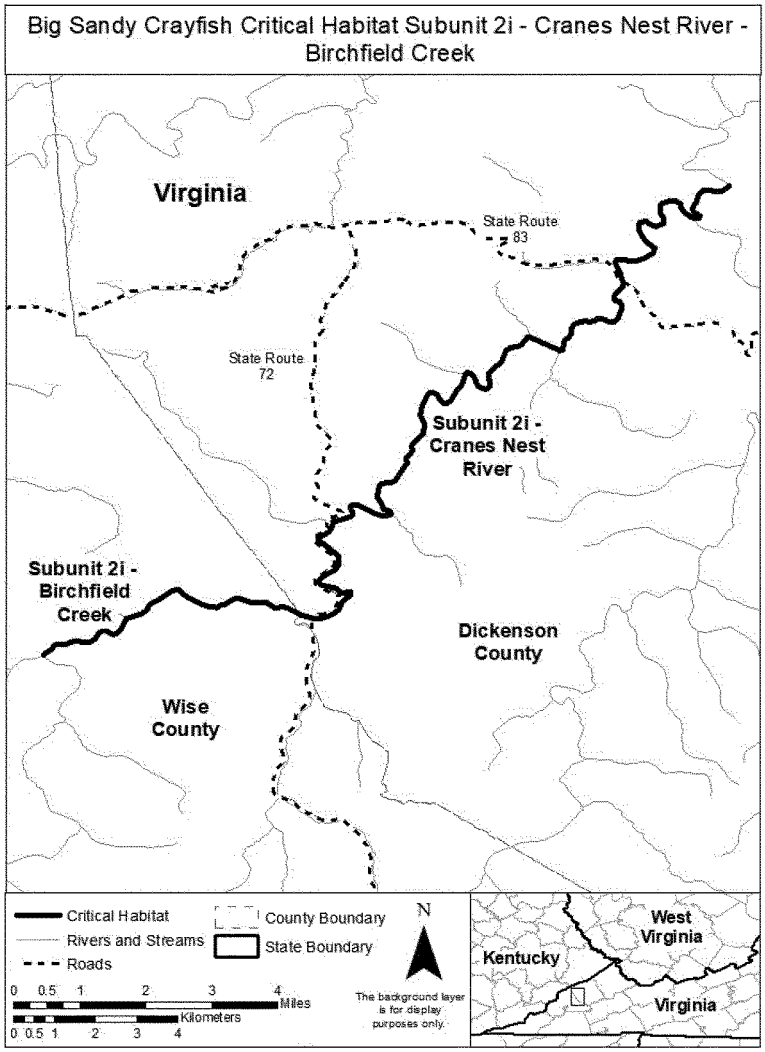
(B) Map of Subunit 2h follows:



(ix) Subunit 2i: Cranes Nest River and Birchfield Creek, Dickenson and Wise Counties, Virginia.

(A) *General description:* Subunit 2i consists of approximately 24.6 skm (19.0 smi) of the Cranes Nest River from its confluence with Birchfield Creek (37.065100, −82.496553) downstream to its confluence with Lick Branch (37.158007, −82.402839) and approximately 6.9 skm (4.3 smi) of Birchfield Creek from its confluence with Dotson Creek (37.055320, −82.552734) downstream to its confluence with Cranes Nest River (37.063510, −82.496553).

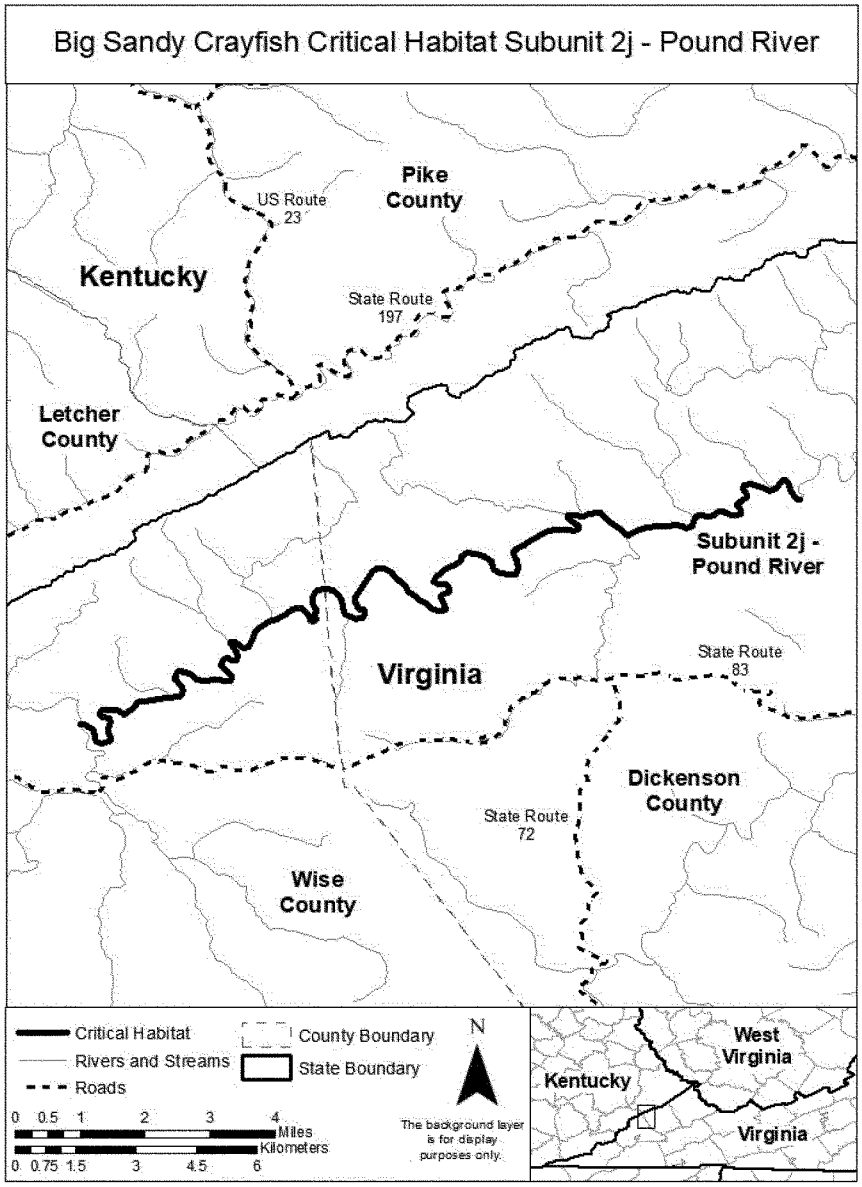
(B) Map of Subunit 2i follows:



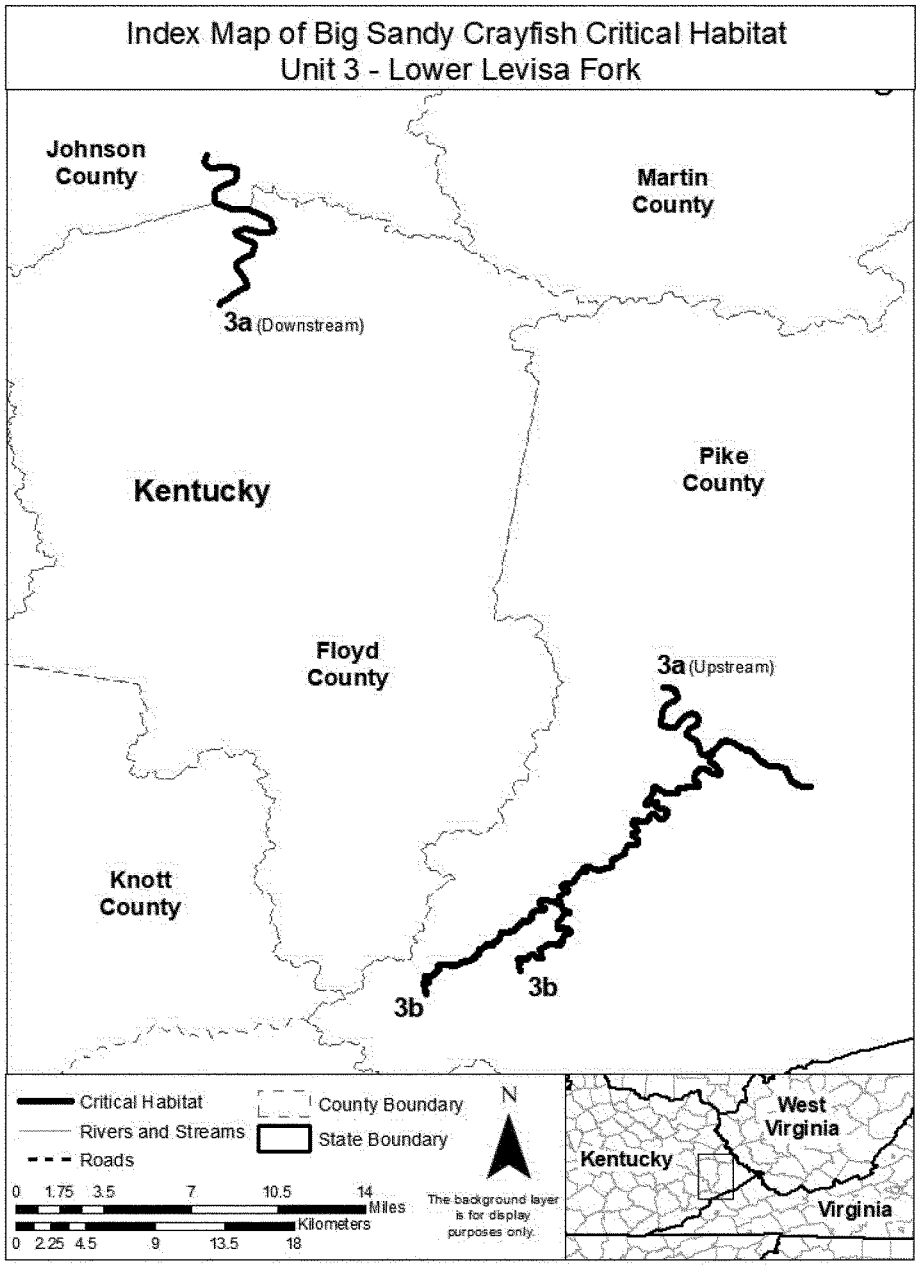
(x) Subunit 2j: Pound River, Dickenson and Wise Counties, Virginia.

(A) *General description:* Subunit 2j consists of approximately 28.5 skm (17.7 smi) of the Pound River from its confluence with Bad Creek (37.391300, −82.605201) downstream to the confluence of the Pound River and Jerry Branch (37.189207, −82.444613).

(B) Map of Subunit 2j follows:



(8) **Note:** Index map of Unit 3 follows:

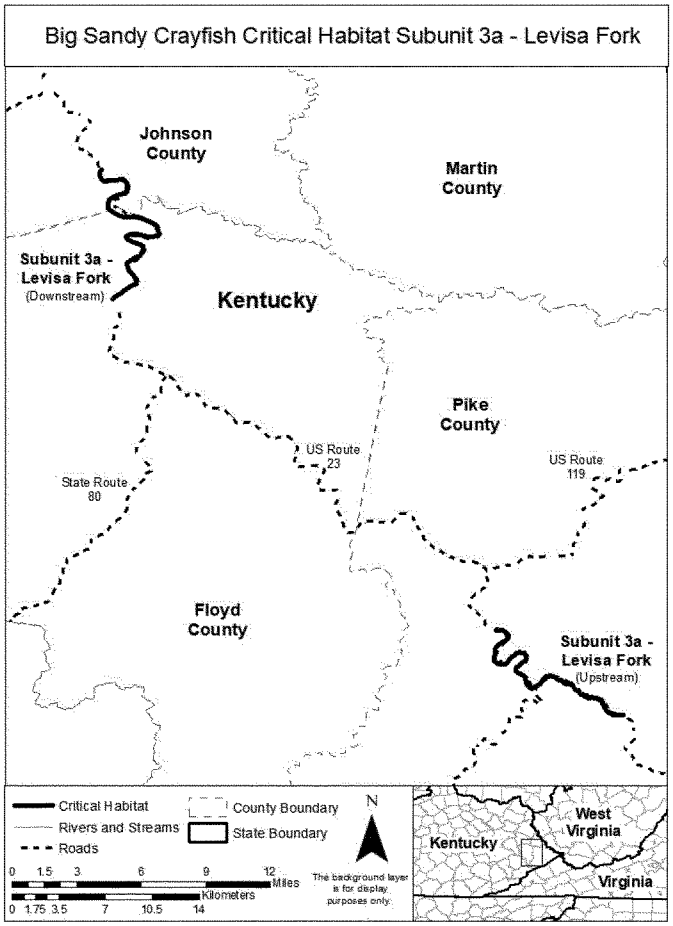


(9) Unit 3: Lower Levisa Fork—Floyd, Johnson, and Pike Counties, Kentucky.

(i) Subunit 3a: Levisa Fork, Floyd, Johnson, and Pike Counties, Kentucky.

(A) *General description:* Subunit 3a consists of approximately 15.9 km (9.9 mi) of Levisa Fork from its confluence with Russell Fork at Levisa Junction, Kentucky (37.407259, −82.439904), downstream to its confluence with Island Creek at Pikeville, Kentucky (37.464506, −82.525588); and 17.5 skm (10.9 smi) of Levisa Fork from its confluence with Abbott Creek (37.687149, −82.783021) downstream to its confluence with Miller Creek at Auxier, Kentucky.

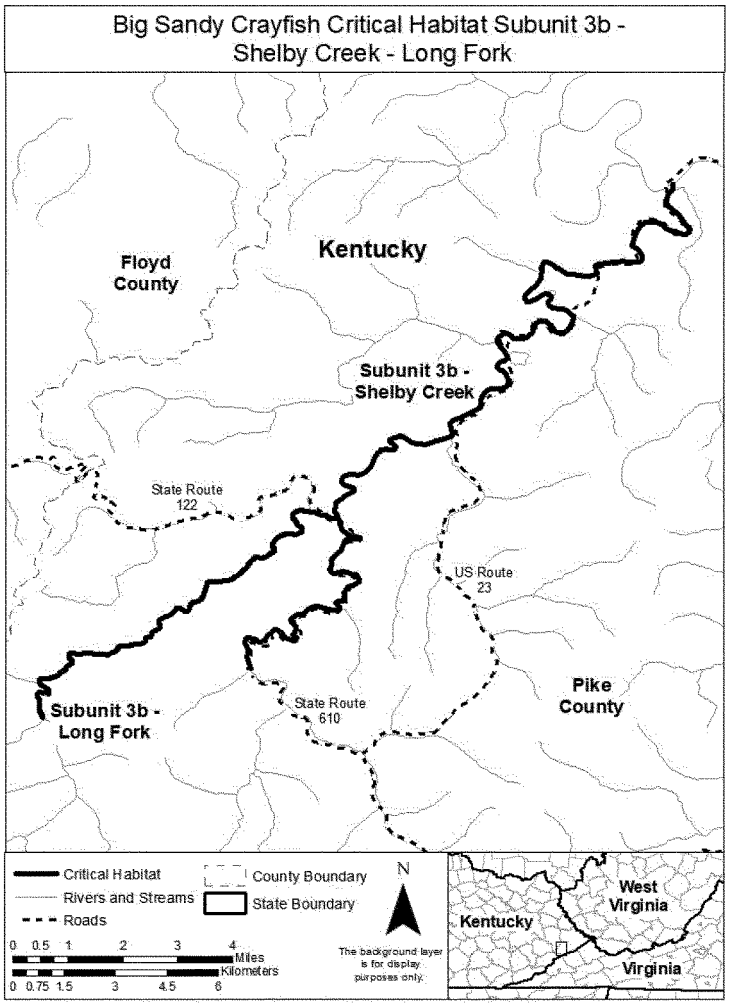
(B) Map of Subunit 3a follows:



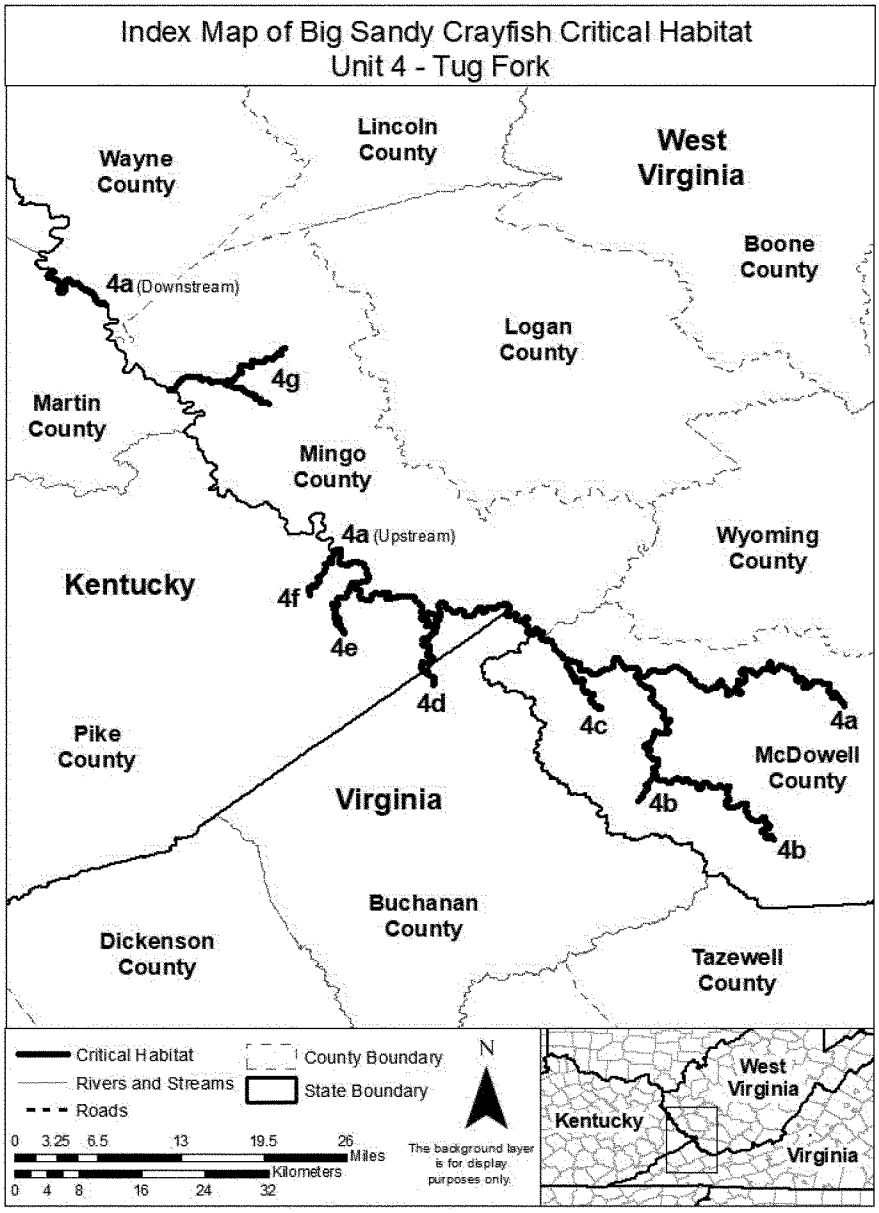
(ii) Subunit 3b: Shelby Creek and Long Fork, Pike County, Kentucky.

(A) *General description:* Subunit 3b consists of approximately 32.2 skm (20.0 smi) of Shelby Creek from its confluence with Burk Branch (37.299511, −82.608677) downstream to its confluence with Levisa Fork at Shelbiana, Kentucky (37.426986, −82.497604); and approximately 12.9 skm (8.0 smi) of Long Fork from the confluence of Right Fork Long Fork and Left Fork Long Fork (37.286508, −82.663639) downstream to the confluence of Long Fork and Shelby Creek at Virgie, Kentucky (37.338841, −82.585800).

(B) Map of Subunit 3b follows:



(10) **Note:** Index map of Unit 4 follows:

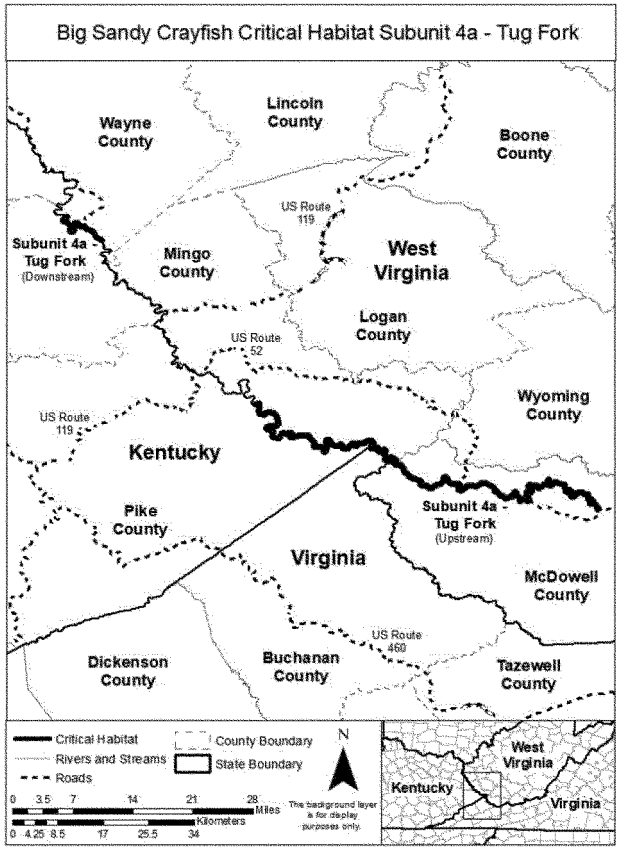


(11) Unit 4: Tug Fork—McDowell, Mingo, and Wayne Counties, West Virginia; Buchanan County, Virginia; and Pike and Martin Counties, Kentucky.

(i) Subunit 4a: Tug Fork, McDowell, Mingo, and Wayne Counties, West Virginia; Buchanan County, Virginia; and Pike and Martin Counties, Kentucky.

(A) *General description:* Subunit 4a consists of approximately 106.1 skm (65.9 smi) of the Tug Fork from its confluence with Elkhorn Creek at Welch, West Virginia (37.430721, −81.586455), downstream to its confluence with Blackberry Creek in Pike County, Kentucky (37.607876, −82.162722); and 11.7 skm (7.3 smi) of the Tug Fork from its confluence with Little Elk Creek (37.885876, −82.421245) downstream to its confluence with Bull Creek at Crum, West Virginia (37.924275, −82.480983).

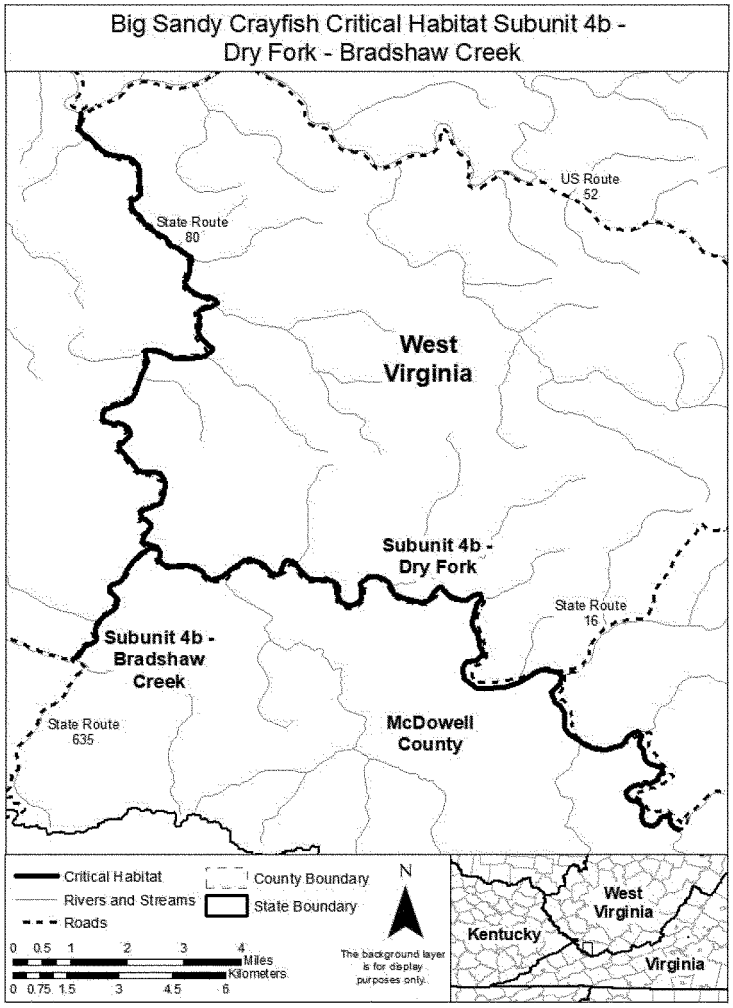
(B) Map of Subunit 4a follows:



(ii) Subunit 4b: Dry Fork and Bradshaw Creek, McDowell County, West Virginia.

(A) *General description:* Subunit 4b consists of approximately 45.2 skm (28.1 smi) of Dry Fork from its confluence with Jacobs Fork (37.280873, −81.665897) downstream to its confluence with Tug Fork at Iaeger, West Virginia (37.462387, −81.817595); and approximately 4.6 skm (2.9 smi) of Bradshaw Creek from its confluence with Hite Fork at Jolo, West Virginia (37.323526, −81.819835), downstream to its confluence with Dry Fork at Bradshaw, West Virginia (37.352839, −81.799246).

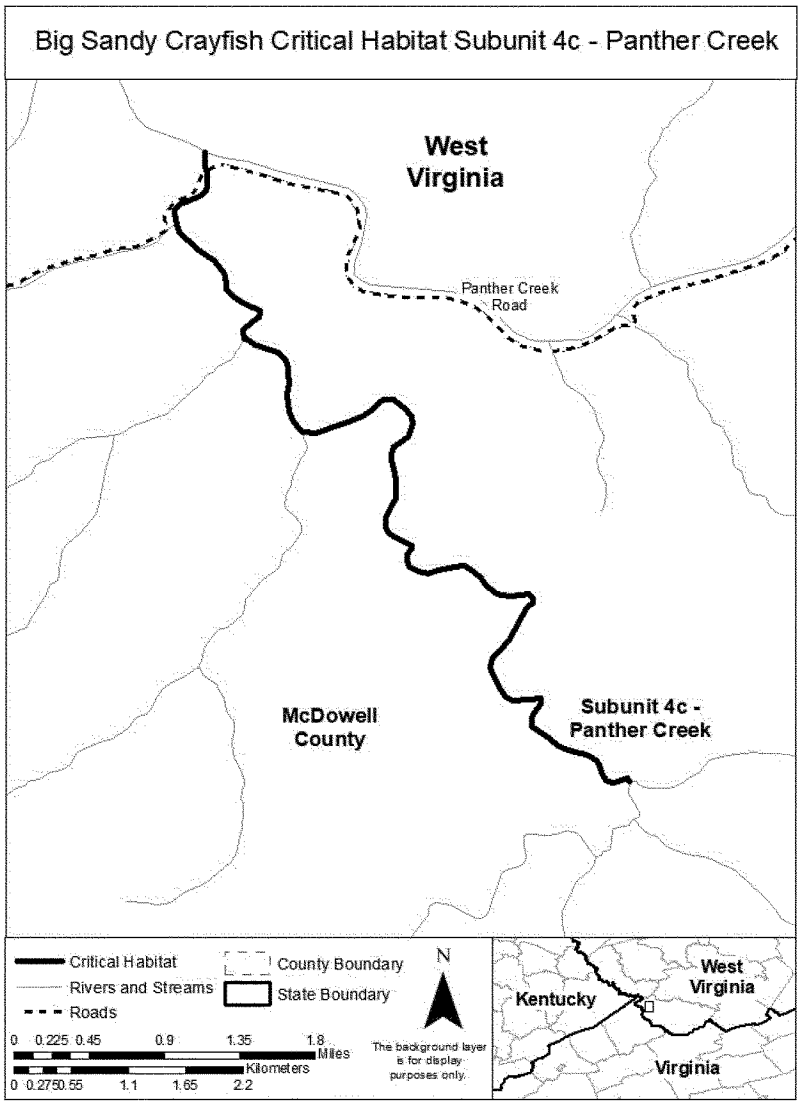
(B) Map of Subunit 4b follows:



(iii) Subunit 4c: Panther Creek, McDowell County, West Virginia.

(A) *General description:* Subunit 4c consists of approximately 10.7 skm (6.6 smi) of Panther Creek from its confluence with George Branch (37.428924, −81.861612) downstream to its confluence with Tug Fork at Panther, West Virginia (37.482947, −81.898348).

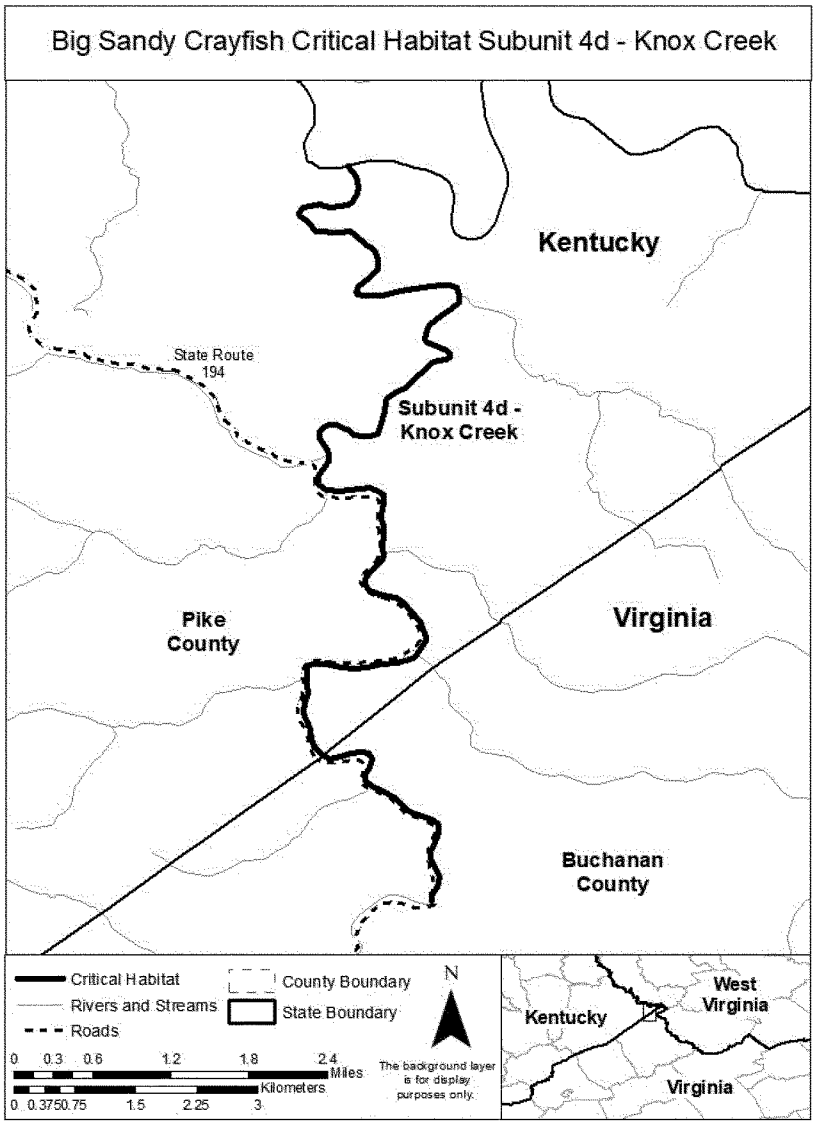
(B) Map of Subunit 4c follows:



(iv) Subunit 4d: Knox Creek, Buchanan County, Virginia, and Pike County, Kentucky.

(A) *General description:* Subunit 4d consists of approximately 16.6 skm (10.3 smi) of Knox Creek from its confluence with Cedar Branch (37.454923, −82.050515) downstream to its confluence with Tug Fork in Pike County, Kentucky (37.536035, −82.059658).

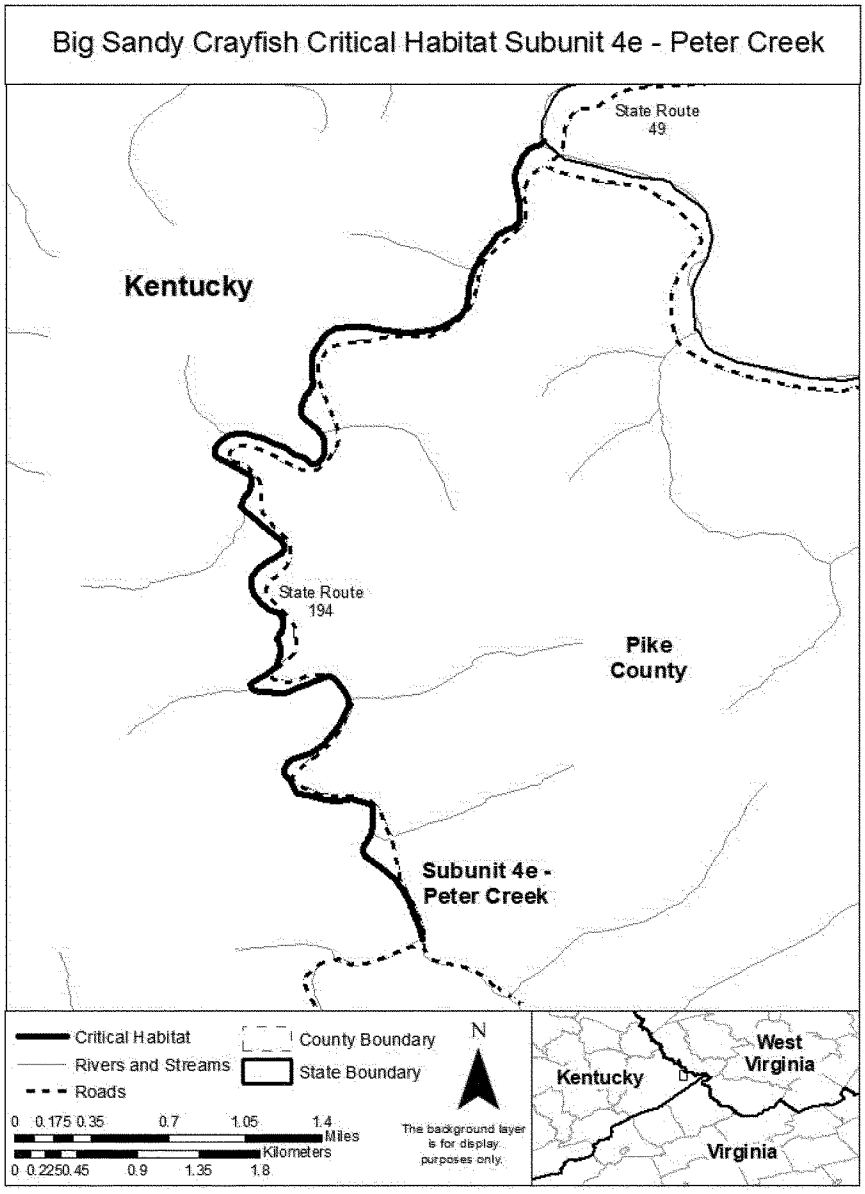
(B) Map of Subunit 4d follows:



(v) Subunit 4e: Peter Creek, Pike County, Kentucky.

(A) *General description:* Subunit 4e consists of approximately 10.1 skm (6.3 smi) of Peter Creek from the confluence of Left Fork Peter Creek and Right Fork Peter Creek at Phelps, Kentucky (37.514158, −82.152615), downstream to the confluence of Peter Creek and Tug Fork at Freeburn, Kentucky (37.566644, −82.144842).

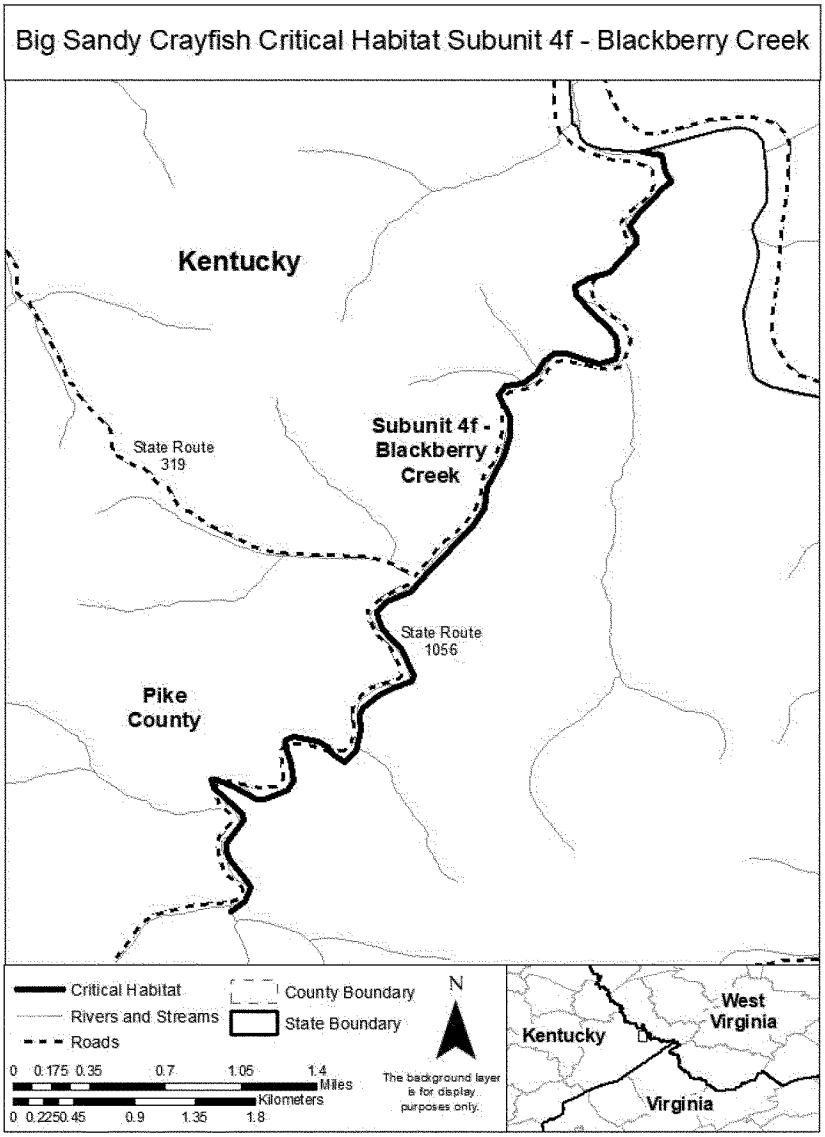
(B) Map of Subunit 4e follows:



(vi) Subunit 4f: Blackberry Creek, Pike County, Kentucky.

(A) *General description:* Subunit 4f consists of approximately 9.1 skm (5.7 smi) of Blackberry Creek its confluence with Bluespring Branch (37.549770, −82.188713) downstream to the confluence of Blackberry Creek and Tug Fork (37.607876, −82.162722).

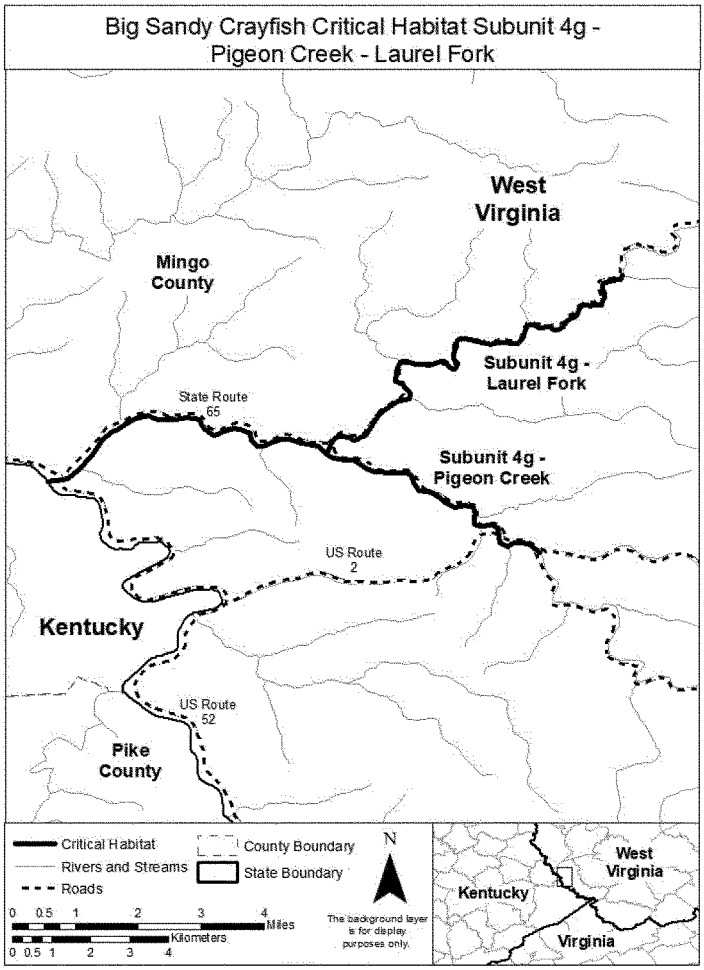
(B) Map of Subunit 4f follows:



(vii) Subunit 4g: Pigeon Creek and Laurel Fork, Mingo County, West Virginia.

(A) *General description:* Subunit 4g consists of approximately 14.0 skm (8.7 smi) of Pigeon Creek from its confluence with Trace Fork (37.773483, −82.237696) downstream to its confluence with Tug Fork (37.789979, −82.351194); and approximately 11.1 skm (6.9 smi) of Laurel Fork from its confluence with Lick Branch (37.837657, −82.219076) downstream to its confluence with Pigeon Creek at Lenore, West Virginia (37.796029, −82.287111).

(B) Map of Subunit 4g follows:



Guyandotte River Crayfish (*Cambarus veteranus*)

(1) Critical habitat units are depicted for Logan and Wyoming Counties, West Virginia, on the maps in this entry.

(2) Within these areas, the physical or biological features essential to the conservation of the Guyandotte River crayfish consist of the following components:

(i) Fast-flowing stream reaches with unembedded slab boulders, cobbles, or isolated boulder clusters within an unobstructed stream continuum (*i.e.,* riffle, run, pool complexes) of permanent, moderate- to large-sized (generally third order and larger) streams and rivers (up to the ordinary high water mark as defined at 33 CFR 329.11).

(ii) Streams and rivers with natural variations in flow and seasonal flooding sufficient to effectively transport sediment and prevent substrate embeddedness.

(iii) Water quality characterized by seasonally moderated temperatures and physical and chemical parameters (*e.g.,* pH, conductivity, dissolved oxygen) sufficient for the normal behavior, growth, reproduction, and viability of all life stages of the species.

(iv) An adequate food base, indicated by a healthy aquatic community structure including native benthic macroinvertebrates, fishes, and plant matter (*e.g.,* leaf litter, algae, detritus).

(v) Aquatic habitats protected from riparian and instream activities that degrade the physical and biological features described in paragraphs (2)(i) through (iv) of this entry or cause physical (*e.g.,* crushing) injury or death to individual Guyandotte River crayfish.

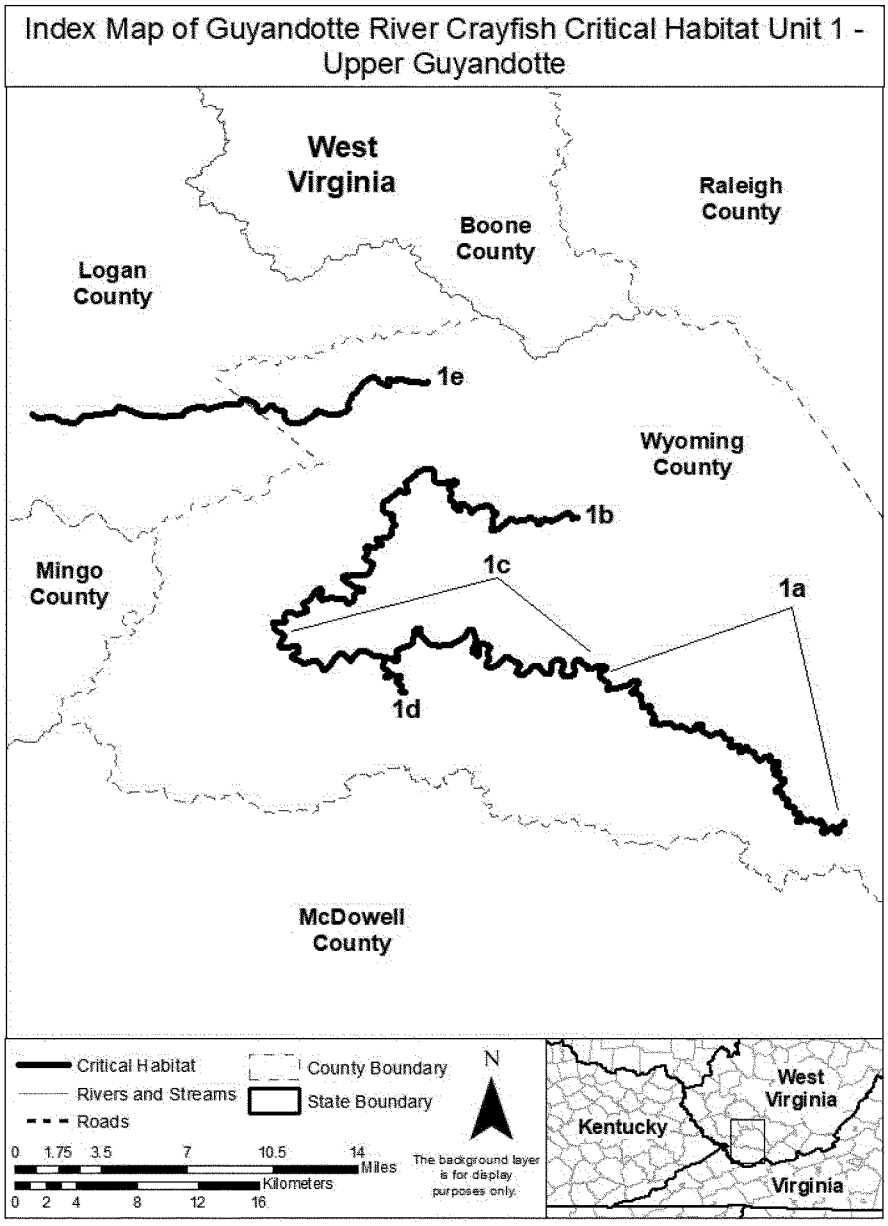
(vi) An interconnected network of streams and rivers that have the physical and biological features described in paragraphs (2)(i) through (iv) of this entry and that allow for the movement of crayfish in response to environmental, physiological, or behavioral drivers. The scale of the interconnected stream network should be sufficient to allow for gene flow within and among watersheds.

(3) Critical habitat does not include manmade structures (such as buildings, aqueducts, runways, roads, and other paved areas) and the land on which they are located existing within the legal boundaries on the effective date of this rule.

(4) *Critical habitat map units.* Data layers defining map units were created on a base of U.S. Geological Survey digital ortho-photo quarter-quadrangles,

and critical habitat units were then mapped using Universal Transverse Mercator (UTM) Zone 15N coordinates. ESRI's ArcGIS 10.0 software was used to determine latitude and longitude coordinates using decimal degrees. The USA Topo ESRI online basemap service was referenced to identify features (like roads and streams) used to delineate the upstream and downstream extents of critical habitat units. The maps in this entry, as modified by any accompanying regulatory text, establish the boundaries of the critical habitat designation. The coordinates or plot points or both on which each map is based are available to the public at the Service's internet site at *https://www.fws.gov/westvirginiafieldoffice/*, at *http://www.regulations.gov* at Docket No. FWS–R5–ES–2019–0098, and at the North Atlantic-Appalachian Regional Office. You may obtain field office location information by contacting one of the Service regional offices, the addresses of which are listed at 50 CFR 2.2.

(5) **Note:** Index map of critical habitat for the Guyandotte River crayfish follows:

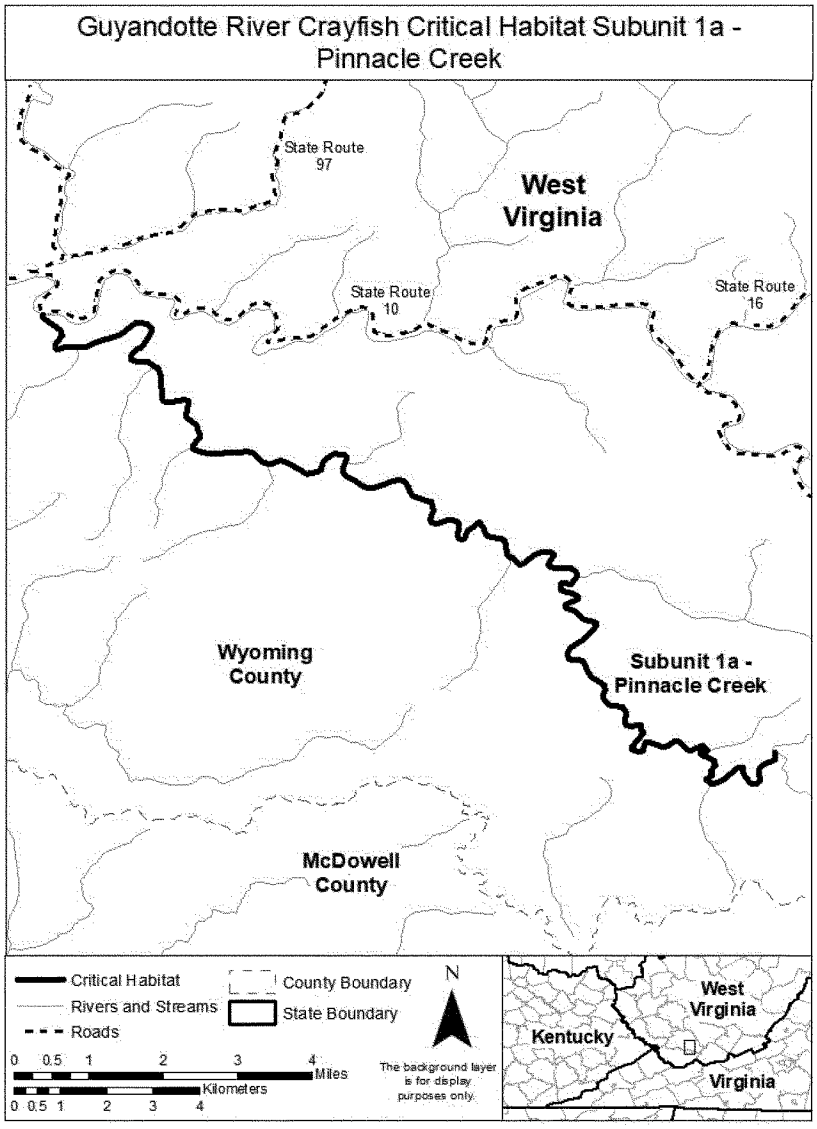


(6) Unit 1: Upper Guyandotte—Logan and Wyoming Counties, West Virginia.

(i) Subunit 1a: Pinnacle Creek, Wyoming County, West Virginia.

(A) *General description:* Subunit 1a consists of approximately 28.6 skm (17.8 smi) of Pinnacle Creek from its confluence with Beartown Fork (37.489547, −81.394295) downstream to its confluence with the Guyandotte River at Pineville, West Virginia (37.574700, −81.536473).

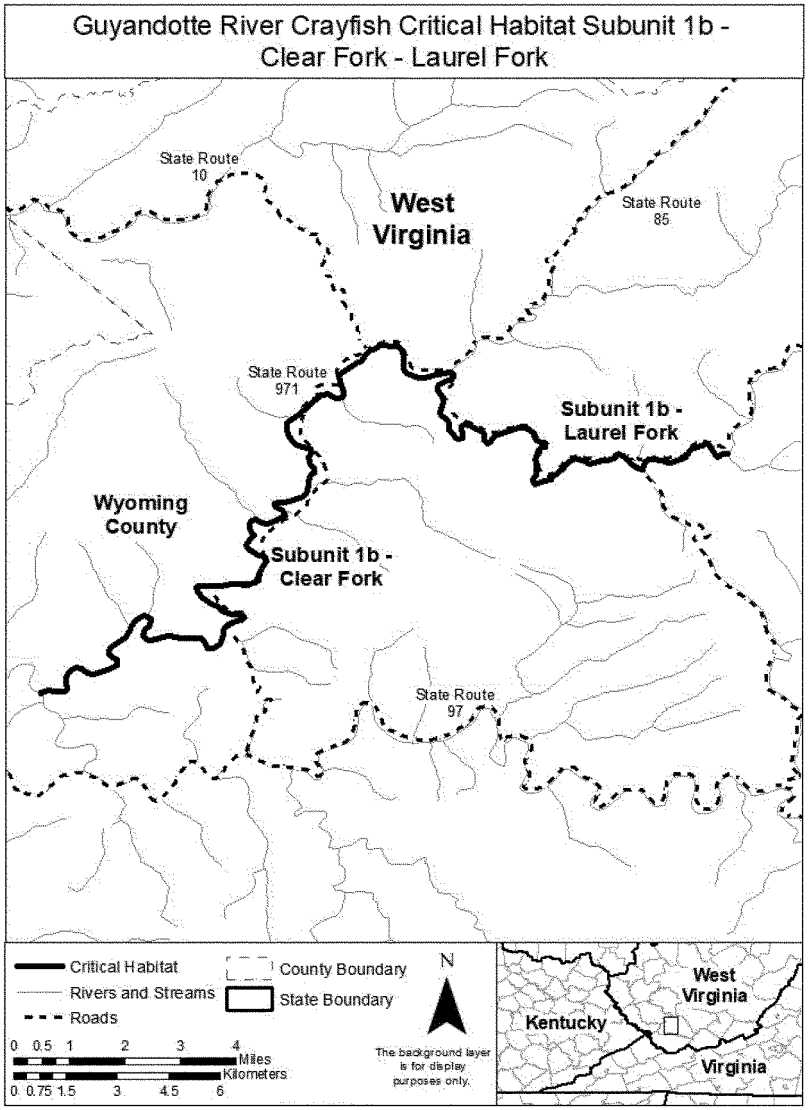
(B) Map of Subunit 1a follows:



(ii) Subunit 1b: Clear Fork and Laurel Fork, Wyoming County, West Virginia.

(A) *General description:* Subunit 1b consists of approximately 38.0 skm (23.6 smi) of Clear Fork and its primary tributary Laurel Fork from the confluence of Laurel Creek and Acord Branch (37.669908, −81.551222) downstream to the confluence of Clear Fork and the Guyandotte River (37.607552, −81.730974).

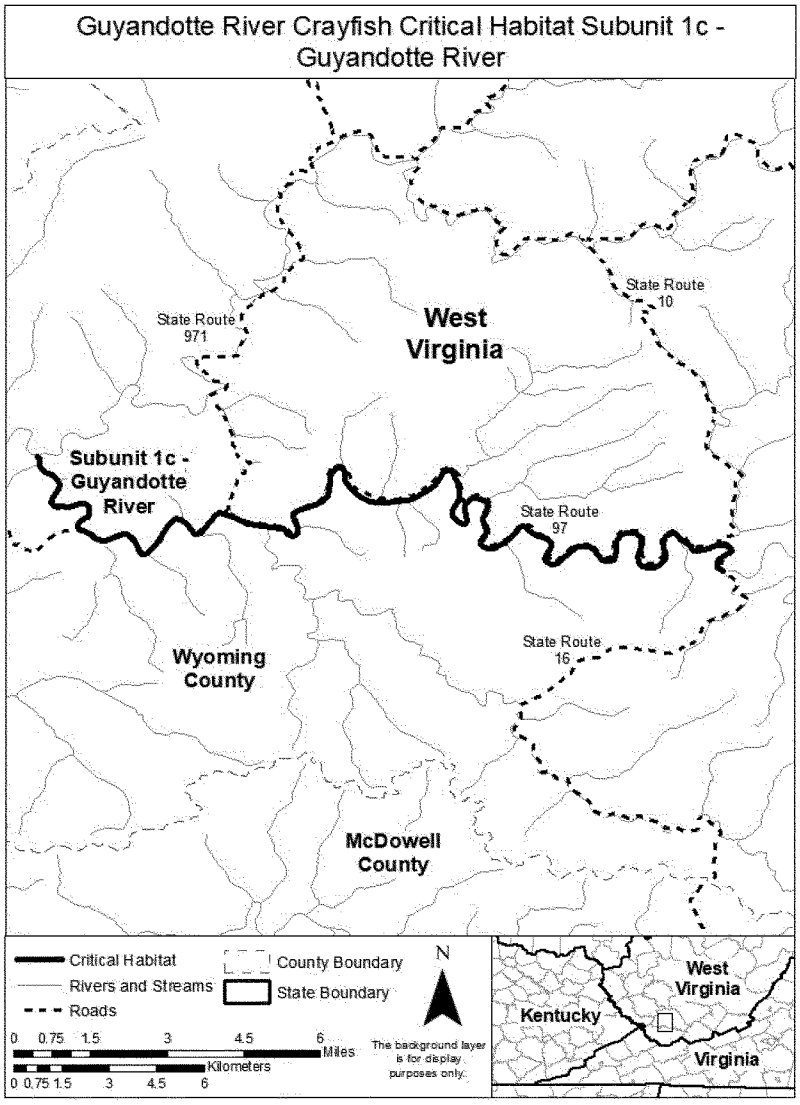
(B) Map of Subunit 1b follows:



(iii) Subunit 1c: Guyandotte River, Wyoming County, West Virginia.

(A) *General description:* Subunit 1c consists of approximately 35.8 skm (22.2 smi) of the Guyandotte River from its confluence with Pinnacle Creek at Pineville, West Virginia (37.574700, −81.536473), downstream to its confluence with Clear Fork (37.607552, −81.730974).

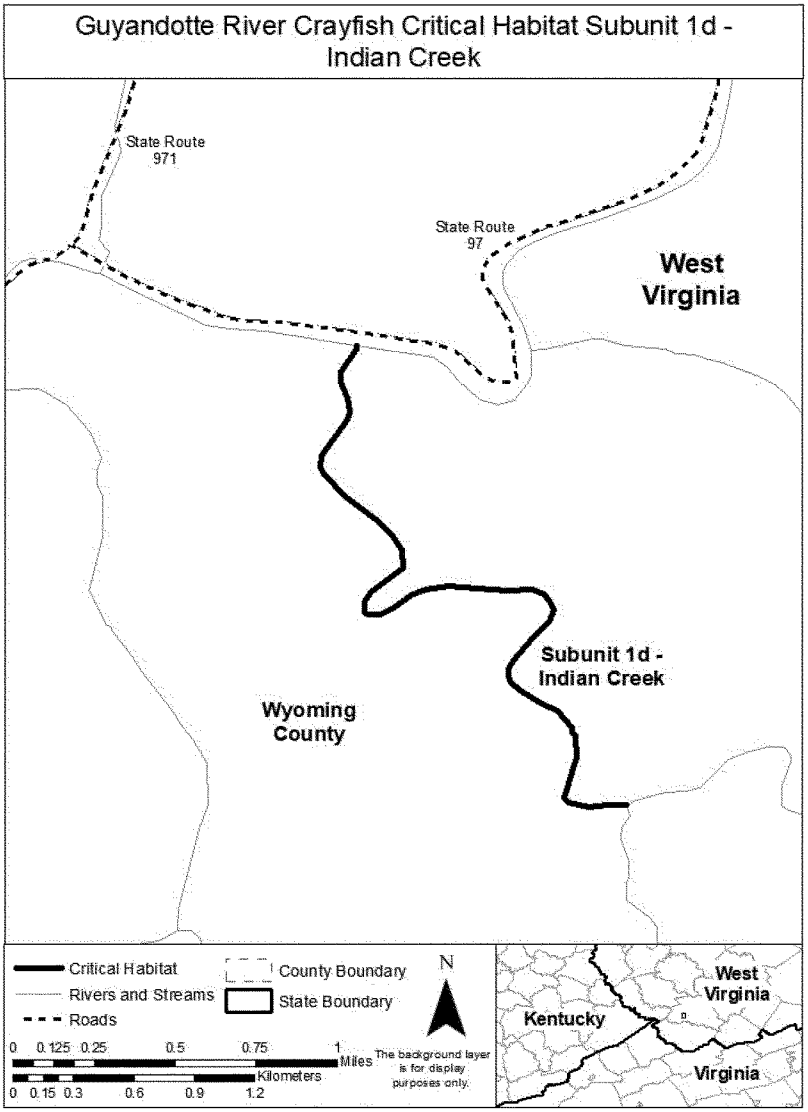
(B) Map of Subunit 1c follows:



(iv) Subunit 1d: Indian Creek, Wyoming County, West Virginia.

(A) *General description:* Subunit 1d consists of approximately 4.2 skm (2.6 smi) of Indian Creek from the confluence of Indian Creek and Brier Creek at Fanrock, West Virginia (37.566268, −81.650848), to the confluence of Indian Creek and the Guyandotte River (37.587149, −81.664680).

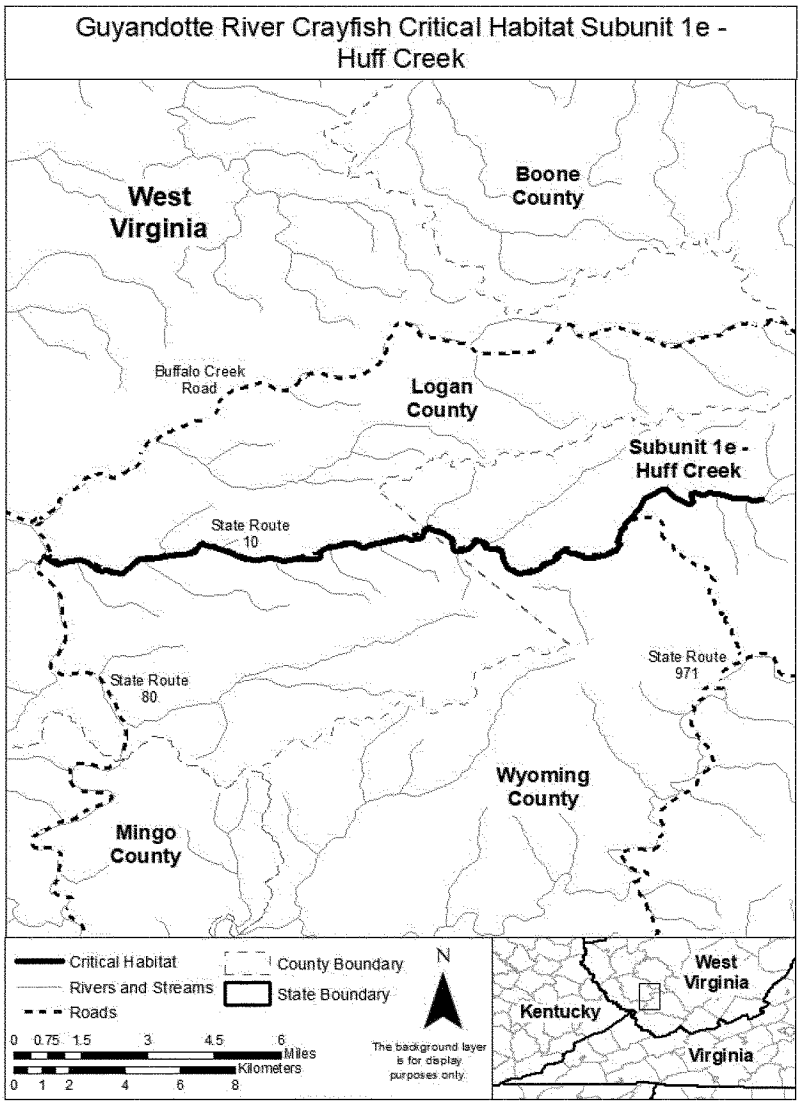
(B) Map of Subunit 1d follows:



(v) Subunit 1e: Huff Creek, Wyoming and Logan Counties, West Virginia.

(A) *General description:* Subunit 1e consists of approximately 28.0 skm (17.4 smi) of Huff Creek from its confluence with Straight Fork (37.748834, −81.640132) downstream to its confluence with the Guyandotte River at Huff, West Virginia (37.730736, −81.873387).

(B) Map of Subunit 1e follows:



* * * * *

Dated: January 15, 2020.

Aurelia Skipwith,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2020–01012 Filed 1–27–20; 8:45 am]

BILLING CODE 4333–15–P

FEDERAL REGISTER

Vol. 85 Tuesday,

No. 18 January 28, 2020

Part III

The President

Proclamation 9979—To Further Facilitate Positive Adjustment to Competition From Imports of Large Residential Washers

Federal Register
Vol. 85, No. 18
Tuesday, January 28, 2020

Presidential Documents

Title 3—

The President

Proclamation 9979 of January 23, 2020

To Further Facilitate Positive Adjustment to Competition From Imports of Large Residential Washers

By the President of the United States of America

A Proclamation

1. On January 23, 2018, pursuant to section 203 of the Trade Act of 1974, as amended (the ''Trade Act'') (19 U.S.C. 2253), I issued Proclamation 9694, which imposed a safeguard measure for a period of 3 years plus 1 day comprising both a tariff-rate quota (TRQ) on imports of large residential washers (washers) provided for in subheadings 8450.11.00 and 8450.20.00 of the Harmonized Tariff Schedule of the United States (HTS) and a TRQ on covered washer parts provided for in subheadings 8450.90.20 and 8450.90.60 of the HTS. I exempted covered imports from Canada and certain designated beneficiary countries under the Generalized System of Preferences from the application of the measure.

2. On August 7, 2019, the United States International Trade Commission (USITC) issued its report pursuant to section 204(a)(2) of the Trade Act (19 U.S.C. 2254(a)(2)), on the results of its monitoring of developments with respect to the domestic washers industry (USITC, Large Residential Washers: Monitoring Developments in the Domestic Industry, No. TA–204–013). In its report, the USITC found that imports peaked in November and December of 2017, just before the safeguard measure was imposed, and again in February and March of 2019, at the opening of the second TRQ period. More recent data from U.S. Customs and Border Protection indicate that the number of imported units exceeded the 1.2-million-unit annual limit qualifying for the in-quota rate well before the end of the year in the first year of the measure and in less than 3 months in the second year of the measure.

3. Section 204(b)(1)(B) of the Trade Act (19 U.S.C. 2254(b)(1)(B)) authorizes the President, upon petition of the majority of the representatives of the domestic industry, to reduce, modify, or terminate an action taken under section 203 of the Trade Act when the President determines that the domestic industry has made a positive adjustment to import competition.

4. After taking into account the information provided in the USITC's report, and after receiving a petition from the representative of the majority of the domestic industry, I have determined that the domestic industry has begun to make positive adjustment to import competition but that, despite that adjustment, increased imports of washers at peak times of the year have impaired the effectiveness of the action I proclaimed in 2018 under section 203 of the Trade Act, and modification of the action is warranted.

5. Section 204(b)(2) of the Trade Act (19 U.S.C. 2254(b)(2)) also authorizes the President to take such additional action under section 203 of the Trade Act as may be necessary to eliminate any circumvention of any action previously taken under such section. Pursuant to section 203(a)(3)(B) of the Trade Act (19 U.S.C. 2253(a)(3)(B)), the President may proclaim a TRQ on the imported article.

6. I have further determined that additional action is necessary to eliminate circumvention of the TRQ by ensuring that within-quota quantities of imports of washers are spread throughout the year, thus eliminating the possibility

that importers' concentration of imports of washers in a limited period would distort the quantity of washers in the U.S. market and undermine the positive effect of the TRQ on the domestic industry's adjustment to import competition. Accordingly, I have decided to allocate, on a quarterly basis, within-quota quantities of 1.2 million washers during the third year of the action, beginning February 7, 2020.

7. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

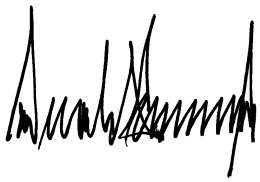
NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections 203, 204, and 604 of the Trade Act, do proclaim that:

(1) In order to modify the quantitative limitations applicable to imports of washers under HTS subheadings 8450.11.00 and 8450.20.00, by allocating the within-quota quantities for the third quota year on a quarterly basis, subchapter III of chapter 99 of the HTS is modified as set forth in the Annex to this proclamation.

(2) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

(3) The modifications to the HTS made by this proclamation, including the Annex hereto, shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on February 7, 2020, and shall continue in effect as provided in the Annex to this proclamation, unless such actions are earlier expressly reduced, modified, or terminated. One year from the termination of the safeguard measure established in this proclamation, the U.S. note and tariff provisions established in the Annex to this proclamation shall be deleted from the HTS.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of January, in the year of our Lord two thousand twenty, and of the Independence of the United States of America the two hundred and forty-fourth.



Billing code 3295–F0–P

ANNEX

TO MODIFY CERTAIN PROVISIONS OF CHAPTER 99 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on February 7, 2020, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified as provided herein:

1. U.S. note 17(d) to such subchapter III is modified by deleting the phrase "For purposes of" and by inserting in lieu thereof the phrase "Subject to the provisions of subdivision (i) of this note, for purposes of".

2. The following new subdivision (i) is inserted in alphabetical sequence in U.S. note 17:

"(i) For the purposes of subheading 9903.45.01 of this subchapter, the aggregate quantity of all household-type (residential) washing machines, as defined in subdivision (c) above, that is eligible to enter under such subheading in any of the periods enumerated below shall be as follows:

If entered during the period from
February 7, 2020 through May 6, 2020.....300,000 units
If entered during the period from
May 7, 2020 through August 6, 2020.....300,000 units
If entered during the period from
August 7, 2020 through November 6, 2020.....300,000 units
If entered during the period from
November 7, 2020 through February 7, 2021.....300,000 units"

3. The article description of subheading 9903.45.01 is modified to read as follows:

"If entered in an aggregate quantity, in any quarterly period specified in note 17(i) to this subchapter, not exceeding 300,000 units in any such quarterly period, under the terms of such note".

[FR Doc. 2020–01650
Filed 1–27–20; 11:15 a.m.]
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The text of laws is not published in the **Federal Register** but may be ordered in ''slip law'' (individual pamphlet) form from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 (phone, 202–512–1808). The text will also be made available on the Internet from GPO's Federal Digital System (FDsys) at *http://www.gpo.gov/fdsys*. Some laws may not yet be available.

H.R. 2476/P.L. 116–108
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This is a first in a continuing list of public bills from the current session of the 116th Congress which have become Federal laws. This list is also available online at *http://www.archives.gov/federal-register/laws*.

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