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FEDERAL REGISTER

Vol. 85 Monday,
No. 22 February 3, 2020

Pages 5903–6022

OFFICE OF THE FEDERAL REGISTER

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Contents

Federal Register

Vol. 85, No. 22

Monday, February 3, 2020

Agency for Healthcare Research and Quality
NOTICES
Supplemental Evidence and Data Request on Radiation Therapy for Brain Metastases:
A Systematic Review, 5961–5963

Agency for International Development
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Open Innovation Competitions—Prizes, Challenges, Hackathons, 5927

Agricultural Marketing Service
NOTICES
Draft Instructions on Testing Methods:
National Bioengineered Food Disclosure Standard, 5927–5928

Agriculture Department
See Agricultural Marketing Service
See Animal and Plant Health Inspection Service
See Forest Service
See The U.S. Codex Office
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 5928

Air Force Department
NOTICES
Meetings:
Board of Visitors, U.S. Air Force Academy, 5943–5944

Animal and Plant Health Inspection Service
NOTICES
International Trade Data System:
Timeline for Enforcing APHIS Core Message Set Flags in the Automated Commercial Environment, 5928–5929

Army Department
NOTICES
Meetings:
Board of Visitors, United States Military Academy, 5944–5945

Census Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 5932–5937

Centers for Disease Control and Prevention
NOTICES
Meetings:
Disease, Disability, and Injury Prevention and Control Special Emphasis Panel, 5963–5964

Civil Rights Commission
NOTICES
Meetings:
Tennessee Advisory Committee, 5932
Washington Advisory Committee, 5931–5932

Coast Guard
PROPOSED RULES
Safety Zones:
Monongahela River Mile 23.8 to Mile 26.0, Pittsburgh, PA, 5909–5911
Monongahela River Mile 28.0 to Mile 30.0, Pittsburgh, PA, 5911–5913

Commerce Department
See Census Bureau
See International Trade Administration
See National Oceanic and Atmospheric Administration

Defense Department
See Air Force Department
See Army Department
See Engineers Corps
See Navy Department

Drug Enforcement Administration
NOTICES
Bulk Manufacturer of Controlled Substances Application:
Bulk Manufacturers of Marihuana: Spocannabis, LLC, 5985–5986
IsoSciences, LLC, 5992–5993
Noramco, Inc., 5984–5985
Decision and Order:
Andrzej Kazimierz Zielke, M.D., 5987–5989
Kambiz Haghighi, M.D., 5989–5990
Shelton W. Barnes, M.D., 5983–5984
Solomon Adu-Beniako, M.D., 5990–5992
Theresa L. Wendt, N.P., 5986–5987
Importer of Controlled Substances Application:
Stepan Co., 5994

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
National Teacher and Principal Survey of 2020–2021, 5947

Energy Department
See Federal Energy Regulatory Commission
NOTICES
Meetings:
Hydrogen and Fuel Cell Technical Advisory Committee, 5947–5948

Engineers Corps
NOTICES
Meetings:
Board on Coastal Engineering Research, 5945–5946

Environmental Protection Agency
NOTICES
Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method, 5958

Clean Air Act Operating Permit Program:
Petition for Objection to State Operating Permit for Wheelabrator Environmental System, Inc.; Wheelabrator Concord Co., L.P., Concord, NH, 5956–5957
Pesticide Registration Review:
Interim Decision for Glyphosate, 5957–5958
Interim Decisions and Case Closures for Several Pesticides, 5952–5953
Proposed Interim Decisions for Several Neonicotinoid Pesticides, 5953–5954
Proposed Consent Decree:
Clean Water Act and Administrative Procedures Act Claims, 5955–5956

Federal Aviation Administration
PROPOSED RULES
Airworthiness Directives:
328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes, 5906–5909
Type of Certification of Unmanned Aircraft Systems, 5905–5906
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Representatives of the Administrator, 6012

Federal Deposit Insurance Corporation
NOTICES
Meetings; Sunshine Act, 5959
Termination of Receiverships, 5958–5959

Federal Emergency Management Agency
NOTICES
Flood Hazard Determinations; Changes, 5971–5979

Federal Energy Regulatory Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 5948–5949
Combined Filings, 5948–5950
Environmental Assessments; Availability, etc.:
New England Hydropower Co., LLC, 5950–5951
Initial Market-Based Rate Filings Including Requests for Blanket Section 204 Authorizations:
Oklahoma Wind, LLC, 5951
Pleasants, LLC, 5950
White Cloud Wind Project, LLC, 5951–5952
Institution of Section 206 Proceeding:
Hickory Run Energy, LLC, 5951

Federal Financial Institutions Examination Council
NOTICES
Meetings:
Appraisal Subcommittee, 5959–5960

Federal Trade Commission
NOTICES
Proposed Consent Agreement:
T and M Protection Resources, LLC; Analysis to Aid Public Comment, 5960–5961

Fish and Wildlife Service
PROPOSED RULES
Migratory Bird Permits:
Take of Migratory Birds; Environmental Impact Statement, 5913–5915
Take of Migratory Birds, 5915–5926

Food and Drug Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Participation in Food and Drug Administration Fellowship and Traineeship Programs, 5966–5967
Planning for the Effects of High Absenteeism to Ensure Availability of Medically Necessary Drug Products, 5965–5966
Charter Renewal:
Advisory Committee; Vaccines and Related Biological Products Advisory Committee, 5964–5965

Foreign Assets Control Office
NOTICES
Blocking or Unblocking of Persons and Properties, 6016–6018

Forest Service
NOTICES
Meetings:
Southwest Montana Resource Advisory Committee, 5931

General Services Administration
RULES
Federal Management Regulation:
Utility Services, 5903–5904

Health and Human Services Department
See Agency for Healthcare Research and Quality
See Centers for Disease Control and Prevention
See Food and Drug Administration
See Health Resources and Services Administration
See National Institutes of Health
See Substance Abuse and Mental Health Services Administration

Health Resources and Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Ryan White HIV/AIDS Program Part F Dental Services Report, 5969–5970
The National Health Service Corps Loan Repayment Programs, 5967–5969

Homeland Security Department
See Coast Guard
See Federal Emergency Management Agency
See U.S. Citizenship and Immigration Services

Interior Department
See Fish and Wildlife Service
NOTICES
Meetings:
Exxon Valdez Oil Spill Public Advisory Committee, 5979–5980

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Advance Notification of Sunset Review, 5941–5942
Initiation of Five-Year (Sunset) Reviews, 5940–5941
Opportunity to Request Administrative Review, 5938–5940

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Kitchen Appliance Shelving and Racks from China, 5980–5983

Justice Department
See Drug Enforcement Administration
See Justice Programs Office

Justice Programs Office
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Law Enforcement Congressional Badge of Bravery, 5994

Labor Department
See Occupational Safety and Health Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Certification by School Official, 5995–5996
Charter Renewal:
President's Committee on the International Labor Organization, 5995

Maritime Administration
NOTICES
Requests for Administrative Waivers of the Coastwise Trade Laws:
Vessel BELLA LINA, 6012–6013
Vessel ELIZABETH, 6013–6014
Vessel KAILA LANI, 6014–6015
Vessel MAYA, 6015–6016

National Aeronautics and Space Administration
NOTICES
Intent to Grant Exclusive License, 5998–5999

National Credit Union Administration
NOTICES
Meetings; Sunshine Act, 5999

National Institutes of Health
NOTICES
Meetings:
National Cancer Institute, 5970
National Center for Complementary and Integrative Health, 5970–5971

National Oceanic and Atmospheric Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 5943
Meetings:
Caribbean Fishery Management Council, 5942–5943
Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Groundfish and Halibut Seabird Working Group, 5943

National Science Foundation
NOTICES
Meetings:
Proposal Review Panel for International Science and Engineering, 5999–6000

Navy Department
NOTICES
Meetings:
U.S. Naval Academy Board of Visitors, 5946

Nuclear Regulatory Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Requests to Federally Recognized Indian Tribes for Information, 6000–6001
Inspections, Tests, Analyses, and Acceptance Criteria:
Southern Nuclear Operating Co., Inc.; Vogtle Electric Generating Plant, Units 3 and 4, 6001–6002
Meetings; Sunshine Act, 6000

Occupational Safety and Health Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Beryllium Standards for General Industry, Construction and Maritime, 5996–5998

Securities and Exchange Commission
NOTICES
Meetings; Sunshine Act, 6002–6003
Self-Regulatory Organizations; Proposed Rule Changes:
ICE Clear Credit, LLC, 6007–6009
New York Stock Exchange, LLC, 6005–6006
NYSE Arca, Inc., 6009
The Nasdaq Stock Market, LLC, 6003–6005

Small Business Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 6009–6010

State Department
NOTICES
Covered Claims under the Promoting Security and Justice for Victims of Terrorism Act, 6010
Culturally Significant Objects Imported for Exhibition:
Lucian Freud: The Self Portraits, 6011
Meetings:
Biodiversity Beyond National Jurisdiction, 6010–6011
Commission on Unalienable Rights, 6011–6012
Foreign Affairs Policy Board, 6010

Substance Abuse and Mental Health Services Administration

NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 5971

The U.S. Codex Office
NOTICES
Meetings:
Codex Committee on Pesticide Residues, 5929–5931

Transportation Department
See Federal Aviation Administration
See Maritime Administration

Treasury Department
See Foreign Assets Control Office

U.S. Citizenship and Immigration Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Civil Surgeon Designation, 5979

U.S.-China Economic and Security Review Commission
NOTICES
Hearings, 6018–6019

Veterans Affairs Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Financial Statement, 6019–6020
Financial Status Report, 6020–6021
Pay Now Enter Info Page, 6020
Request for Nursing Home Information in Connection with Claim for Aid and Attendance, 6021

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents electronic mailing list, go to https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

14 CFR

Proposed Rules:

21 5905
39 5906

33 CFR

Proposed Rules:

165 (2 documents) 5909, 5911

41 CFR

102-82.....5903

50 CFR

Proposed Rules:

10 (2 documents) 5913, 5915

Rules and Regulations

Federal Register
Vol. 85, No. 22
Monday, February 3, 2020

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

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

GENERAL SERVICES ADMINISTRATION

41 CFR Part 102–82

[FMR Case 2016–102–3; Docket 2016–0019; Sequence No. 1]

RIN 3090–AJ76

Federal Management Regulation (FMR); Utility Services

AGENCY: Office of Government-wide Policy (OGP), General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: GSA is issuing a final rule to amend the Federal Management Regulation (FMR) part regarding utility services. The rule clarifies the authority an agency must have in order to procure utility services and describes in detail agencies' responsibilities concerning the procurement of such services. To better direct agencies that operate under a utility service delegation from GSA, the rule adds a reference to the section of the Federal Acquisition Regulation (FAR) that addresses the acquisition of utility services and other procurement guidance. Additionally, the rule clarifies responsibilities for the Department of Defense and the Department of Energy for compliance.

DATES: *Effective Date:* March 4, 2020.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Coneeney, Director, Real Property, Office of Government-wide Policy, at 202–208–2956, or email at *chris.coneeney@gsa.gov* for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755. Please cite FMR Case 2016–102–3.

SUPPLEMENTARY INFORMATION:

I. Background

A proposed rule was published in the **Federal Register** on August 13, 2019 (84 FR 39994). The proposed rule expanded ''Subpart A—General Provisions'' to better align with other parts of the FMR and clarified language in subpart B regarding agency authority and responsibilities. None of the proposed changes elicited any objections during the public comment period. In fact, only one public comment was received in response to the proposed rule, which was not germane. As a result, there were no changes made to the final rule from the published proposed rule.

This final rule amends the FMR to both clarify the scope of this part and the authority an agency must have to procure utility services by pointing the reader to the appropriate parts of the FAR that relate to the acquisition of utility services. It also clarifies the responsibilities of agencies, the Department of Defense, and the Department of Energy for compliance.

II. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule is a significant regulatory action and was subject to review under Section 6(b) of E.O. 12866. It is not a major rule under 5 U.S.C. 804.

III. Executive Order 13771

This final rule is not subject to the requirements of E.O. 13771 (82 FR 9339, February 3, 2017) because it is related to agency organization, management, or personnel.

IV. Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* This final rule is also exempt from the Regulatory Flexibility Act pursuant to 5 U.S.C. 553(a)(2) because it applies to agency management.

V. Paperwork Reduction Act

This final rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

VI. Small Business Regulatory Enforcement Fairness Act

This final rule is exempt from Congressional review under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 102–82

Federal buildings and facilities, Government property management, Rates and fares, Utilities.

Dated: January 15, 2020.

Emily W. Murphy,

Administrator of General Services.

■ For the reasons set forth in the preamble, GSA is revising 41 CFR part 102–82 to read as follows:

PART 102–82—UTILITY SERVICES

Subpart A—General Provisions

Sec.
102–82.5 What does this part cover?
102–82.10 What are the governing authorities for this part?
102–82.15 Who must comply with the provisions of this part?
102–82.20 To whom do ''we,'' ''you,'' and their variants refer?
102–82.25 How do we request a deviation from the provisions of this part?

Subpart B—Utility Services

102–82.30 What authority must my agency have in order to procure utility service(s)?
102–82.35 Can Executive agencies enter into contracts for utility services?
102–82.40 What are Executive agencies' rate intervention responsibilities?

Authority: 40 U.S.C. 121(c) and 40 U.S.C. 501.

Subpart A—General Provisions

§ 102–82.5 What does this part cover?

This part covers the procurement and management of public utility services. It does not cover utilities that are provided as part of a lease. For more information on the procurement of utility services refer to Federal Acquisition Regulation (FAR) in 48 CFR part 41. For more information on the management of Utility Services, refer to 40 U.S.C. 501.

§ 102–82.10 What are the governing authorities for this part?

The authorities for the regulations in this part are:

(a) 40 U.S.C. 121(c); and

(b) 40 U.S.C. 501.

§ 102–82.15 Who must comply with the provisions of this part?

All Executive agencies procuring, managing, or supplying utility services under Title 40 of the United States Code, including GSA's Public Buildings Service (PBS), Department of Defense, Department of Energy, and those agencies operating under, or subject to, the authorities of the Administrator of General Services must comply with the provisions of this part. For information on a utility services delegation of authority, refer to § 102–72.100 of this chapter.

§ 102–82.20 To whom do "we," "you," and their variants refer?

Unless otherwise indicated, use of pronouns ''we,'' ''you,'' and their variants throughout this part refer to an Executive agency. Refer to part 102–71 of this chapter for the definition of Executive agency.

§ 102–82.25 How do we request a deviation from the provisions of this part?

Refer to §§ 102–2.60 through 102–2.110 of this chapter for information on how to obtain a deviation from this part.

Subpart B—Utility Services

§ 102–82.30 What authority must my agency have in order to procure utility service(s)?

If you do not have a delegation of authority issued by GSA to procure utility services, or independent authority for such procurements, you cannot procure utility services. The Secretary of Defense is independently authorized to take such actions without a delegation from GSA, when the Secretary determines such actions to be in the best interests of national security. For more information on a utility services delegation of authority refer to §§ 102–72.100 and 102–72.105 of this chapter.

§ 102–82.35 Can Executive agencies enter into contracts for utility services?

Executive agencies, operating under a utility services delegation from GSA, or the Secretary of Defense, when the Secretary determines it to be in the best interests of national security, may enter into contracts for utility services (such as commodities and utility rebate programs), pursuant to the terms and conditions contained in the delegation and in accordance with FAR part 41. FAR part 41 requires that agencies provide or procure from sources of supply that are the most advantageous to the Federal Government in terms of economy, efficiency, reliability, or quality of service; while 40 U.S.C. 501(c) requires that agencies provide or procure such services with due regard to the mission responsibilities of the agencies concerned. For information on utility services delegation of authority refer to part 102–72 of this chapter. For additional information on contracts for utility services, search on the topics Utility or Energy on the Acquisition Gateway, *http://www.gsa.gov*.

§ 102–82.40 What are Executive agencies' rate intervention responsibilities?

Unless otherwise authorized by law, absent a delegation from GSA, Executive agencies must not engage in the types of representation referenced at 40 U.S.C. 501(c), Services for Executive agencies. The Secretary of Defense is independently authorized to take such actions without a delegation from GSA, when the Secretary determines such actions to be in the best interests of national security. Refer to part 102–71 of this chapter for definitions of Executive agencies and state. For information on delegation of authority refer to part 102–72 of this chapter.

[FR Doc. 2020–01020 Filed 1–31–20; 8:45 am]

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Proposed Rules

Federal Register
Vol. 85, No. 22
Monday, February 3, 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.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 21

[Docket No. FAA–2019–1038]

Type Certification of Unmanned Aircraft Systems

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of policy; request for comments.

SUMMARY: The Federal Aviation Administration (FAA) is announcing and requesting comments on its policy for the type certification of certain Unmanned Aircraft Systems as a special class of aircraft under our regulations.

DATES: Comments must be received on or before March 4, 2020.

ADDRESSES: Send comments identified by docket number FAA–2019–1038 using any of the following methods:

☐ *Federal eRegulations Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.

☐ *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

☐ *Hand Delivery of Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m., and 5 p.m., Monday through Friday, except Federal holidays.

☐ *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://regulations.gov,* including any personal information the commenter provides. Using the search function of the docket website, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov.*

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

FOR FURTHER INFORMATION CONTACT: Andrew Guion, AIR–694, Federal Aviation Administration, Policy and Innovation Division, Small Airplane Standards Branch, Aircraft Certification Service, 901 Locust St., Room 301, Kansas City, MO 64106, telephone (816) 329–4141, facsimile (816) 329–4090.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites interested parties to submit comments on the policy described in this notice to one of the addresses specified above. Commenters must include Docket No. FAA–2019–1038 and identify ''Type Certification of Unmanned Aircraft Systems'' policy on all submitted correspondence. The most helpful comments reference a specific portion of the policy, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received on or before the closing date before issuing the final acceptance. The FAA will also consider comments filed late if it is possible to do so without incurring expense or delay. The FAA may change the policy based on received comments.

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 notice 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 notice, 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 notice. Submissions containing CBI should be sent to the individual identified under **FOR FURTHER INFORMATION CONTACT.** Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this notice.

Background

In 2012, Congress passed the FAA Modernization and Reform Act of 2012 (Pub. L. 112–95). Section 332 of Public Law 112–95 (codified at 49 U.S.C. 44802) directed the FAA to develop a comprehensive plan to safely accelerate the integration of unmanned aircraft systems (UAS) into the National Airspace System (NAS). As part of that plan, the FAA integrated small UAS (less than 55 lbs.) into the NAS by issuing a rule on the Operation and Certification of Small Unmanned Aircraft Systems (81 FR 42064, June 28, 2016). The small UAS final rule added part 107 to the FAA's regulations in Title 14 of the Code of Federal Regulations (14 CFR).

Part 107 sets forth rules for the operation of small UAS without the need for FAA airworthiness certification. Under part 107, operations may not occur over persons, at night, above an altitude of 400 feet, or beyond visual line-of-sight, without a waiver issued by the FAA. UAS weighing 55 lbs. or more and small UAS operating outside the limitations imposed by part 107 must receive airworthiness certification from the FAA or an exemption.

Discussion

The FAA establishes airworthiness criteria and issues type certificates to ensure the safe operation of aircraft in accordance with 49 U.S.C. 44701(a) and 44704. Section 44704 requires the Administrator to find an aircraft, aircraft engine, or propeller to be of proper design, material, specification, construction, and performance for safe operation before issuing a type certificate for it.

Part 21 contains the FAA's procedural requirements for airworthiness and type certification. When the FAA promulgated part 21 as part of its

recodification to combine and streamline the Civil Air Regulations, it originally required applicants for a type certificate to show that the product met existing airworthiness standards (29 FR 14562, October 24, 1964). Existing airworthiness standards for aircraft and other products, issued as a separate part of the FAA's regulations, are: Normal category airplanes under part 23, transport category airplanes under part 25, normal category rotorcraft under part 27, transport category rotorcraft under part 29, manned free balloons under part 31, aircraft engines under part 33, and propellers under part 35.

The FAA amended part 21 to add procedural requirements for the issuance of type certificates for special classes of aircraft at amendment 21–60. In the final rule, the FAA explained that it intended the special class category to include, in part, those aircraft that would be eligible for a standard airworthiness certificate but for which certification standards do not exist due to their unique, novel, or unusual design features. The FAA further stated that the ''decision to type certificate an aircraft in either the special class aircraft category or under . . . the FAR is entirely dependent upon the aircraft's unique, novel, and/or unusual design features.'' (52 FR 8040, March 13, 1987). Amendment 21–60 revised § 21.17(b) to include the certification procedure for special classes of aircraft. For special classes of aircraft, for which airworthiness standards have not been issued, the applicable airworthiness requirements will be the portions of those existing standards contained in parts 23, 25, 27, 29, 31, 33, and 35 found by the FAA to be appropriate for the aircraft and applicable to a specific type design, or such airworthiness criteria as the FAA may find provide an equivalent level of safety to those parts.

An ''unmanned aircraft'' is an aircraft operated without the possibility of direct human intervention from within or on the aircraft. See 49 U.S.C. 44801(11); 14 CFR 1.1. Unmanned aircraft include all classes of airplanes, rotorcraft, and powered-lift without an onboard pilot. Many UAS elements, while essential for safe operation, are part of the UAS system but are not permanent features of the unmanned aircraft (UA). For example, instead of traditional landing gear with wheels and brakes, many UAS have a launch and recovery system. Additionally, because the pilot is not situated within the aircraft, unique configurations and applications of airframes, powerplants, fuels, and materials are possible and can result in flight characteristics different from those of conventional aircraft. These features specific to UAS are the very unique, novel, and/or unusual features the special class category was designed to accommodate.

Policy

Accordingly, the FAA proposes that some UAS may be type certificated as a ''special class'' of aircraft under § 21.17(b). The FAA proposes to issue type certificates for UAS with no occupants onboard under the process in § 21.17(b). However, the FAA may still issue type certificates under § 21.17(a) for airplane and rotorcraft UAS designs when appropriate. This proposed policy applies only to the procedures for the type certification of UAS, and is not intended to establish policy impacting other FAA rules on unmanned aircraft, such as operations, pilot certification, or maintenance.

The FAA will announce and seek public comment on the particularized airworthiness criteria for each applicant as certification standards for this new special class evolve. Once generally-applicable standards are identified, the FAA intends to issue rulemaking or publish the standards as guidance in an Advisory Circular, as it has done for other special classes such as gliders, airships, and very light airplanes.

The FAA's rulemaking on small UAS was only the first step in the FAA's plan to integrate UAS into the NAS. Many long-term activities are required for full integration of present and future UAS operations, including the delivery of packages and transportation of people. The UAS affected by this policy will include those used for package delivery. Future FAA activity, through either further policy or rulemaking, will address type certification for UAS carrying occupants.

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Issued in Kansas City, Missouri, on January 27, 2020.

Pat Mullen,

Manager, Small Airplane Standards Branch, AIR–690, Policy and Innovation Division, Aircraft Certification Service.

[FR Doc. 2020–01877 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2020–0088; Product Identifier 2019–NM–195–AD]

RIN 2120–AA64

Airworthiness Directives; 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2004–06–01, which applies to certain Dornier Model 328–100 series airplanes; and AD 2009–06–09, which applies to all Dornier Model 328–100 series airplanes. AD 2004–06–01 requires replacement of the existing main landing gear (MLG) leg assembly with a modified assembly. AD 2009–06–09 requires modifying the MLG main body and trailing arm bushings, and revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Since the FAA issued AD 2004–06–01 and 2009–06–09, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, as specified in a European Union Aviation Safety Agency (EASA) AD, which will be incorporated by reference. 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 19, 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:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE,

Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For the material identified in this proposed AD that will be incorporated by reference (IBR), contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; email *ADs@easa.europa.eu;* internet *www.easa.europa.eu.* You may find this IBR material on the EASA website at *https://ad.easa.europa.eu.* You may view this IBR material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–0088.

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–2020–0088; 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: Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3228; email *Todd.Thompson@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–2020–0088; Product Identifier 2019–NM–195–AD'' 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 based on those comments.

The FAA will post all comments, 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 the agency receives about this NPRM.

Discussion

The FAA issued AD 2004–06–01, Amendment 39–13527 (69 FR 13715, March 24, 2004) (''AD 2004–06–01''), for certain Dornier Model 328–100 series airplanes. AD 2004–06–01 requires replacement of the existing MLG leg assembly with a modified assembly. The FAA also issued AD 2009–06–09, Amendment 39–15845 (74 FR 12249, March 24, 2009) (''AD 2009–06–09''), for all Dornier Model 328–100 series airplanes. AD 2009–06–09 requires modifying the MLG main body and trailing arm bushings, and revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA issued AD 2004–06–01 to address fatigue damage of the MLG leg, which could result in collapse of the MLG. The FAA also issued AD 2009–06–09 to address corrosion on the main body of the MLG and the trailing arm bushings, which could result in damage to the MLG, and possibly result in MLG functional problems or failure.

Actions Since AD 2004–06–01 and AD 2009–06–09 Were Issued

Since the FAA issued AD 2004–06–01 and AD 2009–06–09, the FAA has determined that new or more restrictive airworthiness limitations are necessary.

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019–0270, dated October 30, 2019 (''EASA AD 2019–0270'') (also referred to as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for all 328 Support Services GmbH Model 328–100 airplanes. EASA AD 2019–0270 supersedes German AD 2002–001, dated January 10, 2002 (which corresponds to FAA AD 2004–06–01) and EASA AD 2008–0009, dated January 11, 2008 (which corresponds to FAA AD 2009–06–09).

EASA AD 2019–0270 also specifies that it takes over the applicable requirements of EASA AD 2006–0197 (which corresponds to FAA AD 2008–17–01 R1, Amendment 39–16106 (74 FR 63569, December 4, 2009) (''AD 2008–17–01 R1'') and EASA AD 2010–0054 (which corresponds to FAA AD 2012–01–08, Amendment 39–16920 (77 FR 3583, January 25, 2012) (''AD 2012–01–08''). Accomplishing the revision specified in this proposed AD would terminate the requirements of AD 2008–17–01 R1 and AD 2012–01–08 for Model 328–100 series airplanes.

This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is proposing this AD to address the potential failure of parts, which could lead to reduced control of the airplane; and to address the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

See the MCAI for additional background information.

Related IBR Material Under 1 CFR Part 51

EASA AD 2019–0270 describes airworthiness limitations for certification maintenance requirements that include, among other items, safe life limits and fuel tank system limitations. This material 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 and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI referenced above. The FAA is proposing this AD because the FAA evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Proposed AD Requirements

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations for certification maintenance requirements that include, among other items, safe life limits and fuel tank system limitations, which are specified in EASA AD 2019–0270 described previously, as incorporated by reference. Any differences with EASA AD 2019–0270 are identified as exceptions in the regulatory text of this AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed

AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (k)(1) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA initially worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has since coordinated with other manufacturers and civil aviation authorities (CAAs) to use this process. As a result, EASA AD 2019–0270 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2019–0270 in its entirety, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in the EASA AD does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in the EASA AD.

Service information specified in EASA AD 2019–0270 that is required for compliance with EASA AD 2019–0270 will be available on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–0088 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's new process, which uses MCAI ADs as the primary source of information for compliance with corresponding FAA ADs, has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that specify the incorporation of airworthiness limitation documents.

Although the format of the airworthiness limitation ADs using the new process is different than the FAA's existing format for airworthiness limitation ADs, the FAA requirements are the same: Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document.

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.,* inspections), or intervals may be used unless the actions and intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in the AMOCs paragraph under ''Other FAA Provisions.'' This new format includes a ''New Provisions for Alternative Actions and Intervals'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action or interval.

Costs of Compliance

The FAA estimates that this proposed AD affects 21 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. In the past, the agency has estimated that this action takes 1 work-hour per airplane. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate.

The FAA estimates the total cost per operator for the new proposed actions to be $7,650 (90 work-hours × $85 per work-hour).

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.

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 removing Airworthiness Directive (AD) 2004–06–01, Amendment 39–13527 (69 FR 13715, March 24, 2004); and AD 2009–06–09, Amendment 39–15845 (74 FR 12249, March 24, 2009); and adding the following new AD:

328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH): Docket No. FAA–2020–0088; Product Identifier 2019–NM–195–AD.

(a) Comments Due Date

The FAA must receive comments by March 19, 2020.

(b) Affected ADs

(1) This AD replaces AD 2004–06–01, Amendment 39–13527 (69 FR 13715, March 24, 2004) (''AD 2004–06–01''); and AD 2009–06–09, Amendment 39–15845 (74 FR 12249, March 24, 2009) (''AD 2009–06–09'').

(2) This AD affects AD 2008–17–01 R1, Amendment 39–16106 (74 FR 63569, December 4, 2009) (''AD 2008–17–01 R1''); and AD 2012–01–08, Amendment 39–16920

(77 FR 3583, January 25, 2012) (''AD 2012–01–08'').

(c) Applicability

This AD applies to all 328 Support Services GmbH (Type Certificate previously held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Model 328–100 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address the potential failure of parts, which could lead to reduced control of the airplane; and to address the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

(f) Compliance

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

(g) Existing Maintenance or Inspection Program Revision

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2019–0270, dated October 30, 2019 (''EASA AD 2019–0270'').

(h) Exceptions to EASA AD 2019–0270

(1) The requirements specified in paragraphs (1) and (2) of EASA AD 2019–0270 do not apply to this AD.

(2) Where paragraph (3) of EASA AD 2019–0270 specifies a compliance time of ''Within 12 months'' after its effective date to ''revise the approved AMP,'' this AD requires ''revising the existing maintenance or inspection program, as applicable'' to incorporate the ''limitations, tasks and associated thresholds and intervals'' specified in paragraph (3) of EASA AD 2019–0270 within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2019–0270 is at the applicable ''associated thresholds'' specified in paragraph (3) of EASA AD 2019–0270, or within 90 days after the effective date of this AD, whichever occurs later.

(4) The provisions specified in paragraphs (4) and (5) of EASA AD 2019–0270 do not apply to this AD.

(5) The ''Remarks'' section of EASA AD 2019–0270 does not apply to this AD.

(i) Provisions for Alternative Actions, Intervals, and Critical Design Configuration Control Limitation (CDCCLs)

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections), intervals, and CDCCLs are allowed except as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2019–0270.

(j) Terminating Action for Other ADs

(1) Accomplishing the existing maintenance or inspection program revision required by paragraph (g) of this AD terminates all requirements of AD 2008–17–01 R1.

(2) Accomplishing the existing maintenance or inspection program revision required by paragraph (g) of this AD terminates all requirements of AD 2012–01–08 for Model 328–100 airplanes only.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards 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 International Section, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or 328 Support Services GmbH's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(l) Related Information

(1) For information about EASA AD 2019–0270, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; email *ADs@easa.europa.eu;* Internet *www.easa.europa.eu.* You may find this EASA AD on the EASA website at *https://ad.easa.europa.eu.* You may view this material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. This material may be found in the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2020–0088.

(2) For more information about this AD, contact Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3228; email *Todd.Thompson@faa.gov.*

Issued on January 27, 2020.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2020–01922 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2020–0058]

RIN 1625–AA00

Safety Zone; Monongahela River Mile 23.8 to Mile 26.0, Pittsburgh, PA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary safety zone from mile 23.8 to mile 26.0 of the Monongahela River. This action is necessary to provide for the safety of life on these navigable waters near Elrama Power Plant, Pittsburgh, PA, during an electrical conducter pull from March 23, 2020 through April 6, 2020. This proposed rulemaking would prohibit persons and vessels from entering the safety zone unless authorized by the Captain of the Port Marine Safety Unit Pittsburgh or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before March 4, 2020.

ADDRESSES: You may submit comments identified by docket number USCG–2020–0058 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 MST2 Trevor Vannatta, Waterways Management U.S. Coast Guard; telephone 412–221–0807, email *Trevor.J.Vannatta@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

On November 12, 2019, the Duquesne Light Company notified the Coast Guard that it will be conducting an electrical conducter pull on March 23, 2020, in order to replace existing electrical conductor with new higher ampacity electrical conductor. The conducter pull will take place between mile 23.8 and mile 26 on the Elrama Power Plant side of the Monongahela River. Hazards from the conducter pull include danger to the navigability of the waterway due to obstruction by equipment. The Captain of the Port (COTP) Marine Safety Unit Pittsburgh has determined that potential hazards associated with ongoing work would be a safety concern for anyone transiting the river during the maintenance activity.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters before, during, and after the scheduled activity. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231).

III. Discussion of Proposed Rule

The COTP is proposing to establish a safety zone from March 23, 2020 through April 6, 2020. The safety zone would cover all navigable waters from mile 23.8 to mile 26.0 on the Monongahela River near Pittsburgh, PA. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after a scheduled maintenance activity at the Elrama Power Plant. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are proposing 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, 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 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 size, location, and duration of the safety zone. The zone will impact a 2.2 mile stretch of the Monongahela River and only be enforced during active maintenance periods, and vessel traffic would be able to safely transit around the safety zone. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

B. Impact on Small Entities

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

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

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 call or email 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 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 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, 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 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 a safety zone from mile 23.8 to mile 26.0 on the Monongahela River near Pittsburgh, PA from March 23, 2020 through April 6, 2020. Normally such actions are 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 preliminary 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. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

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.

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,* 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 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 165

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 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.T08–0058 to read as follows:

§ 165.T08–0058 Safety Zone; Monongahela, Mile 23.8 to Mile 26.0, Pittsburgh, PA.

(a) *Location.* The following area is a safety zone: All navigable waters of the Monongahela River from mile 23.8 to mile 26.

(b) *Effective period.* This section is effective from March 23, 2020 through April 6, 2020.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry of persons and vessels into this zone is prohibited unless authorized by the Captain of the Port Marine Safety Unit Pittsburgh (COTP) or a designated representative.

(2) Persons or vessels requiring entry into or passage through the zone must request permission from the COTP or a designated representative. The COTP's representative may be contacted at 412–221–0807.

(3) All persons and vessels shall comply with the instructions of the COTP or a designated representative. Designated COTP representatives include United States Coast Guard commissioned, warrant, and petty officer.

(d) *Information broadcasts.* The Captain COTP or a designated representative will inform the public through Local Notice to Mariners (LNMs), Broadcast Notices to Mariners (BNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

A.W. Demo,

Commander, U.S. Coast Guard, Captain of the Port Marine Safety Unit Pittsburgh.

[FR Doc. 2020–01919 Filed 1–31–20; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2020–0057]

RIN 1625–AA00

Safety Zone; Monongahela River Mile 28.0 to Mile 30.0, Pittsburgh, PA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary safety zone for mile 28.0 to mile 30.0 of the Monongahela River. This action is necessary to provide for the safety of life on these navigable waters near Mitchell Power Plant, Pittsburgh, PA, during an electrical conducter pull from March 2, 2020 through March 20, 2020. This proposed rulemaking would prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the Port Pittsburgh or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before March 4, 2020.

ADDRESSES: You may submit comments identified by docket number USCG–2020–0057 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 MST2 Trevor Vannatta, Waterways Management U.S. Coast Guard; telephone 412–221–0807, email *Trevor.J.Vannata@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section

U.S.C. United States Code

II. Background, Purpose, and Legal Basis

On November 12, 2019, the Duquesne Light Company notified the Coast Guard that it will be conducting an electrical conducter pull on March 2, 2020, in order to replace existing electrical conductor with new higher ampacity electrical conductor. The conducter pull will take place at mile 29 near Mitchell Power Plant on the Monongahela River near Pittsburgh, PA. Hazards from the conducter pull include danger to the navigability of the waterway due to obstruction by equipment. The Captain of the Port Pittsburgh (COTP) has determined that potential hazards associated with the maintanence work would be a safety concern for anyone transiting the river.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters before, during, and after the scheduled maintenance activity. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231).

III. Discussion of Proposed Rule

The COTP is proposing to establish a safety zone from March 2, 2020 through March 20, 2020. The safety zone would cover all navigable waters from mile 28.0 to mile 30.0 on the Monongahela River near Pittsburgh, PA. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after a scheduled maintenance activity. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are proposing 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, 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 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 size, location, and duration of the safety zone. The safety zone will impact a 2-mile stretch of the Monongahela River for 19 days, and vessel traffic would be able to safely transit around this safety zone. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

B. Impact on Small Entities

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

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

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 call or email 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 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 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, 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 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 a safety zone lasting from March 2, 2020 through March 20, 2020 from mile 28.0 to mile 30.0 on the Monongahela River near Pittsburgh, PA. Normally such actions are 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 preliminary 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. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

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.

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,* 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 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 165

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 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.T08–0057 to read as follows:

§ 165.T08–0057 Safety Zone; Monongahela, Mile 28.0 to Mile 30.0, Pittsburgh, PA.

(a) *Location.* The following area is a safety zone: all navigable waters of the Monongahela River from mile 28.0 to mile 30.0.

(b) *Effective period.* This section is effective from March 2, 2020 through March 20, 2020.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry of persons and vessels into this zone is prohibited unless authorized by the Captain of the Port Marine Safety Unit Pittsburgh (COTP) or a designated representative.

(2) Persons or vessels requiring entry into or passage through the zone must request permission from the COTP or a designated representative. The COTP's representative may be contacted at 412–221–0807.

(3) All persons and vessels shall comply with the instructions of the COTP or a designated representative. Designated COTP representatives include United States Coast Guard commissioned, warrant, and petty officer.

(d) *Information broadcasts.* The Captain COTP or a designated representative will inform the public through Local Notice to Mariners (LNMs), Broadcast Notices to Mariners (BNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

A.W. Demo,

Commander, U.S. Coast Guard, Captain of the Port Marine Safety Unit Pittsburgh.

[FR Doc. 2020–01920 Filed 1–31–20; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 10

[Docket No. FWS–HQ–MB–2018–0090; FF09M29000–201–FXMB12320900000]

RIN 1018–BD76

Migratory Bird Permits; Regulations Governing Take of Migratory Birds; Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Supplementary proposed rule; intent to prepare an environmental impact statement.

SUMMARY: This document advises that we, the U.S. Fish and Wildlife Service (Service), intend to prepare a draft environmental impact statement pursuant to the National Environmental Policy Act of 1969 (NEPA). The Service hereby notifies Federal, State, and local agencies, tribes, and the public of our intentions to evaluate the potential environmental impacts of a proposal to adopt a regulation that clarifies that the Migratory Bird Treaty Act's prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same, apply only to actions directed at migratory birds, their nests, or their eggs, and, therefore, do not extend to incidental take, which occurs when injury or mortality to migratory birds results from, but is not the purpose of, an activity. The review will analyze the environmental effects of the proposed approach and will provide detailed analysis of the environmental effects of the proposed rule. We invite input from other Federal and State agencies, tribes, nongovernmental organizations, and members of the public on the scope of the proposed NEPA analysis, the pertinent issues we should address, and alternatives to our proposed approach for implementing the MBTA. We will hold multiple public scoping webinars to inform the public about the proposal.

DATES:

Comment submission: Public scoping will begin with the publication of this document in the **Federal Register** and will continue through March 19, 2020.

We will consider all comments on the scope of the draft environmental review that are received or postmarked by that date. Comments received or postmarked after that date will be considered to the extent practicable.

Public scoping meetings: We will hold public scoping meetings in the form of multiple webinars in February/March 2020. We will announce exact webinar dates, times, and registration details on the internet at *https://fws.gov/migratorybirds/2020Regulation.php.*

ADDRESSES:

Comment submission: You may submit written comments by one of the following methods. Please do not submit comments by both.

(1) *Electronically:* Go to the Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments to Docket No. FWS–HQ–MB–2018–0090.

(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–HQ–MB–2018–0090; U.S. Fish and Wildlife Service; MS: JAO/1N; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

We do not accept email or faxes. We will post all comments on *http://www.regulations.gov,* including any personal information you provide.

Document availability: The proposed rule and supplementary materials will be available at the Federal eRulemaking Portal: *http://www.regulations.gov* in Docket No. FWS–HQ–MB–2018–0090.

FOR FURTHER INFORMATION CONTACT: Jerome Ford, Assistant Director, Migratory Birds, U.S. Fish and Wildlife Service at 202–208–1050.

SUPPLEMENTARY INFORMATION:

Background

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703–12) was enacted in 1918 to help fulfill the United States' obligations under the 1916 ''Convention between the United States and Great Britain for the protection of Migratory Birds,'' 39 Stat. 1702 (Aug. 16, 1916) (ratified Dec. 7, 1916) (Migratory Bird Treaty). The list of migratory birds protected by the MBTA is currently codified in title 50 of the Code of Federal Regulations at 50 CFR 10.13.

In its current form, section 2(a) of the MBTA (16 U.S.C. 703(a)) provides that, unless permitted by regulations, it is unlawful:

> at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof.

Section 3(a) of the MBTA (16 U.S.C. 704(a)) authorizes and directs the Secretary of the Interior to ''adopt suitable regulations'' allowing ''hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any such bird, or any part, nest, or egg thereof'' while considering (''having due regard to'') temperature zones and ''distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of such birds.'' Section 3(a) also requires the Secretary to ''determine when, to what extent, if at all, and by what means, it is compatible with the terms of the conventions'' to adopt such regulations allowing these otherwise-prohibited activities.

On December 22, 2017, the Principal Deputy Solicitor of the Department of the Interior, exercising the authority of the Solicitor pursuant to Secretary's Order 3345, issued a legal opinion, M–37050, ''The Migratory Bird Treaty Act Does Not Prohibit Incidental Take'' (M–37050 or M-Opinion). This opinion thoroughly examined the text, history, and purpose of the MBTA and concluded that the MBTA's prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same apply only to actions directed at migratory birds, their nests, or their eggs. This opinion is consistent with the Fifth Circuit's decision in *United States* v. *CITGO Petroleum Corp.,* 801 F.3d 477 (5th Cir. 2015), which examined whether the MBTA prohibits incidental take. It also marked a change from prior U.S. Fish and Wildlife Service interpretations and an earlier Solicitor's Opinion, M–37041, ''Incidental Take Prohibited Under the Migratory Bird Treaty Act.'' The Office of the Solicitor performs the legal work for the Department of the Interior, including the U.S. Fish and Wildlife Service. The Service is the Federal agency delegated the primary responsibility for managing migratory birds.

Need for Proposed Agency Action

The Service proposes to interpret the MBTA to prohibit only actions directed at migratory birds, their nests, or their eggs, and to clarify that incidental take is not prohibited. The purpose of this action is to provide an official regulatory definition of the scope of the statute as it relates to incidental take. The Service needs to conduct this action to improve consistency in enforcement of the MBTA's prohibitions across the country and thereby eliminate public uncertainty caused by the current patchwork of legal standards across the different Circuit Courts of Appeal, which have reached different conclusions on the central question of whether the MBTA prohibits incidental take. This approach also aligns with and implements the Department's interpretation of the MBTA in M–37050.

NEPA Analysis of Potential Codification of the Solicitor's Opinion Options

The National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321–4347) requires Federal agencies to undertake an assessment of the environmental effects of any proposed action prior to making a final decision and implementing it. NEPA requirements apply to any Federal project, decision, or action that may have a significant impact on the quality of the human environment. NEPA also established the Council on Environmental Quality, which issued regulations implementing the procedural provisions of NEPA (40 CFR 1500–1508).

We intend to complete an environmental impact statement to assess the impacts of codifying the Solicitor's Opinion, M–37050 and the effects on migratory bird populations of mortality resulting from incidental take. We will address our compliance with other applicable authorities in our proposed environmental review.

Tribal Trust Responsibilities

The Service has overarching Tribal Trust Doctrine responsibilities to tribes under the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d); the National Historic Preservation Act (16 U.S.C. 470 *et seq.*); the American Indian Religious Freedom Act (42 U.S.C. 1996); the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb *et seq.*); Secretarial Order 3206, American Indian Tribal Rights, Federal–Tribal Trust Responsibilities, and the Endangered Species Act (June 5, 1997); Executive Order 13007, Indian Sacred Sites (61 FR 26771, May 29, 1996); and the Service's Native American Policy. We apply the terms ''tribal'' or ''tribe(s)'' generally to federally recognized tribes and Alaska Native tribal entities. We will refer to Native Hawaiian Organizations separately when we intend to include those entities. The Service will separately consult with tribes and with Native Hawaiians on the proposals set forth in the proposed rule. We will also ensure that those tribes and Native

Hawaiians wishing to engage directly in the NEPA process will have the opportunity to do so. As part of this process, we will protect the confidential nature of any consultations and other communications we have with tribes and Native Hawaiians to the extent authorized by law.

Public Scoping and Comments

See **DATES** for information about upcoming scoping webinars. Please note that the Service will ensure that the public scoping webinars will be accessible to members of the public with disabilities. A primary purpose of the scoping process is to receive suggestions and information on the scope of issues and alternatives to consider when drafting the environmental documents and to identify significant issues and reasonable alternatives related to the Service's proposed action. To ensure that we identify a range of issues and alternatives related to the proposed action, we invite comments and suggestions from all interested parties. We will conduct a review of this proposed action according to the requirements of NEPA and its regulations, other relevant Federal laws, regulations, policies, and guidance, and our procedures for compliance with applicable regulations.

We request information from interested government agencies, Native American tribes, Native Hawaiian Organizations, the scientific community, industry, nongovernmental organizations, and other interested parties. We solicit input on the following:

(1) The avoidance, minimization, and mitigation measures entities employed to address incidental take of migratory birds (prior to M-Opinion 37050);

(2) The direct costs associated with implementing these measures;

(3) The indirect costs that entities have incurred related to the legal risk of prosecution for incidental take of migratory birds (*e.g.,* legal fees, increased interest rates on financing, insurance, opportunity costs);

(4) The extent that avoidance, minimization, and mitigation measures continue to be used (after issuance of M-Opinion 37050);

(5) Any quantitative information regarding the economic benefits and/or ecosystem services (*e.g.,* pollination, pest control, etc.) provided by migratory birds;

(6) Information regarding resources that may be affected by the proposal; and

(7) Species having religious or cultural significance for tribes and Native Hawaiian Organizations, and species having cultural significance for the general public and impacts to cultural values from the actions being considered.

You may submit your comments and materials by one of the methods described above under **ADDRESSES**. Once the draft environmental documents are completed, we will offer further opportunities for public comment.

Public Availability of Comments

Written comments we receive become part of the public record associated with this action. Your address, phone number, email address, or other personal identifying information that you include in your comment may become publicly available. You may ask us to withhold your personal identifying information from public review, but 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.

Authority

The authorities for this action are the Migratory Bird Treaty Act (16 U.S.C. 703–712) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*).

Dated: January 6, 2020.

Rob Wallace,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2020–01770 Filed 1–31–20; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 10

[Docket No. FWS–HQ–MB–2018–0090; FF09M29000–156–FXMB1232090BPP0]

RIN 1018–BD76

Regulations Governing Take of Migratory Birds

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (FWS, Service, we), propose to adopt a regulation that defines the scope of the Migratory Bird Treaty Act (MBTA or Act) as it applies to conduct resulting in the injury or death of migratory birds protected by the Act. This proposed rule is consistent with the Solicitor's Opinion, M–37050, which concludes that the MBTA's prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same, apply only to actions directed at migratory birds, their nests, or their eggs.

DATES: We will accept written comments on this proposed rule until March 19, 2020.

ADDRESSES: You may submit comments by either one of the following methods. Please do not submit comments by both.

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments to Docket No. FWS–HQ–MB–2018–0090.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: FWS–HQ–MB–2018–0090; U.S. Fish and Wildlife Service; MS: JAO/1N; 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We will not accept email or faxes. We will post all comments on *http://www.regulations.gov,* including any personal information you provide. See Public Comments, below, for more information.

FOR FURTHER INFORMATION CONTACT: Jerome Ford, Assistant Director, Migratory Birds, at 202–208–1050.

SUPPLEMENTARY INFORMATION:

Background

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 *et seq.*) was enacted in 1918 to help fulfill the United States' obligations under the 1916 ''Convention between the United States and Great Britain for the protection of Migratory Birds.'' 39 Stat. 1702 (Aug. 16, 1916) (ratified Dec. 7, 1916) (Migratory Bird Treaty). The list of applicable migratory birds protected by the MBTA is currently codified in title 50 of the Code of Federal Regulations at 50 CFR 10.13.

In its current form, section 2(a) of the MBTA provides that, unless permitted by regulations, it is unlawful:

> at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof.

16 U.S.C. 703(a).

Section 3(a) of the MBTA authorizes and directs the Secretary of the Interior

to ''adopt suitable regulations'' allowing ''hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any such bird, or any part, nest, or egg thereof'' while considering (''having due regard to'') temperature zones and ''distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of such birds.'' 16 U.S.C. 704(a). Section 3(a) also requires the Secretary to ''determine when, to what extent, if at all, and by what means, it is compatible with the terms of the conventions'' to adopt such regulations allowing these otherwise-prohibited activities. *Id.*

On December 22, 2017, the Principal Deputy Solicitor of the Department of the Interior, exercising the authority of the Solicitor pursuant to Secretary's Order 3345, issued a legal opinion, M–37050, ''The Migratory Bird Treaty Act Does Not Prohibit Incidental Take'' (M–37050 or M–Opinion). This opinion thoroughly examined the text, history, and purpose of the MBTA and concluded that the MBTA's prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same apply only to actions that are directed at migratory birds, their nests, or their eggs. This opinion is consistent with the Fifth Circuit's recent decision in *United States* v. *CITGO Petroleum Corp.,* 801 F.3d 477 (5th Cir. 2015), which examined whether the MBTA prohibits incidental take. It also marked a change from prior U.S. Fish and Wildlife Service interpretations and an earlier Solicitor's Opinion, M–37041, ''Incidental Take Prohibited Under the Migratory Bird Treaty Act.'' The Office of the Solicitor performs the legal work for the Department of the Interior, including the U.S. Fish and Wildlife Service (hereafter ''Service''). The Service is the Federal agency delegated the primary responsibility for managing migratory birds.

This proposed rule addresses the Service's responsibilities under the MBTA. Consistent with M–37050, the Service proposes to adopt a regulation defining the scope of the MBTA's prohibitions to reach only actions directed at migratory birds, their nests, or their eggs.

Provisions of the Proposed Rule

Scope of the Migratory Bird Treaty Act

As a matter of both law and policy, the Service proposes to codify M–37050 in a regulation defining the scope of the MBTA. M–37050 is available on the internet at the Federal eRulemaking Portal: *http://www.regulations.gov* in Docket No. FWS–HQ–MB–2018–0090; and at *https://www.doi.gov/solicitor/opinions.*

As described in M–37050, the text and purpose of the MBTA indicate that the MBTA's prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same only criminalize actions that are specifically directed at migratory birds, their nests, or their eggs.

The relevant portion of the MBTA reads, ''it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill . . . any migratory bird, [or] any part, nest, or egg of any such bird.'' 16 U.S.C. 703(a). Of the five referenced verbs, three—pursue, hunt, and capture—unambiguously require an action that is directed at migratory birds, nests, or eggs. To wit, according to the entry for each word in a contemporary dictionary:

- Pursue means ''[t]o follow with a view to overtake; to follow eagerly, or with haste; to chase.'' *Webster's Revised Unabridged Dictionary* 1166 (1913);
- Hunt means ''[t]o search for or follow after, as game or wild animals; to chase; to pursue for the purpose of catching or killing.'' *Id.* at 713; and
- Capture means ''[t]o seize or take possession of by force, surprise, or stratagem; to overcome and hold; to secure by effort.'' *Id.* at 215.

Thus, one does not passively or accidentally pursue, hunt, or capture. Rather, each requires a deliberate action specifically directed at achieving a goal.

By contrast, the verbs ''kill'' and ''take'' could refer to active or passive conduct, depending on the context. *See id.* at 813 (''kill'' may mean the more active ''to put to death; to slay'' or serve as the general term for depriving of life); *id.* at 1469 (''take'' has many definitions, including the more passive ''[t]o receive into one's hold, possession, etc., by a voluntary act'' or the more active ''[t]o lay hold of, as in grasping, seizing, catching, capturing, adhering to, or the like; grasp; seize;—implying or suggesting the use of physical force'').

Any ambiguity inherent in the statute's use of the terms ''take'' and ''kill'' is resolved by applying established rules of statutory construction. First and foremost, when any words ''are associated in a context suggesting that the words have something in common, they should be assigned a permissible meaning that makes them similar.'' Antonin Scalia & Bryan A. Garner, Reading the Law: The interpretation of Legal Texts, 195 (2012); *see also Third Nat'l Bank* v. *Impac, Ltd.,* 432 U.S. 312, 321 (1977) (''As always, '[t]he meaning of particular phrases must be determined in context' . . . .'' (quoting *SEC* v. *Nat'l Sec., Inc.,* 393 U.S. 453, 466 (1969)); *Beecham* v. *United States,* 511 U.S. 368, 371 (1994) (the fact that ''several items in a list share an attribute counsels in favor of interpreting the other items as possessing that attribute as well''). Section 2 of the MBTA groups together five verbs—''pursue,'' ''hunt,'' ''take,'' ''capture,'' and ''kill.'' Accordingly, the statutory construction canon of *noscitur a sociis* (''it is known by its associates'') counsels in favor of reading each verb to have a related meaning. *See Scalia & Garner* at 195 (''The canon especially holds that 'words grouped in a list should be given related meanings.' '' (quoting *Third Nat'l Bank,* 432 U.S. at 322)).

Thus, when read together with the other active verbs in section 2 of the MBTA, the proper meaning is evident. The operative verbs (''pursue, hunt, take, capture, kill'') ''are all affirmative acts . . . which are directed immediately and intentionally against a particular animal—not acts or omissions that indirectly and accidentally cause injury to a population of animals.'' *Sweet Home,* 515 U.S. at 719–20 (Scalia, J., dissenting) (agreeing with the majority opinion that certain terms in the definition of the term ''take'' in the Endangered Species Act (ESA)—identical to the other prohibited acts referenced in the MBTA—refer to deliberate actions, while disagreeing that the use of the additional definitional term ''harm''—used only in the ESA—meant that ''take'' should be read more broadly to include actions not deliberately directed at covered species); *see also United States* v. *CITGO Petroleum Corp.,* 801 F.3d 477, 489 n.10 (5th Cir. 2015) (''Even if 'kill' does have independent meaning [from 'take'], the Supreme Court, interpreting a similar list in the [Endangered Species Act], concluded that the terms pursue, hunt, shoot, wound, kill, trap, capture, and collect, generally refer to deliberate actions''); *cf. Sweet Home,* 515 U.S. at 698 n.11 (Congress's decision to specifically define ''take'' in the ESA obviated the need to define its common-law meaning).

Accordingly, it is reasonable to conclude that the MBTA's prohibition on killing is similarly limited to deliberate acts that result in bird deaths. *See Newton County Wildlife Ass'n* v. *U.S. Forest Serv.,* 113 F.3d 110, 115 (8th Cir. 1997) (''MBTA's plain language prohibits conduct directed at migratory birds . . . . [T]he ambiguous terms 'take' and 'kill' in 16 U.S.C. 703 mean 'physical conduct of the sort engaged in by hunters and poachers . . . .' ''

(quoting *Seattle Audubon Soc'y* v. *Evans,* 952 F.2d 297, 302 (9th Cir. 1991))); *United States* v. *Brigham Oil & Gas,* 840 F. Supp. 2d 1202, 1208 (D.N.D. 2012) (''In the context of the Act, 'take' refers to conduct directed at birds, such as hunting and poaching, and not acts or omissions having merely the incidental or unintended effect of causing bird deaths''). This conclusion is also supported by the U.S. Fish and Wildlife Service's implementing regulations, which define ''take'' to mean ''to pursue, hunt, shoot, wound, kill, trap, capture, or collect'' or attempt to do the same. 50 CFR 10.12. The component actions of ''take'' involve direct and purposeful actions to reduce animals to human control. As such, they ''reinforce [ ] the dictionary definition, and confirm [ ] that 'take' does not refer to accidental activity or the unintended results of other conduct.'' *Brigham Oil & Gas,* 840 F. Supp. 2d at 1209. This interpretation does not render the words ''take'' and ''kill'' redundant since each has its own discrete definition; indeed, one can hunt or pursue an animal without either killing it or taking it under the definitions relevant at the time the MBTA was enacted.

Furthermore, the notion that ''take'' refers to an action directed immediately against a particular animal is supported by the use of the word ''take'' in the common law. As the Supreme Court has instructed, ''absent contrary indications, Congress intends to adopt the common law definition of statutory terms.'' *United States* v. *Shabani,* 513 U.S. 10, 13 (1994). As Justice Scalia noted, ''the term ['take'] is as old as the law itself.'' *Sweet Home,* 515 U.S. at 717 (Scalia, J., dissenting). For example, the Digest of Justinian places ''take'' squarely in the context of acquiring dominion over wild animals, stating:

> [A]ll the animals which can be taken upon the earth, in the sea, or in the air, that is to say, wild animals, belong to those who take them. . . . Because that which belongs to nobody is acquired by the natural law by the person who first possesses it. We do not distinguish the acquisition of these wild beasts and birds by whether one has captured them on his own property [or] on the property of another; but he who wishes to enter into the property of another to hunt can be readily prevented if the owner knows his purpose to do so.

Geer v. *Connecticut,* 161 U.S. 519, 523 (1896) (quoting Digest, Book 41, Tit. 1, De Adquir. Rer. Dom.). Likewise, Blackstone's Commentaries provide:

> A man may lastly have a qualified property in animals *feroe naturoe, propter privilegium,* that is, he may have the privilege of hunting, taking and killing them in exclusion of other persons. Here he has a transient property in these animals usually called game so long as they continue within his liberty, and may restrain any stranger from taking them therein; but the instant they depart into another liberty, this qualified property ceases.

Id. at 526–27 (1896) (quoting 2 Blackstone Commentary 410). Thus, under common law ''[t]o 'take,' when applied to wild animals, means to reduce those animals, by killing or capturing, to human control.'' *Sweet Home,* 515 U.S. at 717 (Scalia, J., dissenting); *see also CITGO,* 801 F.3d at 489 (''Justice Scalia's discussion of 'take' as used in the Endangered Species Act is not challenged here by the government . . . because Congress gave 'take' a broader meaning for that statute.''). As is the case with the ESA, in the MBTA, ''[t]he taking prohibition is only part of the regulatory plan . . ., which covers all stages of the process by which protected wildlife is reduced to man's dominion and made the object of profit,'' and, as such, is ''a term of art deeply embedded in the statutory and common law concerning wildlife'' that ''describes a class of acts (not omissions) done directly and intentionally (not indirectly and by accident) to particular animals (not populations of animals).'' *Sweet Home,* 515 U.S. at 718 (Scalia, J., dissenting). The common-law meaning of the term ''take'' is particularly important here because, unlike the ESA, which specifically defines the term ''take,'' the MBTA does not define ''take''—instead it includes the term in a list of similar actions. Thus, the *Sweet Home* majority's ultimate conclusion that Congress's decision to define ''take'' in the ESA obviated the need to divine its common-law meaning is inapplicable here. *See id.* at 697, n.10. Instead, the opposite is true.

A number of courts, as well as the prior M-Opinion, have focused on the MBTA's direction that a prohibited act can occur ''at any time, by any means, in any manner'' to support the conclusion that the statute prohibits any activity that results in the death of a bird, which would necessarily include incidental take. However, the quoted statutory language does not change the nature of those prohibited acts and simply clarifies that activities directed at migratory birds, such as hunting and poaching, are prohibited whenever and wherever they occur and whatever manner is applied, be it a shotgun, a bow, or some other creative approach to deliberately taking birds. *See generally CITGO,* 801 F.3d at 490 (''The addition of adverbial phrases connoting 'means' and 'manner,' however, does not serve to transform the nature of the activities themselves. For instance, the manner and means of hunting may differ from bowhunting to rifles, shotguns, and air rifles, but hunting is still a deliberately conducted activity. Likewise, rendering all-inclusive the manner and means of 'taking' migratory birds does not change what 'take' means, it merely modifies the mode of take.'').

In reaching a contrary conclusion, Opinion M–37041 assumed that because section 703 of the MBTA is a strict-liability provision, meaning that no *mens rea* or criminal intent is required for a violation to have taken place, *any* act that takes or kills a bird must be covered as long as the act results in the death of a bird. In making that assumption, M–37041 improperly ignored the meaning and context of the actual acts prohibited by the statute. Instead, the opinion presumed that the lack of a mental state requirement for a misdemeanor violation of the MBTA equated to reading the prohibited acts ''kill'' and ''take'' as broadly applying to actions not specifically directed at migratory birds, so long as the result was their death or injury. But the relevant acts prohibited by the MBTA are voluntary acts directed at reducing an animal to human control, such as when a hunter shoots a protected bird causing its death. The key remains that the actor was engaged in an activity the object of which was to render a bird subject to human control.

By contrast, liability fails to attach to actions that are not directed toward rendering an animal subject to human control. Common examples of such actions include: driving a car, allowing a pet cat to roam outdoors, or erecting a windowed building. All of these actions could foreseeably result in the deaths of protected birds, and all would be violations of the MBTA under the now-withdrawn M-Opinion if they did in fact result in deaths of protected birds, yet none of these actions have as their object rendering any animal subject to human control. Because, under the present interpretation, no ''take'' has occurred within the meaning of the MBTA, the strict-liability provisions of the Act would not be triggered.

The prior M-Opinion posited that amendments to the MBTA imposing mental state requirements for certain specific offenses were only necessary if no mental state is otherwise required. But the conclusion that the taking and killing of migratory birds is a strict-liability crime does not answer the separate question of what acts are criminalized under the statute. The Fifth Circuit agreed in *CITGO,* stating ''we disagree that because misdemeanor

MBTA violations are strict liability crimes, a 'take' includes acts (or omissions) that indirectly or accidentally kill migratory birds.'' The court goes on to note that ''[a] person whose car accidentally collided with the bird . . . has committed no act 'taking' the bird for which he could be held strictly liable. Nor do the owners of electrical lines 'take' migratory birds who run into them. These distinctions are inherent in the nature of the word 'taking' and reveal the strict liability argument as a non-sequitur.'' 801 F.3d at 493. Similarly, in *Mahler* v. *U.S. Forest Serv.,* 927 F. Supp. 1559 (S.D. Ind. 1996), the court described the interplay between activities that are specifically directed at birds and the strict liability standard of the MBTA:

> [A comment in the legislative history] in favor of strict liability does not show any intention on the part of Congress to extend the scope of the MBTA beyond hunting, trapping, poaching, and trading in birds and bird parts to reach any and all human activity that might cause the death of a migratory bird. Those who engage in such activity and who accidentally kill a protected migratory bird or who violate the limits on their permits may be charged with misdemeanors without proof of intent to kill a *protected* bird or intent to violate the terms of a permit. That does not mean, however, that Congress intended for ''strict liability'' to apply to all forms of human activity, such as cutting a tree, mowing a hayfield, or flying a plane. The 1986 amendment and corresponding legislative history reveal only an intention to close a loophole that might prevent felony prosecutions for commercial trafficking in migratory birds and their parts.
>
> Thus, there appears to be no explicit basis in the language or the development of the MBTA for concluding that it was intended to be applied to any and all human activity that causes even unintentional deaths of migratory birds.

927 F. Supp. at 1581 (referencing S. Rep. No. 99–445, at 16 (1986), *reprinted* in 1986 U.S.C.C.A.N. 6113, 6128). Thus, limiting the range of actions prohibited by the MBTA to those that are directed at migratory birds will focus prosecutions on activities like hunting and trapping and exclude more attenuated conduct, such as lawful commercial activity, that unintentionally and indirectly results in the death of migratory birds.

The History of the MBTA

The history of the MBTA and the debate surrounding its adoption illustrate that the Act was part of Congress's efforts to regulate the hunting of migratory birds in direct response to the extreme over-hunting, largely for commercial purposes, that had occurred over the years. *See United States* v. *Moon Lake Electric Ass'n,* 45 F. Supp. 2d 1070, 1080 (D. Colo. 1999) (''the MBTA's legislative history indicates that Congress intended to regulate recreational and commercial hunting''); *Mahler,* 927 F. Supp. at 1574 (''The MBTA was designed to forestall hunting of migratory birds and the sale of their parts''). Testimony concerning the MBTA given by the Solicitor's Office for the Department of Agriculture underscores this focus:

> We people down here hunt [migratory birds]. The Canadians reasonably want some assurances from the United States that if they let those birds rear their young up there and come down here, we will preserve a sufficient supply to permit them to go back there.

Protection of Migratory Birds: Hearing on H.R. 20080 Before the House Comm. on Foreign Affairs, 64th Cong. 22–23 (1917) (statement of R.W. Williams, Solicitor's Office, Department of Agriculture). Likewise, the Chief of the Department of Agriculture's Bureau of Biological Survey noted that he ''ha[s] always had the idea that [passenger pigeons] were destroyed by overhunting, being killed for food and for sport.'' *Protection of Migratory Birds: Hearing on H.R. 20080 Before the House Comm. on Foreign Affairs,* 64th Cong. 11 (1917) (statement of E. W. Nelson, Chief Bureau of Biological Survey, Department of Agriculture).

Statements from individual Congressmen evince a similar focus on hunting. Senator Smith, ''who introduced and championed the Act . . . in the Senate,'' *Leaders in Recent Successful Fight for the Migratory Bird Treaty Act,* Bulletin—The American Game Protective Association, July 1918, at 5, explained:

> Nobody is trying to do anything here except to keep pothunters from killing game out of season, ruining the eggs of nesting birds, and ruining the country by it. Enough birds will keep every insect off of every tree in America, and if you will quit shooting them they will do it.

55 Cong. Rec. 4816 (statement of Sen. Smith) (1917). Likewise, during hearings of the House Foreign Affairs Committee, Congressman Miller, a ''vigorous fighter, who distinguished himself in the debate'' over the MBTA, *Leaders in Recent Successful Fight for the Migratory Bird Treaty Act, Bulletin—The American Game Protective Association,* July 1918, at 5, put the MBTA squarely in the context of hunting:

> I want to assure you . . . that I am heartily in sympathy with this legislation. I want it to go through, because I am up there every fall, and I know what the trouble is. The trouble is in shooting the ducks in Louisiana, Arkansas, and Texas in the summer time, and also killing them when they are nesting up in Canada.

Protection of Migratory Birds: Hearing on H.R. 20080 Before the House Comm. on Foreign Affairs, 64th Cong. 7 (1917) (statement of Rep. Miller).

In seeking to take a broader view of congressional purpose, the *Moon Lake* court looked to other contemporary statements that cited the destruction of habitat, along with improvements in firearms, as a cause of the decline in migratory bird populations. The court even suggested that these statements, which ''anticipated application of the MBTA to children who act 'through inadvertence' or 'through accident,' '' supported a broader reading of the legislative history. *Moon Lake,* 45 F. Supp. 2d at 1080–81. Upon closer examination, these statements are instead consistent with a limited reading of the MBTA.

One such contemporary statement cited by the court is a letter from Secretary of State Robert Lansing to the President attributing the decrease in migratory bird populations to two general issues:

- Habitat destruction, described generally as ''the extension of agriculture, and particularly the draining on a large scale of swamps and meadows;'' and
- Hunting, described in terms of ''improved firearms and a vast increase in the number of sportsmen.''

These statements were referenced by Representative Baker during the House floor debate over the MBTA, implying that the MBTA was intended to address both issues. *Moon Lake,* 45 F. Supp. 2d at 1080–81 (quoting H. Rep. No. 65–243, at 2 (1918) (letter from Secretary of State Robert Lansing to the President)). However, Congress addressed hunting and habitat destruction in the context of the Migratory Bird Treaty through two separate acts:

- First, in 1918, Congress adopted the MBTA to address the direct and intentional killing of migratory birds;
- Second, in 1929, Congress adopted the Migratory Bird Conservation Act to ''more effectively'' implement the Migratory Bird Treaty by protecting certain migratory bird habitats.

The Migratory Bird Conservation Act provided the authority to purchase or rent land for the conservation of migratory birds, including for the establishment of inviolate ''sanctuaries'' wherein migratory bird habitats would be protected from persons ''cut[ting], burn[ing], or destroy[ing] any timber, grass, or other natural growth.'' Migratory Bird Conservation Act, section 10, 45 Stat. 1222, 1224 (1929)

(codified as amended at 16 U.S.C. 715–715s). If the MBTA was originally understood to protect migratory bird habitats from incidental destruction, enactment of the Migratory Bird Conservation Act eleven years later would have been largely superfluous. Instead, the MBTA and the Migratory Bird Conservation Act are complementary: ''Together, the Treaty Act in regulating hunting and possession and the Conservation Act by establishing sanctuaries and preserving natural waterfowl habitat help implement our national commitment to the protection of migratory birds.'' *United States* v. *North Dakota,* 650 F.2d 911, 913–14 (8th Cir. 1981), *aff'd on other grounds,* 460 U.S. 300 (1983).

Some courts have attempted to interpret a number of floor statements as supporting the notion that Congress intended the MBTA to regulate more than just hunting and poaching, but those statements reflect an intention to prohibit actions directed at birds—whether accomplished through hunting or some other means intended to directly kill birds. For example, some Members ''anticipated application of the MBTA to children who act 'through inadvertence' or 'through accident.' ''

> What are you going to do in a case like this: A barefoot boy, as barefoot boys sometimes do, largely through inadvertence and without meaning anything wrong, happens to throw a stone at and strikes and injures a robin's nest and breaks one of the eggs, whereupon he is hauled before a court for violation of a solemn treaty entered into between the United States of America and the Provinces of Canada.

Moon Lake, 45 F. Supp. 2d at 1081 (quoting 56 Cong. Rec. 7455 (1918) (statement of Rep. Mondell)). ''[I]nadvertence'' in this statement refers to the boy's *mens rea.* As the rest of the sentence clarifies, the hypothetical boy acted ''without *meaning* anything wrong,'' not that he acted unintentionally or accidentally in damaging the robin's nest. This is reinforced by the rest of the hypothetical, which posits that the boy threw ''a stone *at* and strikes and injures a robin's nest.'' The underlying act is directed specifically at the robin's nest. In other statements various members of Congress expressed concern about ''sportsmen,'' people ''killing'' birds, ''shooting'' of game birds or ''destruction'' of insectivorous birds, and whether the purpose of the MBTA was to favor a steady supply of ''game animals for the upper classes.'' *Moon Lake,* 45 F. Supp. 2d at 1080–81. One Member of Congress even offered a statement that explains why the statute is not redundant in its use of the various terms to explain what activities are regulated: ''[T]hey cannot hunt ducks in Indiana in the fall, because they cannot kill them. I have never been able to see why you cannot hunt, whether you kill or not. There is no embargo on hunting, at least down in South Carolina . . . .' '' *Id.* at 1081 (quoting 56 Cong. Rec. 7446 (1918) (statement of Rep. Stevenson)). That Congress was animated regarding potential restrictions on hunting and its impact on individual hunters is evident from even the statements relied upon as support for the conclusion that the statute reaches incidental take.

Finally, in 1918, Federal regulation of the hunting of wild birds was a highly controversial and legally fraught subject. For example, on the floor of the Senate, Senator Reed proclaimed:

> I am opposed not only now in reference to this bill [the MBTA], but I am opposed as a general proposition to conferring power of that kind upon an agent of the Government. . . .
>
> . . . Section 3 proposes to turn these powers over to the Secretary of Agriculture . . . to make it a crime for a man to shoot game on his own farm or to make it perfectly legal to shoot it on his own farm . . . .
>
> When a Secretary of Agriculture does a thing of that kind I have no hesitancy in saying that he is doing a thing that is utterly indefensible, and that the Secretary of Agriculture who does it ought to be driven from office . . . .

55 Cong. Rec. 4813 (1917) (statement of Sen. Reed).

Federal regulation of hunting was also legally tenuous at that time. Whether the Federal Government had any authority to regulate the killing or taking of any wild animal was an open question in 1918. Just over 20 years earlier, the Supreme Court in *Geer* had ruled that the States exercised the power of ownership over wild game in trust, implicitly precluding Federal regulation. *See Geer* v. *Connecticut,* 161 U.S. 519 (1896). When Congress did attempt to assert a degree of Federal jurisdiction over wild game with the 1913 Weeks-McLean Law, it was met with mixed results in the courts, leaving the question pending before the Supreme Court at the time of the MBTA's enactment. *See, e.g., United States* v. *Shaver,* 214 F. 154, 160 (E.D. Ark. 1914); *United States* v. *McCullagh,* 221 F. 288 (D. Kan. 1915). It was not until *Missouri* v. *Holland* in 1920 that the Court, relying on authority derived from the Migratory Bird Treaty (Canada Convention) under the Treaty Clause of the U.S. Constitution, definitively acknowledged the Federal Government's ability to regulate the taking of wild birds. 252 U.S. 416, 432–33 (1920).

Given the legal uncertainty and political controversy surrounding Federal regulation of intentional hunting in 1918, it is highly unlikely that Congress intended to confer authority upon the executive branch to prohibit all manner of activity that had an incidental impact on migratory birds.

The provisions of the 1916 Canada Convention provide support for this conclusion by authorizing only certain circumscribed activities specifically directed at migratory birds. The Convention authorizes hunting only during prescribed open seasons, and take at any time for other limited purposes such as scientific use, propagation, or to resolve conflicts under extraordinary conditions when birds become seriously injurious to agricultural or other interests. *See* Canada Convention, Art. II–VII, 39 Stat. 1702.

Subsequent legislative history does not undermine a limited interpretation of the MBTA, as enacted in 1918. The ''fixed-meaning canon of statutory construction directs that ''[w]ords must be given the meaning they had when the text was adopted.'' Scalia & Garner at 78. The meaning of written instruments ''does not alter. That which it meant when adopted, it means now.'' *South Carolina* v. *United States,* 199 U.S. 437, 448 (1905).

The operative language in section 2 of the MBTA has changed little since its adoption in 1918. The current iteration of the relevant language—making it unlawful for persons ''at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess'' specific migratory birds—was adopted in 1935 as part of the Mexico Treaty Act and has remained unchanged since then. *Compare* Mexico Treaty Act, 49 Stat. 1555, section 3 *with* 16 U.S.C. 703(a). As with the 1916 Canada Convention, the Mexico Convention focused primarily on hunting and establishing protections for birds in the context of take and possession for commercial use. *See* Convention between the United States of America and Mexico for the Protection of Migratory Birds and Game Mammals, 50 Stat. 1311 (Feb. 7, 1936) (Mexico Convention). Subsequent Protocols amending both these Conventions also did not explicitly address incidental take or otherwise broaden their scope to prohibit anything other than purposeful take of migratory birds. *See* Protocol between the Government of the United States and the Government of Canada Amending the 1916 Convention between the United Kingdom and the United States of America for the protection of

Migratory Birds, Sen. Treaty Doc. 104–28 (Dec. 14, 1995) (outlining conservation principles to ensure long-term conservation of migratory birds, amending closed seasons, and authorizing indigenous groups to harvest migratory birds and eggs throughout the year for subsistence purposes); Protocol between the Government of the United States of America and the Government of the United Mexican States Amending the Convention for Protection of Migratory Birds and Game Mammals, Sen. Treaty Doc. 105–26 (May 5, 1997) (authorizing indigenous groups to harvest migratory birds and eggs throughout the year for subsistence purposes).

It was not until more than 50 years after the initial adoption of the MBTA and 25 years after the Mexico Treaty Act that Federal prosecutors began applying the MBTA to incidental actions. *See* Lilley & Firestone at 1181 (''In the early 1970s, *United States* v. *Union Texas Petroleum* [No. 73–CR–127 (D. Colo. Jul. 11, 1973)] marked the first case dealing with the issue of incidental take.''). This newfound Federal authority was not accompanied by any corresponding legislative change. The only contemporaneous changes to section 2 of the MBTA were technical updates recognizing the adoption of a treaty with Japan. *See* Act of June 1, 1974, Public Law 93–300, 88 Stat. 190. Implementing legislation for the treaty with the Soviet Union also did not amend section 2. *See* Fish and Wildlife Improvement Act of 1978, Public Law 95–616, sec. 3(h), 92 Stat. 3110. Similar to the earlier Conventions, the provisions of the Japan and Russia Conventions authorized purposeful take for specific activities such as hunting, scientific, educational and propagation purposes, and protection against injury to persons and property. However, they also outlined mechanisms to protect habitat and prevent damage from pollution and other environmental degradation (domestically implemented by the Migratory Bird Conservation Act and other applicable Federal laws). *See* Convention between the Government of the United States and the Government of Japan for the Protection of Migratory birds and Birds in Danger of Extinction, and their Environment, 25 U.S.T. 3329, T.I.A.S. No. 7990 (Mar. 4, 1972) (Japan Convention); Convention between the United States of America and the Union of Soviet Socialist Republics Concerning the Conservation of Migratory Birds and their Environment, T.I.A.S. No. 9073 (Nov. 19, 1976) (Russia Convention).

No changes were made to the section of the MBTA at issue here following the later conventions except that the Act was modified to include references to these later agreements. Certainly other Federal laws may require consideration of potential impacts to birds and their habitat in a way that furthers the goals of the Conventions' broad statements. *See, e.g., Mahler,* 927 F. Supp. at 1581 (''Many other statutes enacted in the intervening years also counsel against reading the MBTA to prohibit any and all migratory bird deaths resulting from logging activities in national forests. As is apparent from the record in this case, the Forest Service must comply with a myriad of statutory and regulatory requirements to authorize even the very modest type of salvage logging operation of a few acres of dead and dying trees at issue in this case. Those laws require the Forest Service to manage national forests so as to balance many competing goals, including timber production, biodiversity, protection of endangered and threatened species, human recreation, aesthetic concerns, and many others.''). Given the overwhelming evidence that the primary purpose of section 2, as amended by the Mexico Treaty Act, was to control over-hunting, the references to the later agreements do not bear the weight of the conclusion reached by the prior Opinion (M–37041).

Thus, the only legislative enactment concerning incidental activity under the MBTA is the 2003 appropriations bill that explicitly exempted military-readiness activities from liability under the MBTA for incidental takings. *See* Bob Stump National Defense Authorization Act for Fiscal Year 2003, Public Law 107–314, Div. A, Title III, section 315, 116 Stat. 2509 (2002), *reprinted in* 16 U.S.C.A. 703, Historical and Statutory Notes. There is nothing in this legislation that authorizes the government to pursue incidental takings charges in other contexts. Rather, some have ''argue[d] that Congress expanded the definition of 'take' by negative implication'' since ''[t]he exemption did not extend to the 'operation of industrial facilities,' even though the government had previously prosecuted activities that indirectly affect birds.'' *CITGO,* 801 F.3d at 490–91.

This argument is contrary to the Court's admonition that ''Congress . . . does not alter the fundamental details of a regulatory scheme in vague terms or ancillary provisions—it does not, one might say, hide elephants in mouseholes.'' *Whitman* v. *Am. Trucking Ass'ns,* 531 U.S. 457, 468 (2001). As the Fifth Circuit explained, ''[a] single carve-out from the law cannot mean that the entire coverage of the MBTA was implicitly and hugely expanded.'' *CITGO,* 801 F.3d at 491. Rather, it appears Congress acted in a limited fashion to preempt a specific and immediate impediment to military-readiness activities. ''Whether Congress deliberately avoided more broadly changing the MBTA or simply chose to address a discrete problem, the most that can be said is that Congress did no more than the plain text of the amendment means.'' *Id.* It did not hide the elephant of incidental takings in the mouse hole of a narrow appropriations provision.

Constitutional Issues

The Supreme Court has recognized that ''[a] fundamental principle in our legal system is that laws which regulate persons or entities must give fair notice of conduct that is forbidden or required.'' *FCC* v. *Fox Television Stations, Inc.,* 567 U.S. 239, 253 (2012). ''No one may be required at peril of life, liberty or property to speculate as to the meaning of penal statutes.'' *Lanzetta* v. *New Jersey,* 306 U.S. 451, 453 (1939). Accordingly, a ''statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process of law.'' *Fox Television,* 567 U.S. at 253 (quoting *Connally* v. *General Constr. Co.,* 269 U.S. 385, 391 (1926)). Thus, ''[a] conviction or punishment fails to comply with due process if the statute or regulation under which it is obtained 'fails to provide a person of ordinary intelligence fair notice of what is prohibited, or is so standardless that it authorizes or encourages seriously discriminatory enforcement.''' *Id.* (quoting *United States* v. *Williams,* 553 U.S. 285, 304 (2008)).

Assuming, *arguendo,* that the MBTA is ambiguous, the interpretation that limits its application to conduct that is specifically directed at birds is necessary to avoid potential constitutional concerns. As the Court has advised, ''where an otherwise acceptable construction of a statute would raise serious constitutional problems, the Court will construe the statute to avoid such problems unless such construction is plainly contrary to the intent of Congress.'' *Edward J. DeBartolo Corp.* v. *Fla. Gulf Coast Bldg. & Constr. Trades Council,* 485 U.S. 568, 575 (1988). Here, an attempt to impose liability for acts that are not directed at migratory birds raises just such constitutional concerns.

The ''scope of liability'' under an interpretation of the MBTA that extends criminal liability to all persons who kill or take migratory birds incidental to another activity is ''hard to overstate,''

CITGO, 801 F.3d at 493, and ''offers unlimited potential for criminal prosecutions.'' *Brigham Oil,* 840 F. Supp. 2d at 1213. ''The list of birds now protected as 'migratory birds' under the MBTA is a long one, including many of the most numerous and least endangered species one can imagine.'' *Mahler,* 927 F. Supp. at 1576. Currently, over 1,000 species of birds—including ''all species native to the United States or its territories''—are protected by the MBTA. 78 FR 65,844, 65,845 (Nov. 1, 2013); *see also* 50 CFR 10.13 (list of protected migratory birds); Migratory Bird Permits; Programmatic Environmental Impact Statement, 80 FR 30032, 30033 (May 26, 2015) (''Of the 1,027 currently protected species, approximately 8% are either listed (in whole or in part) as threatened or endangered under the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*) and 25% are designated (in whole or in part) as Birds of Conservation Concern (BCC).''). Service analysis indicates that the top threats to birds are:

- Cats, which kill an estimated 2.4 billion birds per year;
- Collisions with building glass, which kill an estimated 599 million birds per year;
- Collisions with vehicles, which kill an estimated 214.5 million birds per year;
- Chemical poisoning (*e.g.,* pesticides and other toxins), which kill an estimated 72 million birds per year;
- Collisions with electrical lines, which kill an estimated 25.5 million birds per year;
- Collisions with communications towers, which kill an estimated 6.6 million birds per year;
- Electrocutions, which kill an estimated 5.6 million birds per year;
- Oil pits, which kill an estimated 750 thousand birds per year; and
- Collisions with wind turbines, which kill an estimated 234 thousand birds per year.

U.S. Fish and Wildlife Service, Threats to Birds: Migratory Birds Mortality—Questions and Answers, *available at https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php* (last updated September 14, 2018).

Interpreting the MBTA to apply strict criminal liability to any instance where a migratory bird is killed as a result of these threats would certainly be a clear and understandable rule. *See United States* v. *Apollo Energies, Inc.,* 611 F.3d 679, 689 (10th Cir. 2010) (concluding that under an incidental take interpretation, ''[t]he actions criminalized by the MBTA may be legion, but they are not vague''). But it would also turn the majority of Americans into potential criminals. *See Mahler,* 927 F. Supp. 1577–78 (listing a litany of scenarios where normal everyday actions could potentially and incidentally lead to the death of a single bird or breaking of an egg in a nest)). Such an interpretation could lead to absurd results, which are to be avoided. *See Griffin* v. *Oceanic Contractors,* 458 U.S. 564, 575 (1982) (''interpretations of a statute which would produce absurd results are to be avoided if alternative interpretations consistent with the legislative purpose are available''); *see also K Mart Corp.* v. *Cartier,* 486 U.S. 281, 324 n.2 (1988) (Scalia, J. concurring in part and dissenting in part) (''it is a venerable principle that a law will not be interpreted to produce absurd results.'').

These potentially absurd results are not ameliorated by limiting the definition of ''incidental take'' to ''direct and foreseeable'' harm as some courts have suggested. *See* U.S. Fish and Wildlife Service Manual, part 720, ch. 3, *Incidental Take Prohibited Under the Migratory Bird Treaty Act* (Jan. 11, 2017). The court in *Moon Lake* identified an ''important and inherent limiting feature of the MBTA's misdemeanor provision: To obtain a guilty verdict . . ., the government must prove proximate causation.'' *Moon Lake,* 45 F. Supp. 2d at 1085. Quoting Black's Law Dictionary, the court defines proximate cause as ''that which, in a natural and continuous sequence, unbroken by any efficient intervening cause, produces the injury and without which the accident could not have happened, if the injury be one which might be *reasonably anticipated or foreseen as a natural consequence of the wrongful act.*'' *Id.* (quoting Black's Law Dictionary 1225 (6th ed. 1990)) (emphasis in original). The Tenth Circuit in *Apollo Energies* took a similar approach, holding ''the MBTA requires a defendant to proximately cause the statute's violation for the statute to pass constitutional muster'' and quoting from Black's Law Dictionary to define ''proximate cause.'' *Apollo Energies,* 611 F.3d at 690.

Contrary to the suggestion of the courts in *Moon Lake* and *Apollo Energies* that principles of proximate causation can be read into the statute to define and limit the scope of incidental take, the death of birds as a result of activities such as driving, flying, or maintaining buildings with large windows is a ''direct,'' ''reasonably anticipated,'' and ''probable'' consequence of those actions. As discussed above, collisions with buildings and cars are the second and third most common human-caused threat to birds, killing an estimated 599 million and 214.5 million birds per year, respectively. It is eminently foreseeable and probable that cars and windows will kill birds. Thus, limiting incidental take to direct and foreseeable results does little to prevent absurd outcomes.

To avoid these absurd results, the government has historically relied on prosecutorial discretion. *See* Ogden at 29 (''Historically, the limiting mechanism on the prosecution of incidental taking under the MBTA by non-federal persons has been the exercise of prosecutorial discretion by the FWS.''); *see generally FMC,* 572 F.2d at 905 (situations ''such as deaths caused by automobiles, airplanes, plate glass modern office buildings or picture windows in residential dwellings . . . properly can be left to the sound discretion of prosecutors and the courts''). Yet, the Supreme Court has declared ''[i]t will not do to say that a prosecutor's sense of fairness and the Constitution would prevent a successful . . . prosecution for some of the activities seemingly embraced within the sweeping statutory definitions.'' *Baggett* v. *Bullitt,* 377 U.S. 360, 373 (1964); *see also Mahler,* 927 F. Supp. 1582 (''Such trust in prosecutorial discretion is not really an answer to the issue of statutory construction'' in interpreting the MBTA.). For broad statutes that may be applied to seemingly minor or absurd situations, ''[i]t is no answer to say that the statute would not be applied in such a case.'' *Keyishian* v. *Bd. of Regents,* 385 U.S. 589, 599 (1967).

Recognizing the challenge posed by relying upon prosecutorial discretion, the *FMC* court sought to avoid absurd results by limiting its holding to ''extrahazardous activities.'' *FMC,* 572 F.2d at 907. The term ''extrahazardous activities'' is not found anywhere in the statute, and is not defined by either the court or the Service. *See Mahler,* 927 F. Supp. at 1583 n.9 (noting that the *FMC* court's ''limiting principle . . . of strict liability for hazardous commercial activity . . . ha[s] no apparent basis in the statute itself or in the prior history of the MBTA's application since its enactment''); *cf. United States* v. *Rollins,* 706 F. Supp. 742, 744–45 (D. Idaho 1989) (''The statute itself does not state that poisoning of migratory birds by pesticide constitutes a criminal violation. Such specificity would not have been difficult to draft into the statute''). Thus, it is unclear what activities are ''extrahazardous.'' In *FMC,* the concept was applied to the

manufacture of ''toxic chemicals,'' *i.e.,* pesticides. But the court was silent as to how far this rule extends, even in the relatively narrow context of pesticides.

This type of uncertainty could be problematic under the Supreme Court's due process jurisprudence. *See Rollins,* 706 F. Supp. at 745 (dismissing charges against a farmer who applied pesticides to his fields that killed a flock of geese, reasoning ''[f]armers have a right to know what conduct of theirs is criminal, especially where that conduct consists of common farming practices carried on for many years in the community. While statutes do not have to be drafted with 'mathematical certainty,' they must be drafted with a 'reasonable degree of certainty.' The MBTA fails this test. . . . Under the facts of this case, the MBTA does not give 'fair notice as to what constitutes illegal conduct' so that [the farmer] could 'conform his conduct to the requirements of the law.' '' (internal citations omitted)).

While the MBTA does contemplate the issuance of permits authorizing the taking of wildlife, it requires such permits to be issued by ''regulation.'' *See* 16 U.S.C. 703(a) (''Unless and except as permitted *by regulations* made as hereinafter provided . . ..'' (emphasis added)). No regulations have been issued to create a permit scheme to authorize incidental take, so most potential violators have no formal mechanism to ensure that their actions comply with the law. There are voluntary Service guidelines issued for different industries that recommend best practices to avoid incidental take of protected birds; however, these guidelines provide only limited protection to potential violators. Moreover, most of the Service's MBTA guidelines have not gone through the formal Administrative Procedure Act processes to be considered ''regulations'' and thus are not issued under the permitting authority of section 3 of the MBTA.

In the absence of a permit issued pursuant to Departmental regulation, it is not clear that the Service has any authority under the MBTA to require minimizing or mitigating actions that balance the environmental harm from the taking of migratory birds with other societal goals, such as the production of wind or solar energy. Accordingly, the guidelines do not provide enforceable legal protections for people and businesses who abide by their terms. To wit, the guidelines themselves state that ''it is not possible to absolve individuals or companies'' from liability under the MBTA. Rather, the guidelines are explicit that the Service may only take full compliance into consideration in exercising its discretion whether or not to refer an individual or company to the Department of Justice for prosecution. *See, e.g.,* U.S. Fish and Wildlife Service, Land-Based Wind Energy Guidelines 6 (Mar. 23, 2012).

Under this approach, it is literally impossible for individuals and companies to know exactly what is required of them under the law when otherwise lawful activities necessarily result in accidental bird deaths. Even if they comply with everything requested of them by the Service, they may still be prosecuted, and still found guilty of criminal conduct. *See generally United States* v. *FMC Corp.,* 572 F.2d 902, 904 (2d Cir. 1978) (the court instructed the jury not to consider the company's remediation efforts as a defense: ''Therefore, under the law, good will and good intention and measures taken to prevent the killing of the birds are not a defense.''). In sum, due process ''requires legislatures to set reasonably clear guidelines for law enforcement officials and triers of fact in order to prevent 'arbitrary and discriminatory enforcement.' '' *Smith* v. *Goguen,* 415 U.S. 566, 572–73 (1974).

Reading the MBTA to capture incidental takings could potentially transform average Americans into criminals. The text, history, and purpose of the MBTA demonstrate instead that it is a law limited in relevant part to actions, such as hunting and poaching, that reduce migratory birds and their nests and eggs to human control by killing or capturing. Even assuming that the text could be subject to multiple interpretations, courts and agencies are to avoid interpreting ambiguous laws in ways that raise constitutional doubts if alternative interpretations are available. Thus, interpreting the MBTA to criminalize incidental takings raises potential due process concerns. Based upon the text, history, and purpose of the MBTA, and consistent with decisions in the Courts of Appeals for the Fifth, Eighth, and Ninth circuits, there is an alternative interpretation that avoids these concerns. Therefore, as a matter of law, the scope of the MBTA does not include incidental take.

Policy Analysis of Incidental Take Under the MBTA

As detailed above, the Service agrees that the conclusion in Opinion M–37050 that the MBTA's prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same apply only to actions directed at migratory birds, their nests, or their eggs is compelled as a matter of law. In addition, even if such a conclusion is not legally compelled, the Service proposes to adopt it as a matter of policy.

The Service's prior approach to incidental take was enacted without public input, and has resulted in regulatory uncertainty and inconsistency. Prosecutions for incidental take occurred in the 1970s without any accompanying change in either the underlying statute or Service regulations. Accordingly, an interpretation with implications for large portions of the American economy was implicitly adopted without public debate. Subsequently, the Service has sought to limit the potential reach of MBTA liability by pursuing enforcement proceedings only against persons who fail to take what the Service considers ''reasonable'' precautions against foreseeable risks.

Based upon the Service's analysis of manmade threats to migratory birds and the Service's own enforcement history, common activities such as owning and operating a power line, wind farm, or drilling operation pose an inherent risk of incidental take. An expansive reading of the MBTA that includes an incidental take prohibition would subject those who engage in these common, and necessary, activities to criminal liability.

As described in M–37050, this approach effectively leaves otherwise lawful, productive, and often necessary businesses to take their chances and hope they avoid prosecution, not because their conduct is or even can be in strict compliance with the law, but because the government has chosen to forgo prosecution. Productive and otherwise lawful economic activity should not be functionally dependent upon the ad hoc exercise of enforcement discretion.

Further, as a practical matter, inconsistency and uncertainty are built into the MBTA enforcement regime by virtue of a split between Federal Courts of Appeals. Courts have adopted different views on whether section 2 of the MBTA prohibits incidental take, and, if so, to what extent. Courts of Appeals in the Second and Tenth Circuits, as well as district courts in at least the Ninth and District of Columbia Circuits, have held that the MBTA criminalizes some instances of incidental take, generally with some form of limiting construction. *See United States* v. *FMC Corporation,* 572 F.2d 902 (2d Cir. 1978); *United States* v. *Apollo Energies, Inc.,* 611 F.3d 679 (10th Cir. 2010); *United States* v. *Corbin Farm Serv.,* 444 F. Supp. 510 (E.D. Cal. 1978); *Ctr. for Biological Diversity* v. *Pirie,* 191 F. Supp. 2d 161 (D.D.C. 2002), *vacated on other grounds sub nom. Ctr.*

for Biological Diversity v. *England,* 2003 App. LEXIS 1110 (D.C. Cir. 2003).

By contrast, Courts of Appeals in the Fifth, Eighth, and Ninth Circuits, as well as district courts in the Third and Seventh Circuits, have indicated that it does not.[1] *See United States* v. *CITGO Petroleum Corp.,* 801 F.3d 477 (5th Cir. 2015); *Newton County Wildlife Ass'n* v. *U.S. Forest Serv.,* 113 F.3d 110 (8th Cir. 1997); *Seattle Audubon Soc'y* v. *Evans,* 952 F.2d 297 (9th Cir. 1991); *Mahler* v. *U.S. Forest Serv.,* 927 F. Supp. 1559 (S.D. Ind. 1996); *Curry* v. *U.S. Forest Serv.,* 988 F. Supp. 541, 549 (W.D. Pa. 1997).

As a result of these cases, the Federal Government is clearly prohibited from enforcing an incidental take prohibition in the Fifth Circuit. In the Eighth Circuit, the Federal Government has previously sought to distinguish court of appeals rulings limiting the scope of the MBTA to the habitat-destruction context. *See generally Apollo Energies,* 611 F.3d at 686 (distinguishing the Eighth Circuit decision in *Newton County* on the grounds that it involved logging that modified a bird's habitat in some way). However, that argument was rejected by a subsequent district court. *See United States* v. *Brigham Oil & Gas, L.P.,* 840 F. Supp. 2d 1202 (D.N.D. 2012). Likewise, the Federal Government has sought to distinguish holdings in the habitat-destruction context in the Ninth Circuit. *See United States* v. *Moon Lake Electrical Ass'n,* 45 F. Supp. 2d 1070, 1075–76 (D. Colo. 1999) (suggesting that the Ninth Circuit's ruling in *Seattle Audubon* may be limited to habitat modification or destruction). In the Second and Tenth Circuits, the Federal Government can apply the MBTA to incidental take, albeit with differing judicial limitations.

These cases demonstrate the potential for a convoluted patchwork of legal standards, all purporting to apply the same underlying law. The MBTA is a national law. Many of the companies and projects that face potential liability under the MBTA operate across boundary lines for judicial circuits. Yet what is legal in the Fifth and Eighth Circuits may become illegal as soon as an operator crosses State lines into the bordering Tenth Circuit, or become a matter of uncertainty in the Ninth Circuit. The Service concludes that it is in its own interest, as well as that of the public, to have and apply a national standard that sets a clear, articulable rule for when an operator crosses the line into criminality. The most effective way to reduce uncertainty and have a truly national standard is for the Service to codify and apply a uniform interpretation of the MBTA that its prohibitions do not apply to incidental take, based upon the Fifth Circuit's ruling in *CITGO Petroleum Corporation.*

Therefore, as a matter of both law and policy, the Service proposes to adopt a regulation limiting the scope of the MBTA to actions that are directed at migratory birds, their nests, or their eggs, and to clarify that injury to or mortality of migratory birds that results from, but is not the purpose of, an action (*i.e.,* incidental taking or killing) is not prohibited by the Migratory Bird Treaty Act.

Public Comments

You may submit your comments and supporting materials by one of the methods listed in **ADDRESSES**. We will not consider comments sent by email or fax, or written comments sent to an address other than the one listed in **ADDRESSES**.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, are available for public inspection at *http://www.regulations.gov.* We will post your entire comment—including your personal identifying information—on *http://www.regulations.gov.* You may request at the top of your document that we withhold personal information such as your street address, phone number, or email address from public review; however, we cannot guarantee that we will be able to do so.

We invite the public to provide information on the following topics: (1) The avoidance, minimization, and mitigation measures entities employed to address incidental take of migratory birds, and the degree to which these measures reduce bird mortality; (2) the extent that avoidance, minimization, and mitigation measures continue to be used, and will continue to be used if this proposed rule is finalized; (3) the direct costs associated with implementing these measures; (4) indirect costs entities have incurred related to the legal risk of prosecution for incidental take of migratory birds (*e.g.,* legal fees, increased interest rates on financing, insurance, opportunity costs); (5) the sources and scale of incidental bird mortality; and (6) any quantitative information regarding ecosystem services provided by migratory birds. This information will be used to better inform the cost and benefit analysis of this rulemaking.

Required Determinations

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order (E.O.) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) will review all significant rules. OIRA has determined that this rule is significant.

Executive Order 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 proposed rule in a manner consistent with these requirements.

Codifying the Solicitor's Opinion, M–37050, into Federal regulations would provide the public, businesses, government agencies, and other entities legal clarity and certainty regarding what is and is not prohibited under the MBTA. It is anticipated that some entities that currently employ mitigation measures to reduce or eliminate incidental migratory bird take would reduce or curtail these activities given the legal certainty provided by this proposed regulation. Others may continue to employ these measures voluntarily for various reasons, including continued compliance with other Federal, State, and local laws and regulations.

The Service does not have information available to quantify these potential cost savings. Given our lack of specific data to estimate the cost savings from reduced implementation of mitigation measures and increased legal certainty, we ask for such data to inform analysis of the proposed rule's potential effects.

Regulatory Flexibility Act and Small Business Regulatory Enforcement Fairness Act

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.,* as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 (Pub. L. 104–121)), whenever an agency is required to publish a notice of

[1] The Court of Appeals for the Ninth Circuit distinguished, without explicitly overturning, an earlier district-court decision concerning incidental take.

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 businesses, small organizations, and small government jurisdictions. However, in lieu of an initial or final regulatory flexibility analysis (IRFA or FRFA) the head of an agency may certify on a factual basis that the rule would not have a significant economic impact on a substantial number of small entities.

SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide a statement of the factual basis for certifying that a rule would not have a significant economic impact on a substantial number of small entities. Thus, for an initial/final regulatory flexibility analysis to be required, impacts must exceed a threshold for ''significant impact'' and a threshold for a ''substantial number of small entities.'' *See* 5 U.S.C. 605(b). This analysis first estimates the number of businesses impacted and then estimates the economic impact of the rule.

Table 1 lists the industry sectors likely impacted by the proposed rule. These are the industries that typically incidentally take substantial numbers of birds and that the Service has worked with to reduce those effects. In some cases, these industries have been subject to enforcement actions and prosecutions under the MBTA prior to the issuance of the M-Opinion. The vast majority of entities in these sectors are small entities, based on the U.S. Small Business Administration (SBA) small business size standards.

TABLE 1—DISTRIBUTION OF BUSINESSES WITHIN AFFECTED INDUSTRIES

NAICS industry description	NAICS code	Number of businesses	Small business size standard (employees)	Number of small businesses
Finfish Fishing	114111	1,210	[(a)] 20	1,185
Crude Petroleum and Natural Gas Extraction	211111	6,878	1,250s	6,868
Drilling Oil and Gas Wells	213111	2,097	1,000s	2,092
Solar Electric Power Generation	221114	153	250s	153
Wind Electric Power Generation	221115	264	250s	263
Electric Bulk Power Transmission	221121	261	500s	214
Electric Power Distribution	221122	7,557	1,000s	7,520
Wireless Telecommunications Carriers (except Satellite)	517312	15,845	1,500s	15,831

Source: U.S. Census Bureau, 2012 County Business Patterns.

[a]**Note:** The Small Business Administration size standard for finfish fishing is $22 million. Neither Economic Census, Agriculture Census, or NMFS collect business data by revenue size for the finfish industry. Therefore, we employ other data to approximate the number of small businesses. Source: U.S. Census Bureau, 2017 Economic Annual Survey.

Since the Service does not have a permitting system authorizing incidental take of migratory birds, the Service does not have specific information regarding how many businesses in each sector implement measures to reduce incidental take of birds. Not all businesses in each sector incidentally take birds. In addition, a variety of factors would influence whether, under the previous interpretation of the MBTA, businesses would implement such measures. It is also unknown how many businesses continued or reduced practices to reduce the take of birds since publication of the Solicitor's M-Opinion.

This proposed rule is deregulatory in nature and is thus likely to have a positive economic impact on all regulated entities, and many of these entities likely qualify as small businesses under the Small Business Administration's threshold standards (see Table 1). By codifying the M-Opinion, this proposal would remove legal uncertainty for any individual, government entity, or business entity that undertakes any activity that may kill or take migratory birds incidental to otherwise lawful activity. Such small entities would benefit from this proposed rule because it would remove uncertainty about the potential impacts of proposed projects. Therefore, these entities will have better information for planning projects and achieving goals.

However, the economic impact of the proposed rule on small entities is likely not significant. The costs of actions businesses typically implement to reduce effects on birds are small compared to the economic output of business, including small businesses, in these sectors. In addition, many businesses will continue to take actions to reduce effects on birds because these actions are best management practices for their industry or are required by other Federal or State regulations, there is a public desire to continue them, or the businesses simply desire to reduce their effects on migratory birds. Table 2 summarizes likely economic effects of the proposed rule on the business sectors identified in Table 1.

TABLE 2—SUMMARY OF ECONOMIC EFFECTS ON SMALL BUSINESSES

NAICS industry description	NAICS code	Bird mitigation measures with no action	Economic effects on small businesses	Rationale
Finfish Fishing	11411	Changes in design of longline fishing hooks, change in offal management practices, and flagging/streamers on fishing lines.	Likely minimal effects.	Longline fishing is regulated by the National Marine Fisheries Service under the Magnuson-Stevens Fishery Conservation and Management Act and other laws and regulations that limit bi-catch; thus, continuation of these mitigation measures is likely.

TABLE 2—SUMMARY OF ECONOMIC EFFECTS ON SMALL BUSINESSES—Continued

NAICS industry description	NAICS code	Bird mitigation measures with no action	Economic effects on small businesses	Rationale
Crude Petroleum and Natural Gas Extraction.	211111	Using closed waste water systems or netting of oil pits and ponds.	Likely minimal effects.	Several States have regulations governing the treatment of oil pits, including measures beneficial to birds. In addition, much of the industry is increasingly using closed systems, which do not pose a risk to birds. For these reasons, the proposed rule is unlikely to affect a significant number of small entities.
Drilling Oil and Gas Wells	213111	Using closed waste water systems or netting of oil pits and ponds.	Likely minimal effects.	Several States have regulations governing the treatment of oil pits, including measures beneficial to birds. In addition, much of the industry is increasingly using closed systems, which do not pose a risk to birds. For these reasons, the proposed rule is unlikely to affect a significant number of small entities.
Solar Electric Power Generation.	221114	Monitoring bird use and mortality at facilities, limited use of deterrent systems such as streamers and reflectors.	Likely minimal effects.	Bird monitoring in some States would continue to be required under State policies. Where not required, monitoring costs are likely not significant compared to overall project costs.
Wind Electric Power Generation.	221115	Following Wind Energy Guidelines, which involve conducting risk assessments for siting facilities.	Likely minimal effects.	Following the Wind Energy Guidelines has become industry best practice and would likely continue. In addition, the industry uses these guidelines to aid in reducing effects on other regulated species like eagles and threatened and endangered bats.
Electric Bulk Power Transmission.	221121	Following Avian Power Line Interaction Committee (APLIC) guidelines.	Likely minimal effects.	Industry would likely continue to use APLIC guidelines to reduce outages caused by birds and to reduce the take of eagles, regulated under the Bald and Golden Eagle Protection Act.
Electric Power Distribution.	221122	Following Avian Power Line Interaction Committee (APLIC) guidelines.	Likely minimal effects.	Industry would likely continue to use APLIC guidelines to reduce outages caused by birds and to reduce the take of eagles, regulated under the Bald and Golden Eagle Protection Act.
Wireless Telecommunications Carriers (except Satellite).	517312	Installation of flashing obstruction lighting.	Likely minimal effects.	Industry will likely continue to install flashing obstruction lighting to save energy costs and to comply with recent Federal Aviation Administration Lighting Circular and Federal Communication Commission regulations.

To improve our analysis of this proposed rule's effects on small entities, we encourage the submission of relevant information during the public comment period as described above under *Regulatory Planning and Review,* such as additional industry sectors affected, the number of small entities affected, and the scale and nature of economic effects.

As explained above and in the rationale set forth in *Regulatory Planning and Review,* the economic effects on all regulated entities will be positive and that this proposed rule is not a major rule under SBREFA (5 U.S.C. 804(2)). Moreover, we certify that the proposed rule, if promulgated, would not have a significant economic impact on a substantial number of small entities.

Executive Order 13771—Reducing Regulation and Controlling Regulatory Costs

We expect that this proposed rule will be an Executive Order (E.O.) 13771 (82 FR 9339, February 3, 2017) deregulatory action.

Unfunded Mandates Reform Act

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*), we have determined the following:

a. This proposed rule would not ''significantly or uniquely'' affect small government activities. A small government agency plan is not required.

b. This proposed rule would not produce a Federal mandate on local or State government or private entities. Therefore, this action is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act.

Takings

In accordance with E.O. 12630, this proposed rule does not contain a provision for taking of private property, and would not have significant takings implications. A takings implication assessment is not required.

Federalism

This proposed rule would not interfere with the States' abilities to manage themselves or their funds. This rule would not have sufficient federalism effects to warrant preparation of a federalism summary impact statement under E.O. 13132.

Civil Justice Reform

In accordance with E.O. 12988, we have reviewed this proposed rule and determined that it will not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) is not required. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

National Environmental Policy Act

We are evaluating this proposed regulation in accordance with the criteria of the National Environmental Policy Act (NEPA), the Department of the Interior regulations on Implementation of the National Environmental Policy Act (43 CFR 46.10 through 46.450), and the Department of the Interior Manual (516 DM 8). We will complete our analysis, in compliance with NEPA, before finalizing this regulation.

Compliance with Endangered Species Act Requirements

Section 7 of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531–44), requires that ''The Secretary [of the Interior] shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act.'' 16 U.S.C. 1536(a)(1)It further states that ''[e]ach Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency . . . is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat.'' 16 U.S.C. 1536(a)(2) Before the Service issues a final rule regarding take of migratory birds, we will comply with provisions of the ESA as necessary to ensure that the proposed amendments are not likely to jeopardize the continued existence of any species designated as endangered or threatened or destroy or adversely modify its critical habitat.

Government-to-Government Relationship with Tribes

In accordance with Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments,'' and the Department of the Interior's manual at 512 DM 2, we are considering the possible effects of this proposed rule on federally recognized Indian Tribes. The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and tribal sovereignty. We have evaluated this proposed rule under the criteria in Executive Order 13175 and under the Department's tribal consultation policy and have determined that this rule may have a substantial direct effect on federally recognized Indian tribes. Accordingly, we will initiate government-to-government consultation with federally recognized Indian tribes.

Clarity of this Proposed 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:

(a) Be logically organized;

(b) Use the active voice to address readers directly;

(c) Use clear language rather than jargon;

(d) Be divided into short sections and sentences; and

(e) 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.

Energy Supply, Distribution, or Use (E.O. 13211)

E.O. 13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. This proposed rule is not a significant regulatory action under E.O. 13211 and would not significantly affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action. No Statement of Energy Effects is required.

List of Subjects in 50 CFR Part 10

Exports, Fish, Imports, Law enforcement, Plants, Transportation, Wildlife.

Proposed Regulation Promulgation

For the reasons described in the preamble, we propose to amend subchapter B of chapter 1, title 50 of the Code of Federal Regulations, as set forth below:

PART 10—GENERAL PROVISIONS

■ 1. The authority citation for part 10 continues to read as follows:

Authority: 16 U.S.C. 668a–d, 703–712, 742a–j–l, 1361–1384, 1401–1407, 1531–1543, 3371–3378; 18 U.S.C. 42; 19 U.S.C. 1202.

■ 2. Add § 10.14 to subpart B to read as follows:

§ 10.14 Scope of the Migratory Bird Treaty Act.

The prohibitions of the Migratory Bird Treaty Act (16 U.S.C. 703) that make it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds, or attempt to engage in any of those actions, apply only to actions directed at migratory birds, their nests, or their eggs. Injury to or mortality of migratory birds that results from, but is not the purpose of, an action (*i.e.,* incidental taking or killing) is not prohibited by the Migratory Bird Treaty Act.

Dated: January 22, 2020.

Rob Wallace,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2020–01771 Filed 1–31–20; 8:45 am]

BILLING CODE 4333–15–P

Notices

Federal Register
Vol. 85, No. 22
Monday, February 3, 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.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Center for Development Innovation; Agency Information Collection Activities; Proposed Collection; Comment Request; Open Innovation Competitions—Prizes, Challenges, Hackathons

AGENCY: Center for Development Innovation, USAID.

ACTION: Notice of information collection.

SUMMARY: As required by the Paperwork Reduction Act of 1995, USAID/CDI requests comments on a proposed generic collection of information for USAID-sponsored open innovation competitions prizes, challenges, and hackathons. USAID/CDI will consider all comments received in response to this notice before requesting approval of this generic collection of information from the Office of Management and Budget (OMB). The information collected includes: Organizational contact information, organization size disaggregated by gender, point of contact, the name of the project, stage and amount of funding requested, partner organizations and management teams, sectors the innovation addresses, country(ies) project is situated, presence/absence of permanent offices in that country, project duration, other sources of funding past and present including USAID, method and source of referral to the challenge/prize/hack-a-thon, and detailed information about the innovation including expected impact.

DATES: Interested persons are invited to submit comments regarding the proposed information collection within 60 calendar days from the date of this publication.

ADDRESSES: Interested persons are invited to submit comments regarding the information collection to Michael Jackson, USAID, Center for Development Innovation (CDI) at *mjackson@usaid.gov.*

FOR FURTHER INFORMATION CONTACT: Michael Jackson, USAID, Center for Development Innovations 202–216–3467 or *mjackson@usaid.gov.*

SUPPLEMENTARY INFORMATION: USAID/CDI seeks approval of the following generic collection of information request:

Title: Open innovation competitions—Prizes, Challenges and hackathons.

OMB Number: not assigned.

Type of Review: Renewal of generic collection.

Method of Collection: electronic.

Frequency of Response: periodically.

Affected Public: Open Innovation Competition contestants.

Estimated Number of Respondents: approximately 800 participants annually based on current year estimates.

Estimated Time per Response: response time varies depending on the nature of the open innovation competition from an average estimated response time of 10 hours/participant which is significantly less than offerers would be expected to spend on a traditional proposal. Some 100 participants may require as much as 2 additional hours each to provide additional information upon selection.

Total Estimated Annual Burden: 8,200 hours (800 participants × 10 hours/participant) + (100 participants × 2 hours/participant).

General Description of Collection: USAID/CDI establishes open innovation competitions—prizes, challenges and hackathons to source breakthrough innovations from innovators around the world to further USAID's ability to address its development and humanitarian response priorities.

Request for Comments

USAID/CDI solicits written comments from all interested persons about the proposed collection of information. USAID/CDI specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of USAID/CDI's functions, including whether the information will have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by the use of automated, electronic or other technological collection techniques, or other forms of information technology.

Michael Jackson,

General Development Officer, Center for Development Innovation, Challenges and Prizes, U.S. Agency for International Development.

[FR Doc. 2020–01961 Filed 1–31–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Document No. AMS–FTPP–19–0112]

National Bioengineered Food Disclosure Standard; Draft Instructions on Testing Methods

ACTION: Notice and request for comments.

SUMMARY: The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is soliciting comments and feedback on draft instructions on testing methods as it pertains to the National Bioengineered Food Disclosure Standard (Standard).

DATES: Comments are due by March 4, 2020.

ADDRESSES: We invite you to submit written comments via the internet at *http://www.regulations.gov.* All comments should refer to the date and page number of this issue of the **Federal Register**. All comments submitted in response to this notice, including the identity of individuals or entities submitting comments, will be made available to the public on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Trevor Findley, Deputy Director, Food Disclosure and Labeling Division, Fair Trade Practices Program, Agricultural Marketing Service, U.S. Department of Agriculture, telephone (202) 690–3460, email *trevor.findley@usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

On July 29, 2016, Public Law 114–216 amended the Agricultural Marketing Act

of 1946 (7 U.S.C. 1621 *et. seq.*) (amended Act) to require USDA to establish a national, mandatory standard for disclosing any food that is or may be bioengineered. In accordance with the amended Act, USDA published final regulations to implement the Standard on December 21, 2018 (83 FR 65814). The regulations became effective on February 19, 2019, with a mandatory compliance date of January 1, 2022.

Foods that do not contain detectable modified genetic material are not bioengineered foods and do not require disclosure under the Standard. Under the definition of *bioengineered food* at 7 CFR 66.1, food does not contain modified genetic material if the genetic material is not detectable pursuant to § 66.9. The recordkeeping requirements for detectability at 7 CFR 66.9 specify the standards of performance for detectability testing. Paragraph (c) of 7 CFR 66.9 requires that analytical testing meet the following standard: (1) Laboratory quality assurance must ensure the validity and reliability of test results; (2) analytical method selection, validation, and verification must ensure that the testing method used is appropriate (fit for purpose) and that the laboratory can successfully perform the testing; (3) the demonstration of testing validity must ensure consistent accurate analytical performance; and (4) method performance specifications must ensure analytical tests are sufficiently sensitive for the purposes of the detectability requirements of this part.

In the preamble to the final regulations, USDA indicated that it would provide instructions regarding acceptable testing methodology used to satisfy that a food does not contain detectable modified genetic material. A draft of those instructions is now available on the AMS bioengineered food disclosure website at *https://www.ams.usda.gov/rules-regulations/be.* With this notice, AMS is seeking comments on these draft instructions.

USDA previously provided an opportunity to comment on draft instructions to validate a refining process. At this time, we are only seeking feedback on the instructions on testing methods referenced in this notice. Any comments not directly related to these draft instructions will not be considered.

After reviewing the comments on these draft instructions, AMS will publish final instructions on its website. The final instructions will be maintained and available on the AMS website. These final instructions pertain to the requirements of the existing regulations, which can be found at *https://www.federalregister.gov/documents/2018/12/21/2018-27283/national-bioengineered-food-disclosure-standard.*

Authority: 7 U.S.C. 1639.

Dated: January 28, 2020.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2020–01906 Filed 1–31–20; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

January 28, 2020.

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

Comments regarding this information collection received by March 4, 2020 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725—17th Street NW, Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Copies of the submission(s) may be obtained by calling (202) 720–8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Farm Service Agency

Title: Application for Payment of Amounts Due Persons Who Have Died, Disappeared or Declared Incompetent.

OMB Control Number: 0560–0026.

Summary of Collection: Representatives or survivors of persons who die, disappear, or are declared incompetent must be afforded a method of obtaining any payment intended for the person. 7 CFR 707 provides that form, FSA–325, be used as the form of application for person desiring to claim such payments. It is necessary to collect information recorded on FSA–325 in order to determine whether representatives or survivors of a person are entitled to receive payments earned by a person who dies, disappears, or is declared incompetent before receiving the payments due.

Need and Use of the Information: FSA will collect information using the FSA–325 form to determine if the survivors have rights to the existing payments or to the unpaid portions of the person's payments. Survivors must show proof of death, disappearance, or incompetency.

Description of Respondents: Individuals or households.

Number of Respondents: 2,000.

Frequency of Responses: Reporting: Other (when necessary).

Total Burden Hours: 1,000.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2020–01890 Filed 1–31–20; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2017–0069]

International Trade Data System: Timeline for Enforcing APHIS Core Message Set Flags in the Automated Commercial Environment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: The Animal and Plant Health Inspection Service (APHIS) is announcing full implementation of the APHIS Core Message Set in the Automated Commercial Environment/International Trade Data System (ACE/ITDS) for the electronic submission of data required by APHIS Animal Care, Biotechnology Regulatory Services,

Plant Protection and Quarantine, and Veterinary Services. APHIS intends to begin applying Harmonized Tariff Schedule flags, which will alert filers who opted to submit electronically using ACE. Full implementation of the message set will bring APHIS into compliance with the mandates of the Security and Accountability For Every Port Act of 2006 and Executive Order 13659. The information collected will enhance APHIS' ability to make data-driven policy decisions, improve risk analysis/assessments, and enhance ability to respond to changing pest/disease conditions.

DATES: We will consider all comments that we receive on or before March 4, 2020.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0069.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2017–0069, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0069* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m. Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Leshin, APHIS Liaison for Automated Commercial Environment, International Trade Data System, Management and Program Analyst, Quarantine Policy, Analysis and Support, PPQ, APHIS, 4700 River Road Unit 60, Riverdale, MD 20737; (301) 851–2085; *Richard.Leshin@usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

The National Customs Automation Program (NCAP) was established in Subtitle B of Title VI—Customs Modernization, in the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057, 2170, December 8, 1993; see 19 U.S.C. 1411). Through NCAP, the initial thrust of customs modernization was on trade compliance and the development of the Automated Commercial Environment (ACE), the planned successor to the Automated Commercial System (ACS). ACE is an automated and electronic system for commercial trade processing intended to streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws and regulations and reducing costs for U.S. Customs and Border Protection (CBP) and all of its communities of interest. The ability to meet these objectives depends on successfully modernizing CBP's business functions and the information technology that supports those functions.

The International Trade Data System (ITDS) is authorized by section 405 of the Security and Accountability For Every Port Act of 2006 (SAFE Port Act, Pub. L. 109–347). The purpose of ITDS, as defined by section 405 of the SAFE Port Act, is to eliminate redundant information filing requirements, efficiently regulate the flow of commerce, and effectively enforce laws and regulations relating to international trade, by establishing a single portal system, operated by CBP, for the collection and distribution of standard electronic import and export data required by all participating Federal agencies.

From March 1, 2016, through August 15, 2016, the Animal and Plant Health Inspection Service (APHIS) conducted pilots of ACE/ITDS using the message set data for Animal Care, Biotechnology Regulatory Services, Plant Protection and Quarantine, and Veterinary Services (known collectively as APHIS Core).[1] The pilots were available for any stakeholder interested in participating. During the pilot phase, APHIS conducted an analysis and provided feedback on each initial filing. APHIS continues to provide an analysis of the data submissions for stakeholders who request feedback.

APHIS intends to fully implement this change on August 3, 2020. On that date, APHIS intends to begin applying Harmonized Tariff Schedule (HTS) flags, which will alert filers who opt to submit data electronically whether APHIS import data is or may be required. Importers or brokers using ACE must enter APHIS-required import data when they receive an APHIS-specific HTS flag in order to complete their entry in the system.

We invite public comment on the timeline for full implementation of the APHIS Core Message Set in ACE/ITDS. After the close of the comment period we will publish another notice in the **Federal Register** confirming the date when APHIS will begin applying HTS flags.

Importers and brokers are required to submit APHIS-required information at the first U.S. port of arrival and are responsible for knowing what to file, regardless of whether a tariff code is flagged in ACE. The APHIS Core Message Set does not allow for de minimis exceptions. Importers and brokers must submit required data for APHIS-regulated products regardless of the size or value of the shipment. Any exceptions to filing APHIS Core data in ACE will be noted on the APHIS ACE website at *http://www.aphis.usda.gov/ace.*

To view APHIS Core Message Set guidance, visit the APHIS ACE website at *http://www.aphis.usda.gov/ace/.* The latest APHIS Core Message Set implementation guide can be viewed on the CBP website at *https://www.cbp.gov/document/guidance/aphis-pga-message-set-adapted-data-element-record-layout.* A complete list of documents and approved submission options is available on the CBP website at *http://www.cbp.gov/document/guidance/ace-november-1-pga-forms.*

For questions about the APHIS Core Message Set, please email *ace.itds@usda.gov.* For questions related to APHIS' import requirements, please visit APHIS' import/export website at *https://www.aphis.usda.gov/aphis/ourfocus/importexport* or call APHIS' Customer Service Center at (844) 820–2234.

Done in Washington, DC, this 28th day of January 2020.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2020–01984 Filed 1–31–20; 8:45 am]

BILLING CODE 3410–34–P

[1] To view the notices announcing the beginning and end of the pilots, go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0063.*

DEPARTMENT OF AGRICULTURE

U.S. Codex Office

Codex Alimentarius Commission: Meeting of the Codex Committee on Pesticide Residues

AGENCY: U.S. Codex Office, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The U.S Codex Office is sponsoring a public meeting on February 27, 2020. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States (U.S.)

positions to be discussed at the 52nd Session of the Codex Committee on Pesticide Residues (CCPR) of the Codex Alimentarius Commission, in Guangzhou, People's Republic of China, March 30–April 4, 2020. The U.S. Manager for Codex Alimentarius and the Under Secretary for Trade and Foreign Agricultural Affairs recognize the importance of providing interested parties the opportunity to obtain background information on the 52nd Session of the CCPR and to address items on the agenda.

DATES: The public meeting is scheduled for Thursday, February 27, 2020 from 1 p.m. to 3 p.m. EST.

ADDRESSES: The public meeting will take place at the United States Environmental Protection Agency, Room PYS–4370/80, One Potomac Yard South, 2777 South Crystal Drive, Arlington, VA 22202. Documents related to the 52nd Session of the CCPR will be accessible via the internet at the following address: *http://www.fao.org/fao-who-codexalimentarius/committees/committee/related-meetings/en/?committee=CCPR.* CAPT David Miller, U.S. Delegate to the 52nd Session of the CCPR, invites U.S. interested parties to submit their comments electronically to the following email address: *miller.davidj@epa.gov.*

Call-In-Number: If you wish to participate in the public meeting for the 52nd Session of the CCPR by conference call, please use the call-in-number: 1–888–844–9904 and participant code 5126092.

Registration: Attendees may register to attend in-person the public meeting by emailing *Marie.Maratos@usda.gov* by February 26, 2020. Early registration is encouraged because it will expedite entry into the building. The meeting will take place in a Federal building. Attendees should bring photo identification and plan for adequate time to pass through the security screening systems. Attendees who are not able to attend the meeting in person, but who wish to participate, may do so by phone, as discussed above.

For Further Information about the 52nd Session of the CCPR Contact: U.S. Delegate, CAPT David Miller, Chief, Chemistry and Exposure Branch and Acting Chief, Toxicology and Epidemiology Branch, Health Effects Division, Ariel Rios Building, 1200 Pennsylvania Avenue NW, Washington, DC 20460. Telephone: (703) 305–5352, Fax: (703) 305–5147, Email: *Miller.Davidj@epa.gov.*

For Further Information about the Public Meeting Contact: Marie Maratos, U.S. Codex Office, 1400 Independence Avenue SW, Room 4861, South Agriculture Building, Washington, DC 20250. Phone: (202) 690–4795, Fax: (202) 720–3157, Email: *Marie.Maratos@usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

Codex was established in 1963 by two United Nations organizations, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO). Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to protect the health of consumers and ensure fair practices in the food trade.

The Terms of Reference of the Codex Committee on Pesticide Residues (CCPR) are:

(a) To establish maximum limits for pesticide residues in specific food items or in groups of food;

(b) to establish maximum limits for pesticide residues in certain animal feeding stuffs moving in international trade where this is justified for reasons of protection of human health;

(c) to prepare priority lists of pesticides for evaluation by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR);

(d) to consider methods of sampling and analysis for the determination of pesticide residues in food and feed;

(e) to consider other matters in relation to the safety of food and feed containing pesticide residues; and,

(f) to establish maximum limits for environmental and industrial contaminants showing chemical or other similarity to pesticides, in specific food items or groups of food.

The CCPR is hosted by China. The United States attends CCPR as a member country of Codex.

Issues To Be Discussed at the Public Meeting

The following items on the Agenda for the 52nd Session of the CCPR will be discussed during the public meeting:

- Adoption of the Agenda
- Appointment of Rapporteurs
- Matters referred to CCPR by CAC and/or other subsidiary bodies
- Matters of interest arising from FAO and WHO
- Matters of interest arising from other international organizations
- Report on items of general consideration by the 2019 JMPR extraordinary and regular meetings—Section 2 of the 2019 JMPR Reports
- Report on responses to specific concerns raised by CCPR arising from the 2019 JMPR extraordinary and regular meetings—Section 3 of the 2019 JMPR Reports
- Proposed MRLs for pesticides in food and feed
- Revision of the *Classification of Food and Feed* (CXM 4/1989) for selected commodity groups:

(i) Class C— Primary feed commodities (Type 11: Primary Feed commodities of plant origin, taking into account silage, fodder, and a separate group for grasses) and the fodder discussion paper.

(ii) Class D— Processed Food commodities of plant origin (all Types in Class D).

(iii) Tables on examples of representative commodities for commodity groups in different types under Class C and Class D, for inclusion in the *Principles and Guidance for the Selection of Representative Commodities for the Extrapolation of MRLs for Pesticides to Commodity Group* (CXG 84–2012).

(iv) Impact of the revised types in Class C and D on CXLs.

(v) Class B—Primary food commodities of animal origin—Harmonization of meat mammalian maximum residue limits between CCPR and the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF).

- Impact of revised types in Class A (in the *Classification of Food and Feed* (CXM 4/1989)) on CXLs
- Proposed draft Guidelines for compounds of low public health concern that could be exempted from the establishment of Codex Maximum Residue Limits (MRLs or also referred to as CXLs)
- Discussion paper on the opportunity to revise the *Guidelines on the use of mass spectrometry for the identification, confirmation and quantitative determination of residues* (CXG 56–2005)
- Discussion paper on the monitoring of purity and stability of certified reference material (CRM) of multi-class pesticides during prolonged storage
- Discussion paper on the review of the International Estimated Short-term Intake (IESTI) equations
- Discussion paper on opportunities and challenges for the JMPR participation in an international parallel review of a new compound
- Discussion paper on the management of unsupported compounds (without public health concerns) scheduled for periodic review
- Information on national registrations databases of pesticides

- Establishment of Codex Schedules and Priority Lists of Pesticides for evaluation by the 2020 JMPR
- Other Business and Future Work

Public Meeting

At the February 27, 2020, public meeting, draft U.S. positions on the agenda items will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to CAPT David Miller, U.S. Delegate for the 52nd Session of the CCPR (see **ADDRESSES**). Written comments should state that they relate to activities of the 52nd Session of the CCPR.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, the U.S. Codex Office will announce this **Federal Register** publication on-line through the USDA web page located at: *http://www.usda.gov/codex/,* a link that also offers an email subscription service providing access to information related to Codex. Customers can add or delete their subscription themselves and have the option to password protect their accounts.

USDA Non-Discrimination Statement

No agency, officer, or employee of the USDA shall, on the grounds of race, color, national origin, religion, sex, gender identity, sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, or political beliefs, exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States under any program or activity conducted by the USDA.

How To File a Complaint of Discrimination

To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which may be accessed online at *http://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf,* or write a letter signed by you or your authorized representative. Send your completed complaint form or letter to USDA by mail, fax, or email.

Mail: U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue SW, Washington, DC 20250–9410.

Fax: (202) 690–7442, Email: *program.intake@usda.gov.*

Persons with disabilities who require alternative means for communication (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720–2600 (voice and TDD).

Done at Washington, DC, on January 14, 2020.

Mary Lowe,

U.S. Manager for Codex Alimentarius.

[FR Doc. 2020–01937 Filed 1–31–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Forest Service

Southwest Montana Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Southwest Montana Resource Advisory Committee (RAC) will meet in Dillon, Montana. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. RAC information can be found at the following website: *https://www.fs.usda.gov/main/bdnf/workingtogether/advisorycommittees.*

DATES: The meeting will be held on February 14, 2020, at 9 a.m.

All RAC meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the Beaverhead-Deerlodge National Forest's Sueprvisor's Office, 420 Barrett Street, Dillon, Montana 59725.

Written comments may be submitted as described under *Supplementary Information.* All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the Beaverhead-Deerlodge National Forest Supervisor's Office. Contact 406–683–3987 to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Jeanne Dawson, RAC Coordinator, by phone at 406–683–3987 or by email at *jeanne.dawson@usda.gov.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Introduce the new RAC members;
2. Elect a Southwest Montana RAC Chairperson;
3. Discuss and determine if the RAC would recommend fee change proposals for developed recreation sites on National Forest lands;
4. Discuss and determine whether RAC funds will be used to fund committee members' travel costs to the public meetings;
5. Discuss and recommend new Title II projects.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by Friday, January 31, 2020 to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Jeanne Dawson, RAC Coordinator, 420 Barrett Street, Dillon, MT 59725; by email to *jeanne.dawson@usda.gov,* or via facsimile to 406–683–3855.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation. For access to the facility or proceedings, please contact the person listed in the section titled *For Further Information Contact.* All reasonable accommodation requests are managed on a case by case basis.

Dated: January 29, 2020.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2020–02024 Filed 1–30–20; 4:15 pm]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Washington Advisory Committee to the U.S. Commission on Civil Rights

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 Washington Advisory Committee (Committee) will hold a series of

meetings via teleconference on Tuesday, February 18, 2020 at 12 p.m. and Wednesday, March 4, 2020 at 11:30 a.m. Pacific Time. The purpose of the meeting for the Committee to discuss their upcoming hearing on Voting Rights and Felony Convictions in Washington.

DATES: The meetings will be held on:

- Tuesday, February 18, 2020, at 12 p.m. Pacific Time
- Wednesday March 4, 2020, at 11:30 a.m. Pacific Time

Public Call Information: Dial: 800–367–2403, Conference ID: 2255959.

FOR FURTHER INFORMATION CONTACT: Brooke Peery, DFO, at *bpeery@usccr.gov* or (213) 894–3437.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussion. This meeting is available to the public through the above listed toll free number. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Regional Programs Unit Office, U.S. Commission on Civil Rights, 300 N Los Angeles St., Suite 2010, Los Angeles, CA 90012. They may also be faxed to the Commission at (213) 894–0508, or emailed to Angelica Trevino at *atrevino@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit Office at (213) 894–3437.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available at: *https://www.facadatabase.gov/FACA/apex/FACAPublicCommittee?id=a10t0000001gzmYAAQ* Please click on the ''Meeting Details'' and ''Documents'' links. Persons interested in the work of this Committee are also directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit office at the above email or street address.

Agenda

Welcome and Roll Call
Discussion: Hearing on Voting Rights in Washington
Public Comment
Adjournment

Dated: January 29, 2020.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2020–01951 Filed 1–31–20; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Tennessee Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights and the Federal Advisory Committee Act, that the Tennessee Advisory Committee will hold a public meeting on Friday, January 31, 2020, at 12:30 p.m. Central Time, to continue discussion of its report on legal financial obligations.

Public Call Information: Dial: 800–353–6461; Conference ID: 1126557.

FOR FURTHER INFORMATION CONTACT: David Mussatt (Supervisory Chief, Regional Programs Unit) at *dmussatt@usccr.gov* or (312) 353–8311.

SUPPLEMENTARY INFORMATION: This meeting is available to the public through the following toll-free call-in number: 800–353–6461, conference ID number: 1126557. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, John C. Kluczynski Federal Building, 230 S Dearborn St., Suite 2120, Chicago, IL 60604. They may be faxed to the Commission at (312) 353–8324, or emailed to *dmussatt@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

Records and documents discussed during the meeting will be available for public viewing prior to and after the meetings at *https://www.facadatabase.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t0000001gzm9AAA.* Please click on the ''Committee Meetings'' tab. Records generated from these meetings may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meetings. Persons interested in the work of this Committee are directed to the Commission's website, *https://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

I. Opening Remarks
II. Discussion of Legal Financial Obligations Report
III. Public Comments
IV. Adjournment

Dated: January 28, 2020.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2020–01901 Filed 1–31–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Census Bureau

Submission for OMB Review; Comment Request

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

Agency: U.S. Census Bureau.

Title: 2020 Census—Program Updates.

The initial **Federal Register** Notice ''2020 Census'' (June 8, 2018, Vol. 83, Number 111, pp. 26643–26653, FR Doc. No.: 2018–12365) described the 2020 Census in full. Approval for the 2020 Census is being sought from OMB in

phases. The first phase of approval was for the 2020 Census Address Canvassing operation only, which was described in **Federal Register** Notice ''2020 Census,'' October 2, 2018 (Vol. 83, No. 191, pp. 49535–49539, FR Doc. No.: 2018–21386). Address Canvassing creates the address list for the census and precedes census enumeration data collection. The remaining enumeration operations scoped for the 2020 Census data collection were described in **Federal Register** Notice ''2020 Census,'' February 13, 2019 (Vol. 84, No. 30, pp 3746–3757, FR Doc. No.: 2019–02223), which had an additional 30-day comment period. The Evaluations and Experiments Program was described in **Federal Register** Notice ''2020 Census—Evaluations and Experiments,'' September 9, 2019 (Vol. 84, No. 174, pp 47233–47239, FR Doc. No.: 2019–19312). This was an additional revision to the approved OMB materials.

There has been an additional change to the 2020 Census program since the prior Notice publication. In particular, the program change is the addition of Mobile Questionnaire Assistance, a component of internet Self-Response. This change will be described below. Other program updates are also described in this Notice. In particular, ongoing address frame activity is impacting the total number of housing units, which impacts the estimate of response burden.

OMB Control Number: 0607–1006.

Form Number(s): No additional forms for this revision.

Type of Request: Revision of a currently approved collection.

Number of Respondents: 195,747,754 to 2020 Census.

Average Hours Per Response: 10 minutes for census enumeration.

Burden Hours: 29,381,849 for 2020 Census.

This burden is higher than shown in prior Notices for multiple reasons. The list of living quarters has increased due to ongoing address file development. The Self-Response Quality Assurance estimate has been adjusted to use the upper-level estimate rather than the lower-level. In addition, estimates of the number of addresses that would be added to the Nonresponse Followup universe from late updating operations that were shown in prior Notices were planning estimates of the maximum number. At present the Census Bureau has actual counts of addresses submitted in all late address frame updating operations. The total of these addresses is less than the predicted maximum used in prior estimates. At the same time 2020 Census universe file updating is currently in progress. The counts shown in the table below reflect the number of addresses received through all operations assuming no duplication across sources. This results in an overestimate of this total number. Thus the expected workload for Nonresponse Followup is lower than that shown in previous Notices, and the final estimate could become still lower as file processing completes.

2020 CENSUS

Operation or category	Estimated number of respondents	Estimated time per response (in minutes)	Total burden hours
Address Canvassing	15,786,734	5	1,315,561
Address Canvassing Listing Quality Control	1,578,673	5	131,556
Address Canvassing Subtotal	17,365,407		1,447,117
Geographic Areas Focused on Self-Response (this includes Mailout and Update Leave):			
Internet/Telephone/Paper	90,060,785	10	15,010,131
Optimization of Self-Response Experiment	118,541	10	19,757
Extending the Decennial Census Environment to the Mailing Materials	172,992	10	28,832
Update Leave	6,805,523	5	567,127
Update Leave Quality Control	680,552	5	56,713
Nonresponse Followup	62,474,993	10	10,412,499
Nonresponse Followup Reinterview	3,123,750	5	260,313
Self-Response Quality Assurance	750,000	10	125,000
Field Verification	220,000	2	7,333
Field Verification Quality Control	11,000	2	367
Coverage Improvement	3,200,000	7	373,333
Non-ID Processing Phone Followup	750,000	5	62,500
Self-Response Areas Subtotal	168,368,136		26,923,905
Geographic Area Focused on Update Enumerate:			
Update Enumerate Production	35,000	12	7,000
Update Enumerate Listing Quality Control	3,500	5	292
Update Enumerate Reinterview	1,750	10	292
Update Enumerate Subtotal	40,250		7,584
Group Quarters (GQ):			
Domestic Violence Shelter address collection	57	20	19
GQ Advance Contact (facility)	297,000	10	49,500
GQ Enumeration—eResponse (facility)	14,300	20	4,767
GQ Enumeration—person contact	8,000,000	5	666,667
Service-Based Enumeration	800,000	5	66,667
Group Quarters Quality Control	8,500	5	708
Domestic Violence Shelter Enumeration	0*		0
Military Enumeration	0*		0
Maritime and Military Vessel Enumeration	0*		0
Group Quarters Subtotal	9,119,857		788,328
Carnivals/Circuses address collection	450	10	75
Hotels/Motels address collection	55,000	10	9,167

2020 CENSUS—Continued

Operation or category	Estimated number of respondents	Estimated time per response (in minutes)	Total burden hours
Enumeration at Transitory Locations—Advance Contact	50,000	10	8,333
Enumeration at Transitory Locations—Units	600,000	10	100,000
Federally Affiliated Count Overseas	82	5	7
Island Areas Censuses—Housing Units	138,281	40	92,187
Island Areas Censuses—Group Quarters	10,291	30	5,146
Totals	195,747,754		29,381,849

* This burden is included in GQ enumeration—person contact.

Needs and Uses: Article 1, Section 2 of the United States Constitution mandates that the U.S. House of Representatives be reapportioned every ten years by conducting an enumeration of all residents. In addition to the reapportionment of the U.S. Congress, Census data are used to draw legislative district boundaries within states. Census data are also used by numerous agencies to determine funding allocations for the distribution of an estimated $675 billion of federal funds each year.

The taking of a decennial census is mandated by Article 1, Section 2 of the U.S. Constitution. Title 13, United States Code (U.S.C), Section 141 directs the Secretary to take a decennial census of population and housing, determining its form and content, and further authorizes the collection of such other census information in relation to the decennial census, as necessary. These authorities are delegated to the Director of the Census Bureau under Department of Commerce Organization Order 35–2A. The Census Bureau is required to conduct the 2020 Census to collect the person and housing data that will be used for reapportionment, redistricting, and various statistical data products, under Title 13, U.S. Code. Additionally, the Census Bureau is authorized under Title 13 Section 193 to conduct surveys and collect information before, during, and after the decennial census to assist in the conduct of the decennial census.

Type of Enumeration Areas

Prior to the census, it is necessary to delineate all geographic areas into Type of Enumeration Areas (TEAs), which describe what methodology will be used for census material delivery and household enumeration in order to use the most cost-effective enumeration approach for achieving maximum accuracy and completeness. TEAs also describe what methodology will be used for updating the address frame. For the United States and Puerto Rico, TEAs are delineated at the block level based on the address and spatial data in the Census Bureau's Master Address File (MAF)/Topologically Integrated Geographic Encoding and Referencing system (TIGER) database.

The TEAs designated for the 2020 Census are:

* TEA 1 = Self-Response.
* TEA 2 = Update Enumerate.
* TEA 3 = Island Areas.
* TEA 4 = Remote Alaska.
* TEA 6 = Update Leave.

The most common enumeration method by percentage of households is self-response (TEA 1), where materials will be delivered to each address through the mail and self-response will be supported and promoted. Self-response can occur when households mail back a 2020 Census paper questionnaire, submit the data on the 2020 Census internet questionnaire, or call the telephone number for Census Questionnaire Assistance and submit the data during the phone call. After the initial self-response phase, nonresponding households in TEA 1 will be enumerated in the Nonresponse Followup (NRFU) operation. In Update Enumerate (TEA 2), Census Bureau enumerators visit an address, update the address list, and attempt household enumeration at the same time. This TEA will be used for a very small portion of the addresses in the country, such as those with access problems or minimal mail service. The Island Areas (TEA 3) are not currently included in MAF/TIGER. With no existing address list for these areas, the address list will be created and enumeration will be attempted at the same time. Remote Alaska (TEA 4) uses the Update Enumerate methodology but in remote areas of Alaska. These areas have unique challenges associated with the accessibility to communities where the population ranges from several hundred people to just a few people. Communities are widely scattered and rarely linked by roads. Most are accessible only by small-engine airplane, snowmobile, four-wheel-drive vehicles, dogsled, or some combination thereof. This operation occurs earlier than other enumeration operations (starting in January) due to seasonal availability of the population, who disperse when warmer weather arrives. During Update Leave (TEA 6), Census Bureau staff visit an address, update the address list, and leave a questionnaire package at each individual housing unit. The household is expected to return the questionnaire or submit their data online or by telephone. Puerto Rico is designated as entirely Update Leave in order to create a current address list at the time of the census, in response to changes that may have occurred due to recent natural disasters. Nonresponding units in Update Leave areas are included in the NRFU workload.

The final TEA delineation includes updated counts of housing units resulting from Address Canvassing and other housing unit update operations. These updated counts change the burden table from prior publications and increase the total burden. A map of the areas designated for the various TEAs is shown at the embedded link: TEA Viewer

Mobile Questionnaire Assistance

The Census Bureau has recently added a Mobile Questionnaire Assistance component to the internet Self-Response operation. This component will create additional opportunities for the public to respond to the 2020 Census in key locations that are experiencing low response rates. The Mobile Response Initiative builds on and improves the model for the 2010 Census Questionnaire Assistance Centers. With the use of mobile technology, Mobile Questionnaire Assistance can be deployed in areas experiencing low response rates across the country, rather than in static locations. Respondents can receive assistance from trained staff, and they can answer the 2020 Census using Census Bureau iPads to access the internet Self-Response instrument.

Evaluations and Experiments

For the 2020 Census, the evaluations and experiments program has been described either as a revision to the 2020 Census package, as part of the Census Bureau's 2020 Census Post-Enumeration Survey Independent Listing Operation (covered under OMB approval #0607–1009), or within Generic Clearances for Census Bureau Field Tests and Evaluations (covered under OMB approval #0607–0971 and #0607–0978). There are a few updates to the 2020 Census evaluations and experiments program since the publication of the prior **Federal Register** Notice. The full program is described below.

For the 2020 Census, operational assessments, quality profiles, evaluations, and experiments are all produced within the Evaluations and Experiments operation. Operational Assessments are designed to document final volumes, rates, and costs for individual operations or processes using data from production files and activities and information collected from debriefings and lessons learned. They do not include analysis. Operational assessments report out on planned versus actual variances as they relate to budget, schedule, and workloads (production and training) and on meeting performance success criteria. Depending on the operation, they may include frequency distributions and standard demographic or address tables. Quality profiles are designed to provide the results from the quality assurance program for an operation. No additional data collection is required for the purpose of creating the operational assessments or the quality profiles. They are described here for the purpose of providing the complete scope of the Evaluations and Experiments operation.

The evaluations and experiments performed during a census represent the initial plans for updating and improving the subsequent census. While testing continues throughout the decade, certain aspects can only be tested within a decennial census environment, as public awareness of the census and of the responsibility to respond is often a key factor of the test. Evaluations are designed to analyze, interpret, and synthesize the effectiveness and efficiencies of census components and their impact on data quality and coverage using data collected from census operations, processes, systems, and auxiliary data collections. Experiments provide quantitative or qualitative results for tests that occur during a decennial census. Since they occur in an environment of optimal census awareness, results simulate more closely to what experimental treatments would yield in a full production application. Experiments inform planning of future decennial censuses, so 2020 Census experiments will focus on planning toward a 2030 Census.

The table below shows the full set of planned evaluation efforts. Two assessments, seven evaluations, and six synthesis reports have recently been added to the planned list. The new assessments are Count Review Operational Assessment, and internet Self-Response: Mobile Questionnaire Assistance Assessment. In addition some of the Post-Enumeration Survey assessments have been split into multiple assessments but will cover the same material. The new evaluations are: Evaluating the 2020 Census Communication Campaign: Census Mindset Measures Before and After the Campaign, 2020 Census Quantitative Testing, 2020 Census Tracking Survey, Investigating Digital Advertising and Online Self-Response, Matching 2019 Census Barrier, Attitudes, and Behaviors Study Survey Sample to 2020 Census, Comparing 2019 Census Test and 2020 Census Self-Respons Rates to Estimate ''Decennial Environment,''and Evaluating the Effect of the Decennial Census on Self-Response to the American Community Survey. In addition, six synthesis reports have been added. A synthesis report integrates component reports on a particular topic. The topics of the synthesis reports are: The Integrated Partnership and Communications Program, Undercount of Young Children, Response Rates and Behavior Analysis, Interviewer Data Collection, Address List Development, Administrative Records. These are described briefly in the table below and in more detail in the study plans that are included with this package of materials.

For the purposes of fully defining the Evaluations and Experiments operation, specific assessments, evaluations, and experiments planned for the 2020 Census are documented in the table below. Some evaluations and experiments shown in italics are described within other OMB approval packages, as noted in the footnotes to the table.

2020 Census Operational Assessments:
- Archiving Operational Assessment
- Census Questionnaire Assistance Operational Assessment
- Content and Forms Design Operational Assessment
- Count Question Resolution Operational Assessment
- Count Review Operational Assessment
- Coverage Improvement Operational Assessment
- Decennial Logistics Management—Logistics Management Support Operational Assessment
- Decennial Logistics Management—Space Acquisition and Lease Management Operational Assessment
- Decennial Service Center Operational Assessment
- Demographic Analysis Operational Assessment
- Enumeration at Transitory Locations Advance Contact Operational Assessment
- Enumeration at Transitory Locations Operational Assessment
- Evaluations and Experiments Operational Assessment
- Federally Affiliated Count Overseas Operational Assessment
- Field Infrastructure—Field Office Administration and Payroll Operational Assessment
- Field Infrastructure—Recruiting, Onboarding, and Training Operational Assessment
- Forms Printing and Distribution Operational Assessment
- Geographic Partnership Programs Operational Assessment
- Group Quarters Advance Contact Assessment Report
- Group Quarters Enumeration and Military Enumerations Assessment
- In-Field Address Canvassing Operational Assessment
- In-Office Address Canvassing Operational Assessment
- Integrated Partnership and Communications Contract Assessment
- Integrated Partnership and Communications Operational Assessment
- Research to Support the Integrated Partnership and Communications Program
- Internet Self-Response Operational Assessment

Internet Self-Response: Mobile Questionnaire Assistance Assessment
Island Areas Censuses Operational Assessment
Item Nonresponse Rates Assessment Study
Language Services Operational Assessment
Local Update of Census Addresses Operational Assessment
Maritime Vessel Enumeration Report
New Construction Operational Assessment
Non-ID Operational Assessment
Nonresponse Followup Operational Assessment
Paper Data Capture Operational Assessment
Post-Enumeration Survey Sampling and Estimation Operational Assessment
Post-Enumeration Survey Field Operations Independent Listing Operational Assessment
Post-Enumeration Survey Field Operations Initial Housing Unit Followup Operational Assessment
Post-Enumeration Survey Field Operations Person Interview Operational Assessment
Post-Enumeration Survey Field Operations Person Followup Operational Assessment
Post-Enumeration Survey Field Operations Final Housing Unit Followup Operational Assessment
Post-Enumeration Survey Matching Initial Housing Unit Matching Operational Assessment
Post-Enumeration Survey Matching Person Matching Operational Assessment
Post-Enumeration Survey Matching Final Housing Unit Matching Operational Assessment
Redistricting Data Program Operational Assessment
Response Processing Operational Assessment
Response Rates Assessment Study
Self-Response Quality Assurance Operational Assessment
Service-Based Enumeration Assessment Report
Systems and Applications in the 2020 Census (Security, Privacy, and Confidentiality)
Update Enumerate Operational Assessment
Update Leave Operational Assessment
2020 Census Quality Control (QC):
Quality Control Study Plan for Listing Operations
Quality Control Study Plan for Enumeration Operations
Address Canvassing QC Results
Update Leave QC Results
Nonresponse Followup QC Results
Person Interview QC Results
Independent Listing QC Results

2020 Census evaluations and experiments	Additional data collected
Evaluations	
Reengineered Address Canvassing • Estimate certain types of errors that can occur during In-Field Address Canvassing. Investigate effectiveness of In-Office Address Canvassing and Interactive Review. Compare costs of reengineered Address Canvassing to 100 percent In-Field Address Canvassing. • Evaluate In-Field Address Canvassing listers by including false addresses (salting) and suppressing a sample of valid addresses. • *Evaluate In-Office and In-Field Address Canvassing using Post-Enumeration Survey listing results.*[1]	Salted and suppressed addresses within Address Canvassing: same burden estimate because listers should delete incorrect addresses (which does not involve contact) and add missing addresses (which is the same burden as for valid addresses).
Administrative Record Dual-System Estimation Determine whether dual system estimates could be generated without conducting an independent post-enumeration survey, using Administrative Records.	None.
Evaluating Privacy and Confidentiality Concerns[2] Capture respondents' concerns about privacy and confidentiality during the census, particularly with respect to the internet response option and administrative records use in a census environment.	NA.
The Undercount of Young Children: A Qualitative Evaluation of Census Materials and Operations[2, 3] Conduct focus groups and cognitive interviews to identify where existing roster questions and procedures are failing and how to improve them.	NA.
Research on Hard to Count Populations: Non-English Speakers and Complex Household Residents, including Undercount of Children Research[2]. Assess NRFU interviews in areas associated with potential undercoverage and non-English speaking households. In addition, administer a specialized enumerator training module to a sample of Spanish-speaking bilingual enumerators to evaluate its impact.	NA.
Analysis of Census Internet Self-Response Paradata by Language Examine 2020 Census web paradata and assess by language.	None.
Group Quarters Advance Contact: Refining Classification of College or University Student Housing[2] Explore whether refined classification used in the 2020 Census results in more accurately identifying privately owned college housing.	NA.
Evaluating the 2020 Census Communications Campaign: Census Mindset Measures Before and After the Campaign[4]. Gauge whether the portion of the population with mindsets less inclined to participate in the census shrank over the course of the campaign while the portion of the population with mindsets more inclined to participate grew larger.	Opinion data; multiple waves of collection.
2020 Census Quantitative Copy Testing[4] Test whether 2020 Census television and radio advertisements perform better than control ads that do not mention the 2020 Census on factors including message recall, message comprehension, ad likability and enjoyability, behavioral intention to respond to the census, and the Census Bureau's corporate image.	Awareness and comprehension data across multiple treatments.

2020 Census evaluations and experiments	Additional data collected
2020 Census Tracking Survey[4]	Opinion data; monthly then daily collections.
Track US public sentiment concerning matters that may bear upon 2020 Census participation to examine how attitudes and perceptions change during the census measurement period (mid-March through May 2020)	
Investigating Digital Advertising and Online Self-Response	None.
Investigate the relationship between digital advertising materials and online self-response by analyzing ISR paradata.	
Matching 2018 Census Barriers, Attitudes, and Behaviors Study Survey Sample to 2020 Census	None.
Match the 2018 Census Barriers, Attitudes, and Motivators Study (CBAMS) survey sample addresses to 2020 Census addresses to evaluate (1) how well survey respondents' intended response behaviors align with actual response behaviors, (2) the characteristics of non-responding CBAMS households.	
Comparing 2019 Census Test and 2020 Census Self-Response Rates to Estimate ''Decennial Environment''.	None.
Matching 2019 Census Test data to 2020 Census data to compare self-response behavior with and without the decennial environment.	
Evaluating the Effect of the Decennial Census on Self-Response to the American Community Survey	None.
Assess of the impact of the decennial census communications campaign on garnering self-response from members of the public for the American Community Survey. Analyze the self-response trends for the American Community Survey to assess the extent to which the changes in the data collection environment during the decennial census affect other self-response data collection efforts undertaken by the Census Bureau.	
Experiments	
Extending the Census Environment to the Mailing Materials	None.
Test effect on self-response rates of wearable, nonmonetary mailing inserts that promote the 2020 Census as well as mailing materials that incorporate elements and images developed by the 2020 Census communications campaign. In addition, test the use of an every door direct mail piece and comparing two different every door direct mail pieces for the effect on self-response rates.	
Optimization of Self-Response in the 2020 Census Experiment	None.
Evaluate impacts of the mailing strategy and the influence of the internet response option by (1) mailing a sample of housing units a modified version of 2010 Census materials with no promotion of the internet response option on a schedule that resembles what occurred during the 2010 Census, (2) mailing another sample of housing units a modified version of the 2020 Census materials with no promotion of the internet response option, (3) switching the planned mail contact strategy between internet choice and internet first for another sample of housing units. In addition, test the effectiveness of communications and partnership activities by not mailing and 2020 Census materials to a sample of households.	
Real-Time 2020 Census Administrative Record Census Simulation	None.
Compare person-level, housing unit-level, and hybrid approaches to conducting an administrative record census.	
Synthesis Reports	
Integrated Partnership and Communications Evaluation Synthesis Report	None.
Undercount of Young Children	None.
Response Rates and Behavior Analysis	None.
Interviewer Data Collection	None.
Address List Development	None.
Administrative Records	None.

1. 2020 Census Post-Enumeration Survey Independent Listing Operation (OMB approval #0607–1009).
2. Generic Clearance for Census Bureau Field Tests and Evaluations (OMB approval #0607–0971).
3. Generic Clearance for Questionnaire Pretesting Research (OMB approval #0607–0725).
4. Generic Clearance for Testing (OMB approval #0607–0978).

Affected Public: Individuals or Households.

Frequency: Once every 10 years.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13, United States Code, Section 141 and 193.

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

Written comments and recommendations for the proposed information collection, identified by Docket number OMB–2018–0004, may be submitted to the Federal e-Rulemaking portal: *https://www.regulations.gov* within 30 days of publication of this notice. All comments received are part of the public record and will be posted to *http://www.regulations.gov* for public viewing. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2020–01945 Filed 1–31–20; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

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

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (Commerce) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

Respondent Selection

In the event Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review. We intend to release the CBP data under Administrative Protective Order (APO) to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 21 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. Commerce invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, Commerce finds that determinations concerning whether particular companies should be ''collapsed'' (*i.e.,* treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of a review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.,* investigation, administrative review, new shipper review or changed circumstances review). For any company subject to a review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete a Quantity and Value Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of a proceeding where Commerce considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that requests a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of particular market situation (PMS) for purposes of constructed value under section 773(e) of the Act.[1] Section 773(e) of the Act states that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(2)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial Section D responses.

Opportunity to Request a Review: Not later than the last day of February 2020,[2] interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in February for the following periods:

[1] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

[2] Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when Commerce is closed.

Antidumping Duty Proceedings	
Brazil: Carbon and Alloy Steel Cut-to-Length Plate, A–351–847	2/1/19–1/31/20
France: Uranium, A–427–818	2/1/19–1/31/20
India:	
Certain Cut-To-Length Carbon-Quality Steel Plate, A–533–817	2/1/19–1/31/20
Certain Preserved Mushrooms, A–533–813	2/1/19–1/31/20
Frozen Warmwater Shrimp, A–533–840	2/1/19–1/31/20
Stainless Steel Bar, A–533–810	2/1/19–1/31/20
Indonesia:	
Certain Cut-To-Length Carbon-Quality Steel Plate, A–560–805	2/1/19–1/31/20
Certain Preserved Mushrooms, A–560–802	2/1/19–1/31/20
Italy: Stainless Steel Butt-Weld Pipe Fittings, A–475–828	2/1/19–1/31/20
Japan:	
Carbon Steel Butt-Weld Pipe Fittings, A–588–602	2/1/19–1/31/20
Stainless Steel Bar, A–588–833	2/1/19–1/31/20
Malaysia: Stainless Steel Butt-Weld Pipe Fittings, A–557–809	2/1/19–1/31/20
Mexico: Large Residential Washers, A–201–842	2/1/19–1/31/20
Philippines: Stainless Steel Butt-Weld Pipe Fittings, A–565–801	2/1/19–1/31/20
Republic of Korea: Certain Cut-To-Length Carbon-Quality Steel Plate, A–580–836	2/1/19–1/31/20
Socialist Republic of Vietnam:	
Frozen Warmwater Shrimp, A–552–802	2/1/19–1/31/20
Steel Wire Garment Hangers, A–552–812	2/1/19–1/31/20
Utility Scale Wind Towers, A–552–814	2/1/19–1/31/20
South Africa: Certain Carbon and Alloy Steel Cut-To-Length Plate, A–791–822	2/1/19–1/31/20
Taiwan: Crystalline Silicon Photovoltaic Products, A–583–853	2/1/19–1/31/20
Thailand: Frozen Warmwater Shrimp, A–549–822	2/1/19–1/31/20
The People's Republic of China:	
Certain Preserved Mushrooms, A–570–851	2/1/19–1/31/20
Common Alloy Aluminum Sheet, A–570–073	6/22/18–1/31/20
Crystalline Silicon Photovoltaic, A–570–010	2/1/19–1/31/20
Frozen Warmwater Shrimp, A–570–893	2/1/19–1/31/20
Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, A–570–803	2/1/19–1/31/20
Large Residential Washers, A–570–033	2/1/19–1/31/20
Rubber Bands, A–570–069	9/6/2018–1/31/20
Small Diameter Graphite Electrodes, A–570–929	2/1/19–1/31/20
Truck and Bus Tires, A–570–040	2/15/19–1/31/20
Uncovered Innerspring Units, A–570–928	2/1/19–1/31/20
Utility Scale Wind Towers, A–570–981	2/1/19–1/31/20
Turkey: Certain Carbon and Alloy Steel Cut-To-Length Plate, A–489–828	2/1/19–1/31/20
Countervailing Duty Proceedings	
India:	
Certain Cut-To-Length Carbon-Quality Steel Plate, C–533–818	1/1/19–12/31/19
Prestressed Concrete Steel Wire Strand, C–533–829	1/1/19–12/31/19
Cold-Drawn Mechanical Tubing, C–533–874	1/1/19–12/31/19
Indonesia: Certain Cut-To-Length Carbon-Quality Steel Plate, C–560–806	1/1/19–12/31/19
Republic of Korea: Certain Cut-To-Length Carbon-Quality Steel Plate, C–580–837	1/1/19–12/31/19
Socialist Republic Of Vietnam: Steel Wire Garment Hangers, C–552–813	1/1/19–12/31/19
The People's Republic of China:	
Cold-Drawn Mechanical Tubing, C–570–059	1/1/19–12/31/19
Common Alloy Aluminum Sheet, C–570–074	4/23/18–12/31/19
Crystalline Silicon Photovoltaic Products, C–570–011	1/1/19–12/31/19
Rubber Bands, C–570–070	7/9/18–12/31/19
Truck and Bus Tires, C–570–041	2/15/19–12/31/19
Utility Scale Wind Towers, C–570–982	1/1/19–12/31/19
Suspension Agreements	
None.	

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or

exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders.[3]

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an antidumping duty administrative reviews.[4] Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.[5] In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an antidumping administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at *http://access.trade.gov.*[6] Further, in accordance with 19 CFR 351.303(f)(l)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

Commerce will publish in the **Federal Register** a notice of ''Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation'' for requests received by the last day of February 2020. If Commerce does not receive, by the last day of February 2020, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures ''gap'' period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: January 27, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2020–01977 Filed 1–31–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-Year (Sunset) Reviews

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

SUMMARY: In accordance with the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) is automatically initiating the five-year reviews (Sunset Reviews) of the antidumping and countervailing duty (AD/CVD) order(s) listed below. The International Trade Commission (the ITC) is publishing concurrently with this notice its notice of *Institution of Five-Year Reviews* which covers the same order(s).

DATES: Applicable (February 1, 2020).

FOR FURTHER INFORMATION CONTACT: Commerce official identified in the *Initiation of Review* section below at AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. For information from the ITC, contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205–3193.

SUPPLEMENTARY INFORMATION:

Background

Commerce's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders,* 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to Commerce's conduct of Sunset Reviews is set forth in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101 (February 14, 2012).

Initiation of Review

In accordance with section 751(c) of the Act and 19 CFR 351.218(c), we are initiating the Sunset Reviews of the following antidumping and countervailing duty order(s):

[3] *See also* the Enforcement and Compliance website at *http://trade.gov/enforcement/.*

[4] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[5] In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

[6] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

DOC case No.	ITC case No.	Country	Product	Commerce contact
A–570–941	731–TA–1154	China	Kitchen Appliance Shelving and Racks (2nd Review)	Matthew Renkey, (202) 482–2312.
C–570–942	701–TA–458	China	Kitchen Appliance Shelving and Racks (2nd Review)	Matthew Renkey, (202) 482–2312.

Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the pertinent statute and Commerce's regulations, Commerce's schedule for Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on Commerce's website at the following address: *https://enforcement.trade.gov/sunset/.* All submissions in these Sunset Reviews must be filed in accordance with Commerce's regulations regarding format, translation, and service of documents. These rules, including electronic filing requirements via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), can be found at 19 CFR 351.303.[1]

Any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information.[2] Parties must use the certification formats provided in 19 CFR 351.303(g).[3] Commerce intends to reject factual submissions if the submitting party does not comply with applicable revised certification requirements.

On April 10, 2013, Commerce modified two regulations related to AD/CVD proceedings: The definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301).[4] Parties are advised to review the final rule, available at *https://enforcement.trade.gov/frn/2013/1304frn/2013–08227.txt,* prior to submitting factual information in these segments. To the extent that other regulations govern the submission of factual information in a segment (such as 19 CFR 351.218), these time limits will continue to be applied. Parties are also advised to review the final rule concerning the extension of time limits for submissions in AD/CVD proceedings, available at *https://enforcement.trade.gov/frn/2013/1309frn/2013-22853.txt,* prior to submitting factual information in these segments.[5]

Letters of Appearance and Administrative Protective Orders

Pursuant to 19 CFR 351.103(d), Commerce will maintain and make available a public service list for these proceedings. Parties wishing to participate in any of these five-year reviews must file letters of appearance as discussed at 19 CFR 351.103(d)). To facilitate the timely preparation of the public service list, it is requested that those seeking recognition as interested parties to a proceeding submit an entry of appearance within 10 days of the publication of the Notice of Initiation. Because deadlines in Sunset Reviews can be very short, we urge interested parties who want access to proprietary information under administrative protective order (APO) to file an APO application immediately following publication in the **Federal Register** of this notice of initiation. Commerce's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304–306.

Information Required From Interested Parties

Domestic interested parties, as defined in section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b), wishing to participate in a Sunset Review must respond not later than 15 days after the date of publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with Commerce's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, Commerce will automatically revoke the order without further review.[6]

If we receive an order-specific notice of intent to participate from a domestic interested party, Commerce's regulations provide that *all parties* wishing to participate in a Sunset Review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that Commerce's information requirements are distinct from the ITC 's information requirements. Consult Commerce's regulations for information regarding Commerce's conduct of Sunset Reviews. Consult Commerce's regulations at 19 CFR part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at Commerce.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: January 27, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2020–01978 Filed 1–31–20; 8:45 am]

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[1] *See also Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

[2] *See* section 782(b) of the Act.

[3] *See also Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*). Answers to frequently asked questions regarding the *Final Rule* are available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[4] *See Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule,* 78 FR 21246 (April 10, 2013).

[5] *See Extension of Time Limits,* 78 FR 57790 (September 20, 2013).

[6] *See* 19 CFR 351.218(d)(1)(iii).

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review

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

Background

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce)

and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for March 2020

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in March 2020 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
Antidumping Duty Proceedings	
Prestressed Concrete Steel Wire Strand from Brazil (A–351–837) (3rd Review)	Mary Kolberg (202) 482–1785.
Tetrahydrofurfuryl Alcohol from China (A–570–887) (3rd Review)	Mary Kolberg (202) 482–1785.
Commodity Matchbooks from India (A–533–848) (2nd Review)	Mary Kolberg (202) 482–1785.
Prestressed Concrete Steel Wire Strand from India (A–533–828) (3rd Review)	Mary Kolberg (202) 482–1785.
Prestressed Concrete Steel Wire Strand from Japan (A–588–068) (5th Review)	Mary Kolberg (202) 482–1785.
Prestressed Concrete Steel Wire Strand from Mexico (A–201–831) (3rd Review)	Mary Kolberg (202) 482–1785.
Prestressed Concrete Steel Wire Strand from Republic of Korea (A–580–852) (3rd Review)	Mary Kolberg (202) 482–1785.
Prestressed Concrete Steel Wire Strand from Thailand (A–549–820) (3rd Review)	Mary Kolberg (202) 482–1785.
Countervailing Duty Proceedings	
Commodity Matchbooks from India (C–533–849) (2nd Review)	Jacqueline Arrowsmith (202) 482–5255.
Prestressed Concrete Steel Wire Strand from India (C–533–829) (3rd Review)	Mary Kolberg (202) 482–1785.

Suspended Investigations

No Sunset Review of suspended investigations is scheduled for initiation in March 2020.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

Dated: January 27, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2020–01976 Filed 1–31–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XA021

Caribbean Fishery Management Council; Public Meeting; Correction

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

ACTION: Notice of an addendum to a public webinar.

SUMMARY: The Caribbean Fishery Management Council's (Council) Ecosystem-Based Fishery Management Technical Advisory Panel (EBFM TAP) will hold a two- hours webinar meeting to address the items contained in the agenda included in the **SUPPLEMENTARY INFORMATION**.

DATES: The webinar meeting will be held on February 19, 2020, from 9 a.m. to 11 a.m. EST.

ADDRESSES: The webinar meeting will be held through GoToMeeting. You can join the meeting from your computer, tablet or smartphone at *https://global.gotomeeting.com/join/771316093.* You can also dial in using your phone. United States: +1 (571) 317–3122 Access Code: 771–316–093. If joining from a video-conferencing room or system, depending on your device, dial in or type: 771316093@67.217.95.0 or 67.217.95.2##771316093.

FOR FURTHER INFORMATION CONTACT: Miguel Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918–1903, telephone: (787) 766–5926.

SUPPLEMENTARY INFORMATION: The original notice published in the **Federal Register** on January 27, 2020 (85 FR 4641). This notice adds EST to the times of the meeting and includes a few additions to the agenda.

February 19, 2020, 9 a.m.–11 a.m. EST

- Call to Order
- Adoption of Agenda
- Introduction of Ecosystem-Based Fishery Management Technical Advisory Panel (EBMF TAP) Members and Staff
- Purpose and Goals of EBFM TAP
- Review of Caribbean EBFM Development Progress to Date
  - a. Conceptual Models Status and Next Steps
  - b. Risk Assessment/Ecosystem Status Report/Other Plan Components
- Discussion on the Development of an Outline for the Fishery Ecosystem Plan
- Planning for In-Person Meeting Ahead of April Caribbean Council Meeting
- Other Business

The order of business may be adjusted as necessary to accommodate the completion of agenda items. The meeting will begin on February 19, 2020, at 9 a.m. EST.

Special Accommodations

For more information on this webinar, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918–1903, telephone: (787) 766–5926.

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

Dated: January 29, 2020.

Tracey L. Thompson,

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

[FR Doc. 2020–01936 Filed 1–31–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XY069]

Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Groundfish and Halibut Seabird Working Group; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: NMFS Alaska Groundfish and Halibut Seabird Working Group will meet to discuss vessel-specific seabird bycatch mortality, electronic monitoring seabird species identification work, and an update on new studies examining seabird bycatch in the trawl fisheries.

DATES: The meeting will be held on March 11, 2020, from 1 p.m. to 5 p.m., and on March 12, 2020, from 9 a.m. to 4 p.m., Alaska Daylight Time.

ADDRESSES: The meeting will be held at the NMFS Alaska Regional Office located at 709 W 9th St., Room 445C, Juneau, AK. Photo identification is required to enter this facility.

FOR FURTHER INFORMATION CONTACT: Joseph Krieger, 907–586–7650.

SUPPLEMENTARY INFORMATION: The Alaska Groundfish and Halibut Seabird Working Group formed as a result of the 2015 biological opinion on effects of the Gulf of Alaska and Bering Sea/Aleutian Islands groundfish fisheries on short-tailed albatross. The working group is tasked with reviewing information for mitigating effects of the groundfish fisheries on short-tailed albatross and other seabirds. The workgroup will hold an in-person meeting in Juneau, Alaska on March 11 and 12, 2020. Meeting topics include vessel-specific seabird bycatch mortality and proposed work on vessel-specific seabird bycatch reduction; electronic monitoring seabird species identification work; and an update on new studies examining seabird bycatch in the trawl fisheries.

NMFS will keep the Council apprised of the working group's activities and any resulting recommendations for methods to reduce seabird bycatch. Any changes to seabird avoidance regulations are expected to follow the standard Council process.

Special Accommodations

This workshop will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joseph Krieger, 907–586–7650, at least 5 working days prior to the meeting date.

Dated: January 29, 2020.

Jennifer M. Wallace,

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

[FR Doc. 2020–02012 Filed 1–31–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Southeast Region Gulf of Mexico Mandatory Shrimp Vessel and Gear Characterization Survey.

OMB Control Number: 0648–0542.

Form Number(s): None.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 1,410.

Average Time Per Response: 30 minutes.

Burden Hours: 705.

Needs and Uses: The Magnuson-Stevens Fishery Conservation and Management Act authorizes the Gulf of Mexico Fishery Management Council (Council) to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. The National Marine Fisheries Service (NMFS) manages the commercial shrimp fishery in Federal waters of the Gulf of Mexico (Gulf) under the Fishery Management Plan for the Shrimp Fishery of the Gulf.

Owners or operators of vessels applying for or renewing a commercial vessel permit for the Gulf shrimp fishery must complete an annual Gulf Shrimp Vessel and Gear Characterization Form. NMFS provides the form to each permit holder in January each year, and the form is due to NMFS prior to the submission of a permit application for renewal or transfer. Compliance with this reporting requirement is required for permit issuance and renewal. The regulations requiring the Gulf Shrimp Vessel and Gear Characterization Form may be found at 50 CFR 622.51(a)(3).

Through this form, NMFS collects census-level information on fishing vessel and gear characteristics in the Gulf shrimp fishery to conduct analyses that will improve management decision-making in this fishery. In addition, these analyses ensure that national goals, objectives, and requirements of the Magnuson-Stevens Act, National Environmental Policy Act, Regulatory Flexibility Act, Endangered Species Act, and Executive Order 12866 are met; and quantify achievement of the performance measures in the NMFS' Operating Plans. This information is vital in assessing the economic, social, and environmental effects of fishery management decisions and regulations on individual shrimp fishing enterprises, fishing communities, and the nation as a whole.

Affected Public: Businesses or other for-profit organizations, and individuals or households.

Frequency: Annually.

Respondent's Obligation: Mandatory.

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

Written comments and recommendations for the proposed information collection should be sent within 30 days of this notice publication by email to *OIRA_Submission@omb.eop.gov* or by fax to (202) 395–5806.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2020–01938 Filed 1–31–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Federal Advisory Committee Meeting

AGENCY: Board of Visitors of the U.S. Air Force Academy, Department of the Air Force, DoD.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Department of Defense (DoD) is publishing this notice to

announce that the following Federal Advisory Committee meeting of the Board of Visitors (BoV) of the U.S. Air Force Academy (USAFA) will take place.

DATES: Open to the public Wednesday, February 19, 2020 from 7:45 a.m. to 4 p.m. and 4:40 p.m. to 5 p.m. (Mountain Time). Closed to the public from 4 p.m. to 4:40 p.m. (Mountain Time).

ADDRESSES: United States Air Force Academy, Eisenhower Golf Course, Building 3170, Colorado Springs, CO 80840

FOR FURTHER INFORMATION CONTACT: Captain Jonathan W. Wood, (703) 695–9030, *jonathan.w.wood.mil@mail.mil* or Ms. Jean R. Love, (DFO), (703) 692–7757, (703) 693–4244 (Facsimile), *jean.r.love.civ@mail.mil.*

SUPPLEMENTARY INFORMATION: This meeting is held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.140 and 102–3.150.

Purpose of the Meeting: The purpose of the meeting is to review morale and discipline, social climate, athletics, diversity, curriculum and other matters relating to the U.S. Air Force Academy. The meeting will address topics that include space force integration across the Academy, updates from the Academy superintendent, commandant, Dean, Athletics department, and the Institute for Future Conflict, Senior Air Force Specialty Code matching and Innovation Showcase. In accordance with section 10(d) of the Federal Advisory Committee Act, as amended, 5 U.S.C. Appendix and 41 CFR 102–3.155, the Administrative Assistant of the Air Force, in consultation with the Air Force General Counsel, has agreed that the public interest requires the United States Air Force Board of Visitors Meeting to have a session that is closed to the public because it will involve discussions covered by 5 U.S.C. 552b(c)(6).

Meeting Accessibility: For sessions open to the public, subject to the availability of space. Registration of members of the public who wish to attend the open sessions begins upon publication of this meeting notice and ends three business days (February 12) prior to the start of the meeting. All members of the public must contact Capt Jonathan Wood at the phone number or email listed below in the section titled **FOR FURTHER INFORMATION CONTACT**. Seating is limited and is on a first-to-arrive basis. Attendees will be asked to provide their name, title, affiliation, and contact information to include email address and daytime telephone number to the point of contact (POC) listed in the **FOR FURTHER INFORMATION CONTACT** section. Any interested person may attend the open session of the meeting, file written comments or statements with the committee, or make verbal comments from the floor during the public meeting, at the times, and in the manner, permitted by the BoV.

Written Statements: Any member of the public wishing to provide input to the board of Visitors in accordance with to 41 CFR 102–3.105(j) and 102–3.140 and 10(a)(3) of the FACA, the public or interested organizations may submit written comments or statements to the BoV about its mission and/or the topics to be addressed in the open sessions of this public meeting. Written comments or statements should be submitted to the BoV Executive Secretary, Capt Jonathan Wood, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section in the following formats: Adobe Acrobat or Microsoft Word. The comment or statement must include the author's name, title affiliation, address, and daytime telephone number. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the BoV Executive Secretary at least five (5) business days (February 10) prior to the meeting so they may be made available to the BoV Chairman for consideration prior to the meeting. Written comments or statements received after this date (February 10) may not be provided to the BoV until its next meeting. Please note that because the BoV operates under the provisions of the FACA, as amended, all written comments will be treated as public documents and will be made available for public inspection.

Verbal Comments: Members of the public will be permitted to make verbal comments during the open session of the meeting only at the time and in the manner allowed herein. If a member of the public is interested in making a verbal comment at the open session of the meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least three (3) business days (February 13) in advance, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section. The BoV DFO will log each request to make a comment, in the order received, and the DFO and BoV Chairman will determine whether the subject matter of each comment is relevant to the BoV's mission and/or topics to be addressed in this public meeting. A period near the end of the meeting (open session) will be available for verbal public comments. Members of the public who have requested to make a verbal comment and whose comments have been deemed relevant under the process described in this paragraph, will be allotted no more than five (5) minutes during this period, and will be invited to speak in the order in which their requests were received by the DFO. For the benefit of the public, rosters that list the names of BoV members and any releasable materials presented during the BoV meeting shall be made available upon request.

Adriane Paris,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2020–01923 Filed 1–31–20; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF DEFENSE

Department of the Army

Board of Visitors, United States Military Academy (USMA BoV)

AGENCY: Department of the Army, DoD.

ACTION: Notice of committee meeting.

SUMMARY: Under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976, the Department of Defense announces that the following Federal advisory committee meeting will take place.

DATES: The meeting will be held on Wednesday, February 26, 2020, Time 10:00 a.m.–1:00 p.m. Members of the public wishing to attend the meeting will be required to show a government photo ID upon entering in order to gain access to the meeting location. All members of the public are subject to security screening.

ADDRESSES: The meeting will be held in Room 303 Cannon House Office Building, New Jersey and Independence Avenues SE, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mrs. Deadra K. Ghostlaw, the Designated Federal Officer for the committee, in writing at: Secretary of the General Staff, ATTN: Deadra K. Ghostlaw, 646 Swift Road, West Point, NY 10996; by email at: *deadra.ghostlaw@westpoint.edu* or *BoV@westpoint.edu;* or by telephone at (845) 938–4200.

SUPPLEMENTARY INFORMATION: The committee meeting is being held under

the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150. The USMA BoV provides independent advice and recommendations to the President of the United States on matters related to morale, discipline, curriculum, instruction, physical equipment, fiscal affairs, academic methods, and any other matters relating to the Academy that the Board decides to consider.

Purpose of the Meeting: This is the 2020 Organizational Meeting of the USMA BoV. Members of the Board will be provided updates on Academy issues. Agenda: Introduction; Board Business: Elect Chair and Vice Chair for 2020, Swearing in of Presidential Appointees, Vote to approve the ''2020 Rules of the US Military Academy Board of Visitors,'' Approve of the Minutes from November's Meeting, re-confirm Summer meeting date; Superintendent's Remarks; Academy Topics: Build Diverse & Effective Winning Teams; Modernize, Sustain, and Secure; and Strengthen Partnerships; Upcoming Events; Closing Comments.

Public's Accessibility to the Meeting: Pursuant to 5 U.S.C. 552b and 41 CFR 102–3.140 through 102–3.165 and subject to the availability of space, this meeting is open to the public. Seating is on a first to arrive basis. Attendees are requested to submit their name, affiliation, and daytime phone number seven business days prior to the meeting to Mrs. Ghostlaw, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Pursuant to 41 CFR 102–3.140d, the committee is not obligated to allow a member of the public to speak or otherwise address the committee during the meeting, and members of the public attending the committee meeting will not be permitted to present questions from the floor or speak to any issue under consideration by the committee. Because the committee meeting will be held in a Federal Government facility security screening is required. A government photo ID is required to enter the building. The Cannon House Office Building is fully handicapped accessible. Wheelchair access is available at the intersection of C Street and First Street SE, Washington, DC.

For additional information about public access procedures, contact Mrs. Ghostlaw, the committee's Designated Federal Officer, at the email address or telephone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Written Comments or Statements: Pursuant to 41 CFR 102–3.105(j) and 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act, the public or interested organizations may submit written comments or statements to the committee, in response to the stated agenda of the open meeting or in regard to the committee's mission in general. Written comments or statements should be submitted to Mrs. Ghostlaw, the committee Designated Federal Officer, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Each page of the comment or statement must include the author's name, title or affiliation, address, and daytime phone number. Written comments or statements should be submitted to Mrs. Ghostlaw, the committee Designated Federal Officer, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the Designated Federal Official at least seven business days prior to the meeting to be considered by the committee. The Designated Federal Official will review all timely submitted written comments or statements with the committee Chairperson and ensure the comments are provided to all members of the committee before the meeting. Written comments or statements received after this date may not be provided to the committee until its next meeting.

Pursuant to 41 CFR 102–3.140d, the committee is not obligated to allow a member of the public to speak or otherwise address the committee during the meeting. However, the committee Designated Federal Official and Chairperson may choose to invite certain submitters to present their comments verbally during the open portion of this meeting or at a future meeting. The Designated Federal Officer, in consultation with the committee Chairperson, may allot a specific amount of time for submitters to present their comments verbally.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 2020–01973 Filed 1–31–20; 8:45 am]

BILLING CODE 5001–03–P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Board on Coastal Engineering Research

AGENCY: Department of the Army, DoD.

ACTION: Notice of Advisory Committee meeting.

SUMMARY: The Department of the Army is publishing this notice to announce the following Federal advisory committee meeting of the Board on Coastal Engineering Research. This meeting is open to the public.

DATES: The Board on Coastal Engineering Research will meet from 8:00 a.m. to 12:30 p.m. on March 3, 2020 and reconvene from 8:00 a.m. to 4:00 p.m. on March 4, 2020.

ADDRESSES: All sessions will be held at the Courtyard by Marriott Corvallis Hotel, 400 SW 1st Street. Corvallis, OR 97333. All sessions are open to the public. For more information about the Board, please visit *https://www.erdc.usace.army.mil/CHL/CERB/*

FOR FURTHER INFORMATION CONTACT: Dr. Julie Dean Rosati Designated Federal Officer (DFO), U.S. Army Engineer Research and Development Center, Coastal and Hydraulics Laboratory, 3909 Halls Ferry Road, Vicksburg, MS 39180–6199, phone (202) 761–1850, or *Julie.D.Rosati@usace.army.mil.*

SUPPLEMENTARY INFORMATION: The meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150. The Board on Coastal Engineering Research provides broad policy guidance and reviews plans for the conduct of research and the development of research projects in consonance with the needs of the coastal engineering field and the objectives of the U.S. Army Chief of Engineers.

Purpose of the Meeting: The meeting is an Executive Session to review past action items, status reports, research and development (R & D) strategic directions, and coastal engineering research in the United States.

Agenda: On Tuesday morning, March 3, 2020, past/current action items will be reviewed and discussed and there will be an update on CERB Initiatives and Priorities:* USCRP (including DUNEX), Sediment Transport Research Plan, Next-Generation Coastal Engineering Guidance, and CWG Priorities & Activities.

On Wednesday morning, March 4, 2020, the Board will reconvene to discuss comments from day one. Presentations will be given on Pacific Coast Processes & OSU Collaboration Opportunities; Priority USACE Problems in Pacific Northwest and Research Needs Part 1 and 2; OSU coastal engineering programs, facilities, and collaboration opportunities. After lunch presentation will continue starting with: CHL Strategy & Tech Transfer Plans; Coastal R&D Strategy; CERB priority Coastal Strategic Targets to address priority research; and Capturing and Communicating benefits of R&D in Regional & Supplemental Studies. The meeting will conclude with a discussion plans for the 97th CERB and public comment.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.140 through 102–3.165, and subject to the availability of space, the meeting is open to the public. Because seating capacity is limited, advance registration is required. For registration requirements please see below.

Oral participation by the public is scheduled for 3:00 p.m. on Wednesday, March 4, 2020. The Courtyard by Marriott Corvallis Hotel is fully handicap accessible. For additional information about public access procedures, please contact Dr. Julie Dean Rosati, the Board's DFO, at the email address or telephone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Registration: It is encouraged for individuals who wish to attend the meeting of the Board to register with the DFO by email, the preferred method of contact, no later than March 1, 2020, using the electronic mail contact information found in the **FOR FURTHER INFORMATION CONTACT** section. The communication should include the registrant's full name, title, affiliation or employer, email address, and daytime phone number. If applicable, include written comments or statements with the registration email.

Written Comments and Statements: Pursuant to 41 CFR 102–3.015(j) and 102–3.140 and section 10(a)(3) of the FACA, the public or interested organizations may submit written comments or statements to the Board, in response to the stated agenda of the open meeting or in regard to the Board's mission in general. Written comments or statements should be submitted to Dr. Julie Dean Rosati, DFO, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Each page of the comment or statement must include the author's name, title or affiliation, address, and daytime phone number. The DFO will review all submitted written comments or statements and provide them to members of the Board for their consideration. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the DFO at least five business days prior to the meeting to be considered by the Board. The DFO will review all timely submitted written comments or statements with the Board Chairperson and ensure the comments are provided to all members of the Board before the meeting. Written comments or statements received after this date may not be provided to the Board until its next meeting.

Verbal Comments: Pursuant to 41 CFR 102–3.140d, the Board is not obligated to allow a member of the public to speak or otherwise address the Board during the meeting. Members of the public will be permitted to make verbal comments during the Board meeting only at the time and in the manner described below. If a member of the public is interested in making a verbal comment at the open meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least five business days in advance to the Board's DFO, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. The DFO will log each request, in the order received, and in consultation with the Board Chair, determine whether the subject matter of each comment is relevant to the Board's mission and/or the topics to be addressed in this public meeting. A 30-minute period near the end of the meeting will be available for verbal public comments. Members of the public who have requested to make a verbal comment, and whose comments have been deemed relevant under the process described above, will be allotted no more than five minutes during this period, and will be invited to speak in the order in which their requests were received by the DFO.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 2020–01972 Filed 1–31–20; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the U.S. Naval Academy Board of Visitors

AGENCY: Department of the Navy, DoD.

ACTION: Notice of Partially Closed Meeting.

SUMMARY: The U.S. Naval Academy Board of Visitors will meet to make such inquiry, as the Board deems necessary, into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Naval Academy.

DATES: The open session of the meeting will be held on March 23, 2020, from 9 a.m. to 11 a.m. The executive session held from 11 a.m. to noon (12 p.m.) will be the closed portion of the meeting.

ADDRESSES: The meeting will be held at Navy-Marine Corps Memorial Stadium in Annapolis, MD. The meeting will be handicap accessible.

FOR FURTHER INFORMATION CONTACT: Commander Lawrence Heyworth IV, USN, Executive Secretary to the Board of Visitors, Office of the Superintendent, U.S. Naval Academy, Annapolis, MD 21402–5000, 410–293–1503.

SUPPLEMENTARY INFORMATION: This notice of meeting is provided per the Federal Advisory Committee Act, as amended (5 U.S.C. App.). The executive session of the meeting from 11:00 a.m. to 12:00 p.m. on March 23, 2020, will consist of discussions of new and pending administrative or minor disciplinary infractions and non-judicial punishments involving midshipmen attending the Naval Academy to include but not limited to, individual honor or conduct violations within the Brigade, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. For this reason, the executive session of this meeting will be closed to the public, as the discussion of such information cannot be adequately segregated from other topics, which precludes opening the executive session of this meeting to the public. Accordingly, the Department of the Navy/Assistant for Administration has determined in writing that the meeting shall be partially closed to the public because the discussions during the executive session from 11 a.m. to noon (12 p.m.) will be concerned with matters protected under sections 552b(c) (5), (6), and (7) of title 5, United States Code.

Authority: 5 U.S.C. 552b

Dated: January 29, 2020.

D. J. Antenucci,

Commander, Judge Advocate General's Corps, U. S. Navy, Federal Register Liaison Officer.

[FR Doc. 2020–01987 Filed 1–31–20; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2019–ICCD–0148]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; National Teacher and Principal Survey of 2020–2021 (NTPS 2020–21)

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before March 4, 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–2019–ICCD–0148. 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–208B, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kashka Kubzdela, 202–245–7377 or email *NCES.Information.Collections@ed.gov.*

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: National Teacher and Principal Survey of 2020–2021 (NTPS 2020–21).

OMB Control Number: 1850–0598.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households *Total Estimated Number of Annual Responses:* 103,326.

Total Estimated Number of Annual Burden Hours: 52,585.

Abstract: The National Teacher and Principal Survey (NTPS), conducted every two or three years by the National Center for Education Statistics (NCES), is a system of related questionnaires that provides descriptive data on the context of elementary and secondary education. Redesigned from the Schools and Staffing Survey (SASS) with a focus on flexibility, timeliness, and integration with other ED data, the NTPS system allows for school, principal, and teacher characteristics to be analyzed in relation to one another. NTPS is an in-depth, nationally representative survey of first through twelfth grade public and private school teachers, principals, and schools. Kindergarten teachers in schools with at least a first grade are also surveyed. NTPS utilizes core content and a series of rotating modules to allow timely collection of important education trends as well as trend analysis. Topics covered include characteristics of teachers, principals, schools, teacher training opportunities, retention, retirement, hiring, and shortages. The NTPS 2019–20 preliminary activities were approved in July 2019 (OMB# 1850–0598 v.26), with a change request to update the sampling plan approved in November 2019 (OMB# 1850–0598 v.27). This request is to conduct NTPS 2020–21, including all of its recruitment and data collection activities.

Dated: January 28, 2020.

Stephanie Valentine,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of the Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2020–01895 Filed 1–31–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Hydrogen and Fuel Cell Technical Advisory Committee

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an open meeting of the Hydrogen and Fuel Cell Technical Advisory Committee (HTAC). The Federal Advisory Committee Act requires notice of the meeting be announced in the **Federal Register**.

DATES:

Monday, March 9, 2020; 1p.m.–5:45 p.m.

Tuesday, March 10, 2020; 8 a.m.–10:15 a.m.

ADDRESSES: North Building Conference Center, 955 L'Enfant Plaza SW—Lobby Level, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Shawna McQueen, Designated Federal Officer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW, EE–3F, Washington, DC 20585; Email: *HTAC@nrel.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The Hydrogen and Fuel Cell Technical Advisory Committee (HTAC) was established under section 807 of the Energy Policy Act of 2005 (EPACT), Pub. L. 109–58; 119 Stat. 849, to provide advice and recommendations to the Secretary of Energy on the program authorized by Title VIII of EPACT.

Tentative Agenda: (updates will be posted on the web at): *https://www.hydrogen.energy.gov/htac_meetings.html.*

HTAC Business (Including Public Comment Period)

- DOE Leadership Updates
- Program and Budget Updates
- Updates from Federal/State Governments and Industry

- HTAC Subcommittee Updates
- Open Discussion Period

Public Participation: The meeting is open to the public. Individuals who would like to attend and/or to make oral statements during the public comment period must register by email at *HTAC@nrel.gov,* no later than 5 p.m. Eastern Time, on Friday, February 28, 2020. Please provide your name, organization, citizenship, and contact information. Meeting space is limited and reasonable provisions will be made to accommodate all those who have pre-registered. On-site registration will be granted on a space-available basis. Anyone attending the meeting will be required to present government-issued identification. Those wishing to make a public comment are required to register. The public comment period will take place between 1 p.m. and 1:15 p.m., on March 9, 2020. Time allotted per speaker will depend on the number who wish to speak but will not exceed five minutes. Those not able to attend the meeting or have insufficient time to address the committee are invited to send a written statement, by email to: *HTAC@nrel.gov.*

Minutes: The minutes of the meeting will be available for public review at *https://www.hydrogen.energy.gov/htac_meetings.html.*

Signed in Washington, DC, on January 28, 2020.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2020–01942 Filed 1–31–20; 8:45 am]

BILLING CODE 6450–01–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 Number: PR20–2–002.

Applicants: Valley Crossing Pipeline, LLC.

Description: Tariff filing per 284.123(b),(e)+(g): Amended Petition for Rate Approval and Statement of Operating Conditions 1–24–20 to be effective 1/24/2020.

Filed Date: 1/24/2020.

Accession Number: 202001245117.

Comments Due: 5 p.m. ET 2/14/2020.

284.123(g) Protests Due: 5 p.m. ET 2/14/2020.

Docket Numbers: RP20–449–000.

Applicants: Equitrans, L.P.

Description: § 4(d) Rate Filing: Negotiated Retainage Updates Effective 2–1–2020 to be effective 2/1/2020.

Filed Date: 1/24/20.

Accession Number: 20200124–5001.

Comments Due: 5 p.m. ET 2/5/20.

Docket Numbers: RP20–450–000.

Applicants: Great Lakes Gas Transmission Limited Partnership.

Description: Compliance filing Semi-Annual Transporter's Use Report January 2020.

Filed Date: 1/24/20.

Accession Number: 20200124–5005.

Comments Due: 5 p.m. ET 2/5/20.

Docket Numbers: RP20–451–000.

Applicants: Golden Triangle Storage, Inc.

Description: § 4(d) Rate Filing: Revisions to GT&C Section 17—Force Majeure, Reservation Charge Credits to be effective 3/1/2020.

Filed Date: 1/24/20.

Accession Number: 20200124–5046.

Comments Due: 5 p.m. ET 2/5/20.

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 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01948 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC20–4–000]

Commission Information Collection Activities (FERC–725I); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–725I (Mandatory Reliability Standards for the Northeast Power Coordinating Council) and submitting the information collection to the Office of Management and Budget (OMB) for review. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below.

DATES: Comments on the collection of information are due March 4, 2020.

ADDRESSES: Comments filed with OMB, identified by the OMB Control No. 1902–0258, should be sent via email to the Office of Information and Regulatory Affairs: *oira_submission@omb.gov* Attention: Federal Energy Regulatory Commission Desk Officer.

A copy of the comments should also be sent to the Commission, in Docket No. IC20–4–000, by either of the following methods:

- eFiling at Commission's website: *http://www.ferc.gov/docs-filing/efiling.asp*
- Mail/Hand Delivery/Courier: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance, contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–725I (Mandatory Reliability Standards for the Northeast Power Coordinating Council).

OMB Control No.: 1902–0258.

Type of Request: On November 25, 2019, the 60-day notice was published in the **Federal Register** (84 FR 64885). The Commission received no comments. Three-year extension of the FERC–725I

with no changes to the current reporting and recordkeeping requirements.

Abstract: The Regional Reliability standard PRC–006–NPCC–1 (Automatic Underfrequency Load Shedding) provides regional requirements for Automatic Underfrequency Load Shedding to applicable entities in NPCC. UFLS requirements were in place at a continent-wide level and within NPCC for many years prior to the implementation of federally mandated reliability standards in 2007. NPCC and its members think that a region-wide, fully coordinated single set of UFLS requirements is necessary to create an effective and efficient UFLS program, and their experience has supported that belief.

Information collection burden for Reliability Standard PRC–006–NPCC–01 is based on the time needed for planning coordinators and generator owners to incrementally gather data, run studies, and analyze study results to design or update the UFLS programs that are required in the regional Reliability Standard (in addition to the requirements of the NERC Reliability Standard PRC–006–3). There is also burden on the generator owners to maintain data.

Type of Respondent: Generator Owners and Planning Coordinators.

Estimate of Annual Burden: [1] The number of respondents is based on NERC's Registry as of July 26, 2019. Entities registered for more than one applicable function type have been accounted for in the figures below. The Commission estimates the annual public reporting burden and cost [2] for the information collection as:

FERC–725I (MANDATORY RELIABILITY STANDARDS FOR THE NORTHEAST POWER COORDINATING COUNCIL)

Information collection requirements	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden hours & cost ($) per response (4)	Total annual burden hours & total annual cost ($) (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
PCs Design and document automatic UFLS program.	2	1	2	8 hrs.; $640 ..	16 hrs.; $1,280.	$640
PCs update and maintain UFLS program database.	2	1	2	16 hrs.; $1,280.	32 hrs.; $2,560.	1,280
GOs provide documentation and data to the planning coordinator.	125	1	125	16 hrs.; $1,280.	2,000 hrs.; $160,000.	1,280
GOs: record retention	125	1	125	4 hrs.; $320 ..	500 hrs.; $40,000.	320
Total			254		$203,840; 2,548 hrs..	

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: January 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01956 Filed 1–31–20; 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: ER10–2566–010; ER13–2322–006; ER15–190–012; ER18–1343–005; ER19–1819–001; ER19–1820–001; ER19–1821–001.

Applicants: Duke Energy Carolinas, LLC, Broad River Solar, LLC, Carolina Solar Power, LLC, Speedway Solar NC, LLC, Stony Knoll Solar, LLC, Duke Energy Progress, Inc., Duke Energy Renewable Services, LLC.

Description: Notice of Change in Status of the Duke MBR Sellers.

Filed Date: 1/27/20.

Accession Number: 20200127–5200.

Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER19–1195–004.

Applicants: GSG 6, LLC.

Description: Compliance filing: Reactive Rate Service—Revised Effective Date (Corrected) to be effective 5/1/2019.

Filed Date: 1/28/20.

Accession Number: 20200128–5085.

Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–271–001.

Applicants: PJM Interconnection, L.L.C.

Description: Compliance filing: Compliance Filing Pursuant to December 30, 2019 Order re Price Responsive Demand to be effective 12/30/2019.

Filed Date: 1/28/20.

Accession Number: 20200128–5112.

Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–533–001.

Applicants: Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.

Description: Tariff Amendment: Revised SGIA (SA2498) between Niagara Mohawk Power Corporation & GR Catalyst Two to be effective 11/26/2019.

[1] "Burden" is the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3.

[2] Commission staff estimates that the industry's skill set and cost (for wages and benefits) for FERC–725I are approximately the same as the Commission's average cost. The FERC 2019 average salary plus benefits for one FERC full-time equivalent (FTE) is $167,091/year (or $80.00/hour).

Filed Date: 1/28/20.
Accession Number: 20200128–5093.
Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–881–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Original ISA, SA No. 5558; Queue No. AE1–142 to be effective 1/7/2020.
Filed Date: 1/28/20.
Accession Number: 20200128–5019.
Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–882–000.
Applicants: PacifiCorp.
Description: § 205(d) Rate Filing: OATT Revised Attachment K—NorthernGrid Planning Process to be effective 4/1/2020.
Filed Date: 1/28/20.
Accession Number: 20200128–5111.
Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–883–000.
Applicants: NorthWestern Corporation.
Description: § 205(d) Rate Filing: NorthernGrid Attachment K to be effective 4/1/2020.
Filed Date: 1/28/20.
Accession Number: 20200128–5116.
Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–885–000.
Applicants: Avista Corporation.
Description: § 205(d) Rate Filing: Avista Corp OATT Attachment K for NorthernGrid to be effective 4/1/2020.
Filed Date: 1/28/20.
Accession Number: 20200128–5126.
Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–886–000.
Applicants: Orsted US Trading LLC.
Description: Baseline eTariff Filing: baseline new to be effective 4/1/2020.
Filed Date: 1/28/20.
Accession Number: 20200128–5129.
Comments Due: 5 p.m. ET 2/18/20.

Docket Numbers: ER20–887–000.
Applicants: Duke Energy Carolinas, LLC.
Description: Tariff Cancellation: DEC-Prosperity NITSA (SA No. 413)—Notice of Cancellation to be effective 1/1/2020.
Filed Date: 1/28/20.
Accession Number: 20200128–5151.
Comments Due: 5 p.m. ET 2/18/20.

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 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01955 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–879–000]

Pleasants 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 Pleasants 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 18, 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 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01947 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14633–001]

New England Hydropower Company, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed the application for exemption from licensing for the Albion Dam Hydroelectric Project, to be located on the Blackstone River, near the Towns of Cumberland and Lincoln, Providence County, Rhode Island, and has prepared an Environmental Assessment (EA). In the EA, Commission staff analyzes the potential environmental effects of the project and concludes that issuing an exemption for the project, with appropriate environmental measures, would not constitute a major federal action significantly affecting the quality of the human environment.

A copy of the EA is on file with the Commission and is available for public inspection. The EA 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. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-free at 1–866–208–3676,

or for TTY, (202) 502–8659. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

For further information, contact John Baummer at (202) 502–6837 or *john.baummer@ferc.gov.*

Dated: January 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01949 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL20–17–000]

Hickory Run Energy, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On January 28, 2020, the Commission issued an order in Docket No. EL20–17–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2018), instituting an investigation into whether Hickory Run Energy, LLC's proposed reactive power tariff rate schedule is unjust, unreasonable, unduly discriminatory or preferential. *Hickory Run Energy, LLC,* 170 FERC 61,061 (2020).

The refund effective date in Docket No. EL20–17–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL20–17–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2019), within 21 days of the date of issuance of the order.

Dated: January 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01954 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–792–000]

Oklahoma 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 Oklahoma 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 18, 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 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01950 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER20–880–000]

White Cloud Wind Project, 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 White Cloud Wind Project, 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 18, 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 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–01952 Filed 1–31–20; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0751; FRL–10004–42]

Pesticide Registration Review; Interim Decisions and Case Closures for Several Pesticides; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's interim registration review decisions for the following chemicals: 2,4–DB, 3–MCH, aliphatic solvents, alkyl imidazolines, bromoxynil, buprofezin, chondrostereum purpureum, diflubenzuron, dikegulac sodium, diquat dibromide, fluthiacet-methyl, hydramethylnon, inorganic polysulfides (also known as calcium polysulfide or lime sulfur), IR3535, lufenuron, o-Benzyl-p-Chlorophenol, octenol, PMD, Potato Leaf Roll Virus Resistance Gene, starlicide (DRC–1339), trifluralin, tri-n butyl tetradecyl phosphonium chloride (TTPC), uniconazole-p, zinc and zinc salts, and zoxamide. In addition, it announces the closure of the registration review case for 1-(3-chloroallyl)-3,5,7-triaza-1-azoniaadamantane (CTAC) because the last U.S. registrations for this pesticide have been canceled.

FOR FURTHER INFORMATION CONTACT:

For pesticide specific information, contact: The Chemical Review Manager for the pesticide of interest identified in the Table in Unit IV.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (703) 305–7106; email address: *biscoe.melanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

II. Background

Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed interim decisions for all pesticides listed in the Table in Unit IV. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

III. Authority

EPA is conducting its registration review of the chemicals listed in the Table in Unit IV pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

IV. What Action is the Agency Taking?

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's interim registration review decisions for the pesticides shown in the following table. The interim registration review decisions are supported by rationales included in the docket established for each chemical.

TABLE—REGISTRATION REVIEW INTERIM DECISIONS BEING ISSUED

Registration review case name and number	Docket ID No.	Chemical review manager and contact information
2,4–DB, Case Number 0196	EPA–HQ–OPP–2013–0661	Samantha Thomas, *thomas.samantha@epa.gov* (703) 347–0514.
3-Methyl-2-cyclohexen-1-one (3–MCH), Case Number 6074.	EPA–HQ–OPP–2014–0671	Joseph Mabon, *mabon.joseph@epa.gov* (703) 347–0177.
Aliphatic solvents, Case Number 3004	EPA–HQ–OPP–2016–0039	Veronica Dutch, *dutch.veronica@epa.gov* (703) 308–8585.
Alkyl imidazolines, Case Number 3010	EPA–HQ–OPP–2011–0620	Peter Bergquist, *bergquist.peter@epa.gov* (703) 347–8563.
Bromoxynil and Bromoxynil Esters, Case Number 2070.	EPA–HQ–OPP–2012–0896	Tiffany Green, *green.tiffany@epa.gov* (703) 347–0314.
Buprofezin, Case Number 7462	EPA–HQ–OPP–2012–0373	Patricia Biggio, *biggio.patricia@epa.gov* (703) 347–0547.
Chondrostereum purpureum, Case Number 6091	EPA–HQ–OPP–2015–0051	Bibiana Oe, *oe.bibiana@epa.gov* (703) 347–8162.
Diflubenzuron, Case Number 0144	EPA–HQ–OPP–2012–0714	Christian Bongard, *bongard.christian@epa.gov* (703) 347–0337.
Dikegulac sodium, Case Number 3061	EPA–HQ–OPP–2014–0771	Jonathan Williams, *williams.jonathanr@epa.gov* (703) 347–0670.

TABLE—REGISTRATION REVIEW INTERIM DECISIONS BEING ISSUED—Continued

Registration review case name and number	Docket ID No.	Chemical review manager and contact information
Diquat dibromide, Case Number 0288	EPA–HQ–OPP–2009–0846	Jordan Page, *page.jordan@epa.gov* (703) 347–0467.
Fluthiacet-methyl, Case Number 7280	EPA–HQ–OPP–2013–0285	Eric Fox, *fox.ericm@epa.gov* (703) 347–0104.
Hydramethylnon, Case Number 2585	EPA–HQ–OPP–2012–0869	Carolyn Smith, *smith.carolyn@epa.gov* (703) 347–8325.
Inorganic polysulfides (also known as calcium polysulfide or lime sulfur) Case Number 4054.	EPA–HQ–OPP–2016–0102	Katherine St. Clair, *stclair.katherine@epa.gov* (703) 347–8778.
IR3535, Case Number 6046	EPA–HQ–OPP–2014–0106	Alexandra Boukedes, *boukedes.alexandra@epa.gov* (703) 347–0305.
Lufenuron, Case Number 7627	EPA–HQ–OPP–2015–0098	Andy Muench, *muench.andrew@epa.gov* (703) 347–8263.
o-Benzyl-p-Chlorophenol (OBPCP), Case Number 2045.	EPA–HQ–OPP–2011–0423	Erin Dandridge, *dandridge.erin@epa.gov* (703) 347–0185.
Octenol, Case Number 6033	EPA–HQ–OPP–2012–0940	Joseph Mabon, *mabon.joseph@epa.gov* (703) 347–0177.
p-Methane-3,8-diol (PMD), Case Number 6017	EPA–HQ–OPP–2015–0693	Joseph Mabon, *mabon.joseph@epa.gov* (703) 347–0177.
Potato Leaf Roll Virus Resistance Gene, Case Number 6505.	EPA–HQ–OPP–2012–0416	Michael Glikes, *glikes.michael@epa.gov* (703) 305–6231.
Starlicide (DRC–1339), Case Number 2610	EPA–HQ–OPP–2011–0696	Nathan Sell, *sell.nathan@epa.gov* (703) 347–8020.
Trifluralin, Case Number 0179	EPA–HQ–OPP–2012–0417	Matthew Khan, *khan.matthew@epa.gov* (703) 347–8613.
Tri-n Butyl Tetradecyl Phosphonium Chloride (TTPC), Case Number 5111.	EPA–HQ–OPP–2011–0952	Daniel Halpert, *halpert.daniel@epa.gov* (703) 347–0133.
Uniconazole-P, Case Number 7007	EPA–HQ–OPP–2015–0729	Jaclyn Pyne, *pyne.jaclyn@epa.gov* (703) 347–0445.
Zinc and Zinc Salts, Case Number 4099	EPA–HQ–OPP–2009–0011	Michael McCarroll, *mccarroll.michael@epa.gov* (703) 347–0147.
Zoxamide, Case Number 7032	EPA–HQ–OPP–2014–0391	Sergio Santiago, *santiago.sergio@epa.gov* (703) 347–8606.

The proposed interim registration review decisions for the chemicals in the table above were posted to the docket and the public was invited to submit any comments or new information. EPA addressed the comments or information received during the 60-day comment period for the proposed interim decisions in the discussion for each pesticide listed in the table. Comments from the 60-day comment period that were received may or may not have affected the Agency's interim decision. Pursuant to 40 CFR 155.58(c), the registration review case docket for the chemicals listed in the Table will remain open until all actions required in the interim decision have been completed.

This document also announces the closure of the registration review case for 1-(3-chloroallyl)-3,5,7-triaza-1-azoniaadamantane (CTAC) (Case Number 3069, Docket ID Number EPA–HQ–OPP–2010–0004) because the last U.S. registrations for these pesticides have been canceled.

Background on the registration review program is provided at: *http://www.epa.gov/pesticide-reevaluation.*

Authority: 7 U.S.C. 136 *et seq.*

Dated: January 27, 2020.

Mary Reaves,

Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2020–02045 Filed 1–31–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0750; FRL–10004–38]

Pesticide Registration Review; Proposed Interim Decisions for Several Neonicotinoid Pesticides; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's proposed interim registration review decisions and opens a 60-day public comment period on the proposed interim decisions for acetamiprid, clothianidin, dinotefuran, imidacloprid, and thiamethoxam.

DATES: Comments must be received on or before April 3, 2020.

ADDRESSES: Submit your comments, identified by the docket identification (ID) number for the specific pesticide of interest provided in the Table in Unit IV, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: *For pesticide specific information, contact:* The Chemical Review Manager for the pesticide of interest identified in the Table in Unit IV.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460–0001; telephone number: (703) 305–7106; email address: *biscoe.melanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the Chemical Review Manager for the pesticide of interest identified in the Table in Unit IV.

B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

II. Background

Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed proposed interim decisions for all pesticides listed in the Table in Unit IV. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

III. Authority

EPA is conducting its registration review of the chemicals listed in the Table in Unit IV pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

IV. What Action is the Agency Taking?

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's proposed interim registration review decisions for the pesticides shown in Table 1, and opens a 60-day public comment period on the proposed interim registration review decisions.

TABLE 1—PROPOSED INTERIM DECISIONS

Registration review case name and No.	Docket ID No.	Chemical review manager and contact information
Acetamiprid, Case Number 7617	EPA–HQ–OPP–2012–0329	Jonathan Williams, *Williams.jonathanr@epa.gov,* 703–347–0670.
Clothianidin, Case Number 7620	EPA–HQ–OPP–2011–0865	Matthew Khan, *Khan.matthew@epa.gov,* 703–347–8613.
Dinotefuran, Case Number 7441	EPA–HQ–OPP–2011–0920	Steven Snyderman, *Snyderman.steven@epa.gov,* 703–347–0249.
Imidacloprid, Case Number 7605	EPA–HQ–OPP–2008–0844	Steven Snyderman, *Snyderman.steven@epa.gov,* 703–347–0249.
Thiamethoxam, Case Number 7641	EPA–HQ–OPP–2011–0581	Matthew Khan, *Khan.matthew@epa.gov,* 703–347–8613.

The registration review docket for a pesticide includes earlier documents related to the registration review case. For example, the review opened with a Preliminary Work Plan, for public comment. A Final Work Plan was placed in the docket following public comment on the Preliminary Work Plan.

The documents in the dockets describe EPA's rationales for conducting additional risk assessments for the registration review of the pesticides included in the tables in Unit IV, as well as the Agency's subsequent risk findings and consideration of possible risk mitigation measures. These proposed interim registration review decisions are supported by the rationales included in those documents. Following public comment, the Agency will issue interim or final registration review decisions for the pesticides listed in Table 1 in Unit IV.

The registration review final rule at 40 CFR 155.58(a) provides for a minimum 60-day public comment period on all proposed interim registration review decisions. This comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the proposed interim decision. All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. These comments will become part of the docket for the pesticides included in the Tables in Unit IV. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and may provide a ''Response to Comments Memorandum'' in the docket. The interim registration review decision will explain the effect that any comments had on the interim decision and provide the Agency's response to significant comments.

Background on the registration review program is provided at: *http://www.epa.gov/pesticide-reevaluation.*

Authority: 7 U.S.C. 136 *et seq.*

Dated: January 22, 2020.

Mary Reaves,

Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2020–01995 Filed 1–31–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2019–0667; FRL–10004–89–OGC]

Proposed Consent Decree, Clean Water Act and Administrative Procedures Act Claims

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Environmental Protection Agency (EPA) Administrator's, October 16, 2017, Directive Promoting Transparency and Public Participation in Consent Decrees and Settlement Agreements, notice is hereby given of a proposed consent decree to address claims in a lawsuit filed by the Natural Resources Defense Council, Clean Water Action, and the Environmental Justice Health Alliance for Chemical Policy Reform (collectively, ''Plaintiffs'') in the United States District Court for the Southern District of New York. On March 21, 2019, Plaintiffs filed a complaint alleging, inter alia, that the United States Environmental Protection Agency (''EPA'') had a duty under Clean Water Act (''CWA'') section 311(j)(5)(A)(i), to issue regulations that require an owner or operator of a non-transportation-related onshore ''facility described in subparagraph (C) to prepare and submit to the President a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge, of . . . a hazardous substance'' (the ''Hazardous Substance Worst Case Discharge Planning Regulations'') by August 18, 1992. The proposed consent decree would set deadlines for EPA to complete a notice of proposed rulemaking pertaining to the issuance of the Hazardous Substance Worst Case Discharge Planning Regulations, and for publication of a notice taking final action following notice and comment rulemaking pertaining to the issuance of Hazardous Substance Worst Case Discharge Planning Regulations.

DATES: Written comments on the proposed consent decree must be received by *March 4, 2020.*

ADDRESSES: Submit your comments, identified by Docket ID number EPA–HQ–OGC–2019–0667, online at *www.regulations.gov* (EPA's preferred method). For comments submitted at *www.regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *www.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 generally will 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 *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Richard L. Albores, Solid Waste and Emergency Response Law Office (7013D), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone: (202) 564–7102; email address: *Albores.Richard@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Consent Decree

On March 21, 2019, Plaintiffs filed suit in the Federal district court for the Southern District of New York: *Natural Resources Defense Council, et. al* v. *United States Environmental Protection Agency, et. al,* No. 1:19–cv–02516 (S.D.N.Y., filed Mar. 21, 2019). Plaintiffs' Complaint brought two claims alleging violations of CWA section 311(j)(5)(A)(i), and the Administrative Procedures Act (''APA''). Plaintiffs' first claim alleged that EPA failed to issue ''regulations mandated by the [CWA] requiring non-transportation-related substantial-harm facilities to plan, prevent, mitigate and respond to worst-case spills of hazardous substances . . . constitutes a failure to perform a non-discretionary duty or act in violation of the [CWA].'' (Compl. Para. 34). Plaintiffs also claimed, ''EPA's failure to issue these regulations constitute[d] agency action unlawfully withheld contrary to and in violation of the [APA] and the [CWA].'' (Compl. Para. 45). Plaintiffs requested an order from the Court to compel EPA to promulgate Hazardous Substance Worst Case Discharge Planning Regulations (Compl. at 12). Following EPA's Answer, filed on June 4, 2019, Plaintiffs and EPA entered into discussions regarding a potential resolution of the lawsuit.

The proposed consent decree announced here would resolve the claims of the suit. As described in paragraph 3 of the proposed consent decree, within two years (24 months) of entry of the proposed consent decree, EPA will sign a notice of proposed rulemaking pertaining to the issuance of the Hazardous Substance Worst Case Discharge Planning Regulations. Under paragraph 4 of the proposed consent decree, EPA will sign a notice taking final action following notice and comment rulemaking pertaining to the issuance of Hazardous Substance Worst Case Discharge Planning Regulations. See the proposed consent decree for specific details.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the resolution of the claims contained in the proposed consent decree from the public. If so requested, EPA will also consider holding a public hearing on whether to enter into the proposed consent decree. EPA, the Department of Justice, and the United States Attorney for the Southern District of New York may withdraw or withhold consent to the proposed consent decree if the public comments disclose facts or considerations that indicate that such consent decree is inappropriate, improper, inadequate, or inconsistent with the requirements of the CWA. Unless EPA, the Department of Justice, or the United States Attorney for the Southern District of New York determines that this proposed consent decree should be withdrawn, the terms of the proposed consent decree will be affirmed and entered with the Court.

II. Additional Information About Commenting on the Proposed Consent Decree

A. How can I get a copy of the proposed consent decree?

The official public docket for this action (identified by EPA–HQ–OGC–2019–0667) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744,

and the telephone number for the OEI Docket is (202) 566–1752.

An electronic version of the public docket is available on EPA's website at *https://www.epa.gov/ogc/proposed-consent-decrees-and-draft-settlement-agreements#NRDCetalv.epa* and through *www.regulations.gov.* You may use *www.regulations.gov* to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select ''search.'' It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at *www.regulations.gov* without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket.

EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

B. How and to whom do I submit comments?

You may submit comments as provided in the **ADDRESSES** section, above. Please ensure that your comments are submitted within the specified comment period.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the *www.regulations.gov* website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an ''anonymous access'' system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an ''anonymous access'' system. If you send an email comment directly to the Docket without going through *www.regulations.gov,* your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: January 23, 2020.

John R. Michaud,

Associate General Counsel.

[FR Doc. 2020–01998 Filed 1–31–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[Petition I–2019–3; FRL–10004–45–Region 1]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Wheelabrator Environmental System Inc., Wheelabrator Concord Company, L.P., Concord, New Hampshire

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition to object to state operating permits.

SUMMARY: The EPA Administrator signed an Order, dated October 30, 2019, denying a petition dated March 14, 2019, filed by Anthony Caplan, Katherine Lajoie, Rebecca MacKenzie, and Janet Ward (the Petitioners). The Petitioners requested that the EPA object to a proposed Clean Air Act (CAA) title V operating permit (Permit No. TV–0032) issued by the New Hampshire Department of Environmental Services (NHDES) to Wheelabrator Environmental System, Inc., Wheelabrator Concord Company, L.P. (Wheelabrator), a large municipal waste incinerator located in Concord, New Hampshire.

ADDRESSES: Copies of the Order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 1; Air and Radiation Division; 5 Post Office Square—Suite 100, (Mail code 05–2), Boston, MA 02109–3912. The Order is also available electronically at the following address: *https://www.epa.gov/sites/production/files/2019-11/documents/wheelabrator_rensponse2019.pdf.*

FOR FURTHER INFORMATION CONTACT: Jessica Kilpatrick, Air Permits, Toxics, and Indoor Programs Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 05–2), Boston, MA 02109–3912, tel. (617) 918–1652, email *kilpatrick.jessica@epa.gov.*

SUPPLEMENTARY INFORMATION: The CAA affords the EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by state permitting authorities under title V of the CAA, 42 U.S.C. 7661–7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA's 45-day review period if the EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

The Petitioners submitted a petition on March 14, 2019, requesting that the EPA object to the proposed CAA title V operating permit issued by NHDES to Wheelabrator (Permit No. TV–0032). The Petitioners alleged that (1) the operation of the Wheelabrator incinerator violates New Hampshire's Revised Statutes Annotated (RSA) 125–C, Title 10 Public Health, Chapter 125–C Air Pollution Control, Section 125–C:1 and releases persistent toxic substances, such as lead, mercury, cadmium, and dioxin, that ''accumulate in our bodies (known as body burden) and in our environment (known as toxic loading) and cause harm in low doses;'' (2) that ''[s]napshot testing of smokestack emissions can neither determine nor ensure continuous compliance with air standards that are themselves not health based;'' and that NHDES ''has discretionary authority to either deny or approve a Title V permit and is not constrained by a requirement to only consider whether Wheelabrator's stack test results comply with emission standards;'' (3) Wheelabrator violated state and federal law by incinerating

used baghouse filters; and (4) the NHDES has mischaracterized its authority under New Hampshire's RSA 125C:13 and CAA § 129(e) and that NHDES can deny, suspend, or revoke the permit, or order measures beyond existing emission limitations to protect public health.

On October 30, 2019, the Administrator issued an Order denying the petition. The Order explains the EPA's basis for denying the petition.

Pursuant to sections 307(b) and 505(b)(2) of the CAA, a petition for judicial review of those parts of the Order that deny issues in the petition may be filed in the United States Court of Appeals for the appropriate circuit by April 3, 2020, 60 days from the date this notice is published in the **Federal Register**.

Dated: January 21, 2020.

Dennis Deziel,

Regional Administrator, EPA Region 1.

[FR Doc. 2020–02010 Filed 1–31–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0751; FRL–10004–39]

Pesticide Registration Review; Interim Decision for Glyphosate; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's interim registration review decision for glyphosate. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, that the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

FOR FURTHER INFORMATION CONTACT: *For pesticide specific information:* Contact the glyphosate registration review email address and phone number identified in Unit IV.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (703) 305–7106; email address: *biscoe.melanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, contact the glyphosate registration review email address and phone number identified in the Table in Unit IV.

B. How can I access the docket?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2017–0751, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

II. Background

Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed interim decisions for glyphosate. Through this program, EPA is ensuring that glyphosate's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

III. Authority

EPA is conducting its registration review of glyphosate pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

IV. What action is the Agency taking?

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's interim registration review decision for glyphosate. The interim registration review decision is supported by rationales included in the docket identified in Unit I.B.

TABLE—REGISTRATION REVIEW INTERIM DECISIONS BEING ISSUED

Registration review case name and No.	Docket ID No.	Contact information
Glyphosate Case Number 0178	EPA–HQ–OPP–2009–0361	*glyphosateregreview@epa.gov,* 703–347–0292.

The proposed interim registration review decision for glyphosate was posted to the docket and the public was invited to submit any comments or new information. EPA addressed the comments or information received during the 120-day comment period for the proposed interim decisions in the discussion for glyphosate. Comments from the 120-day comment period that were received may or may not have affected the Agency's interim decision.

Pursuant to 40 CFR 155.58(c), the registration review case docket for glyphosate will remain open until all actions required in the interim decision have been completed.

Background on the registration review program is provided at: *http://www.epa.gov/pesticide-reevaluation.*

Authority: 7 U.S.C. 136 *et seq.*

Dated: January 27, 2020.

Mary Reaves,

Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2020–01935 Filed 1–31–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–10004–78–ORD]

Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method

AGENCY: Environmental Protection Agency.

ACTION: Notice of the designation of a new reference method for monitoring ambient air quality.

SUMMARY: Notice is hereby given that the Environmental Protection Agency (EPA) has designated one new reference method for measuring concentrations of sulfur dioxide (SO_2) in ambient air.

FOR FURTHER INFORMATION CONTACT: Robert Vanderpool, Air Methods and Characterization Division (MD–D205–03), Center for Environmental Measurements and Modeling, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: 919–541–7877. Email: *vanderpool.robert@epa.gov.*

SUPPLEMENTARY INFORMATION: In accordance with regulations at 40 CFR part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQS) as set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and other agencies for determining compliance with the NAAQS. A list of all reference or equivalent methods that have been previously designated by EPA may be found at *http://www.epa.gov/ttn/amtic/criteria.html.*

The EPA hereby announces the designation of one new reference method for measuring concentrations of SO_2 in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on October 26, 2015 (80 FR 65291–65468).

The new reference method for SO_2 is an automated method (analyzer) utilizing the measurement principle based on ultraviolet fluorescence. This newly designated reference method is identified as follows:

RFSA–1219–255, ''Focused Photonics Inc. AQMS–500 SO_2 Analyzer'' Ultraviolet Fluorescence (UVF) analyzer operated in the range of 0–0.5 ppm, with 5 µm, 47 mm diameter Teflon® (PTFE) filter installed, operated at temperatures between 20 °C and 30 °C, at nominal input line voltage of 220 ± 10% VAC and frequency of 50 Hz, at a nominal sampling flow rate of 800 ± 80 cc/min, and operated according to the FPI AQMS–500 User Manual.

This application for a reference method determination for this SO_2 method was received by the Office of Research and Development on October 31, 2019. This analyzer is commercially available from the applicant, Focused Photonics Inc. (FPI), 760 Bin'an Road, Binjiang District, Hangzhou, Zhejiang, China.

A representative test analyzer was tested in accordance with the applicable test procedures specified in 40 CFR part 53, as amended on October 26, 2015. After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as a reference method.

As a designated reference method, this method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, this method must be used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations (*e.g.,* configuration or operational settings) specified in the designated method description (see the identification of the method above).

Use of the method also should be in general accordance with the guidance and recommendations of applicable sections of the ''Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I,'' EPA/600/R–94/038a and ''Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Quality Monitoring Program,'' EPA–454/B–13–003, (both available at *http://www.epa.gov/ttn/amtic/qalist.html*). Provisions concerning modification of such methods by users are specified under section 2.8 (Modifications of Methods by Users) of appendix C to 40 CFR part 58.

Consistent or repeated noncompliance with any of these conditions should be reported to: Director, Air Methods and Characterization Division (MD–D205–03), Center for Environmental Measurements and Modeling, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this reference method is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

Dated: January 16, 2020.

Timothy H. Watkins,

Director, Center for Environmental Measurement and Modeling.

[FR Doc. 2020–01999 Filed 1–31–20; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice to All Interested Parties of Intent To Terminate Receiverships

Notice is hereby given that the Federal Deposit Insurance Corporation (FDIC or Receiver), as Receiver for the institutions listed below, intends to terminate its receivership for said institutions.

NOTICE OF INTENT TO TERMINATE RECEIVERSHIPS

Fund	Receivership name	City	State	Date of appointment of receiver
10528	Fayette County Bank	Saint Elmo	IL	05/26/2017

NOTICE OF INTENT TO TERMINATE RECEIVERSHIPS—Continued

Fund	Receivership name	City	State	Date of appointment of receiver
10170	Town Community Bank & Trust	Antioch	IL	01/15/2010
10194	Libertypointe Bank	New York	NY	03/11/2010
10284	Shorebank	Chicago	IL	08/20/2010
10210	AmericanFirst Bank	Clermont	FL	04/16/2010
10213	First Federal Bank of North Florida	Palatka	FL	04/16/2010
10211	Butler Bank	Lowell	MA	04/16/2010
10217	Tamalpais Bank	San Rafael	CA	04/16/2010
10235	Towne Bank of Arizona	Mesa	AZ	05/07/2010
10237	New Liberty Bank	Plymouth	MI	05/14/2010
10238	Satilla Community Bank	Saint Marys	GA	05/14/2010
10353	Bartow County Bank	Cartersville	GA	04/15/2011
10525	Proficio Bank	Cottonwood Heights	UT	03/03/2017
10527	Guaranty Bank	Milwaukee	WI	05/05/2017

The liquidation of the assets for each receivership has been completed. To the extent permitted by available funds and in accordance with law, the Receiver will be making a final dividend payment to proven creditors.

Based upon the foregoing, the Receiver has determined that the continued existence of the receiverships will serve no useful purpose. Consequently, notice is given that the receiverships shall be terminated, to be effective no sooner than thirty days after the date of this notice. If any person wishes to comment concerning the termination of any of the receiverships, such comment must be made in writing, identify the receivership to which the comment pertains, and be sent within thirty days of the date of this notice to: Federal Deposit Insurance Corporation, Division of Resolutions and Receiverships, Attention: Receivership Oversight Department 34.6, 1601 Bryan Street, Dallas, TX 75201.

No comments concerning the termination of the above-mentioned receiverships will be considered which are not sent within this time frame.

(Authority: 12 U.S.C. 1819)

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on January 29, 2020.

Annmarie H. Boyd,

Assistant Executive Secretary.

[FR Doc. 2020–02056 Filed 1–31–20; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

TIME AND DATE: 10:35 a.m. on Thursday, January 30, 2020.

PLACE: The meeting was held in the Board Room located on the sixth floor of the FDIC Building located at 550 17th Street NW, Washington, DC.

STATUS: Closed.

MATTERS TO BE CONSIDERED: In calling the meeting, the Board determined, on motion of Director Martin J. Gruenberg, seconded by Director Joseph M. Otting (Comptroller of the Currency), and concurred in by Director Kathleen L. Kraninger (Director, Consumer Financial Protection Bureau), and Chairman Jelena McWilliams, that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the ''Government in the Sunshine Act'' (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B).

CONTACT PERSON FOR MORE INFORMATION: Requests for further information concerning the meeting may be directed to Mr. Annmarie H. Boyd, Assistant Executive Secretary of the Corporation, at 202–898–7043.

Dated at Washington, DC, on January 30, 2020.

Federal Deposit Insurance Corporation.

Annmarie H. Boyd,

Assistant Executive Secretary.

[FR Doc. 2020–02152 Filed 1–30–20; 4:15 pm]

BILLING CODE 6714–01–P

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

[Docket No. AS20–01]

Appraisal Subcommittee Notice of Meeting

AGENCY: Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

ACTION: Notice of Meeting.

Description: In accordance with Section 1104 (b) of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended, notice is hereby given that the Appraisal Subcommittee (ASC) will meet in closed session:

Location: Partnership for Public Service, 1100 New York Avenue NW, Suite 200 East, Washington, DC 20005.

Date: February 12, 2020.

Time: 10:00 a.m.

Status: Closed.

Matters to be Considered: Preliminary discussion of State Compliance Review.

Dated: January 29, 2020.

James R. Park,

Executive Director.

[FR Doc. 2020–01985 Filed 1–31–20; 8:45 am]

BILLING CODE 6700–01–P

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

[Docket No. AS20–02]

Appraisal Subcommittee Notice of Meeting

AGENCY: Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

ACTION: Notice of Meeting.

Description: In accordance with Section 1104 (b) of Title XI of the Financial Institutions Reform, Recovery,

and Enforcement Act of 1989, as amended, notice is hereby given that the Appraisal Subcommittee (ASC) will meet in open session for its regular meeting:

Location: Partnership for Public Service, 1100 New York Avenue NW, Suite 200 East, Washington, DC 20005.

Date: February 12, 2020.

Time: 10:45 a.m.

Status: Open.

Reports

Chairman
Executive Director
Delegated State Compliance Reviews
Grants Director
Financial Manager
Notation Vote

Action and Discussion Items

November 13, 2019 Open Session Minutes
December 12, 2019 Special Meeting Minutes
Illinois Appraiser Program Compliance Review
Reprogramming Request for FY19 ASC Grants

How To Attend and Observe an ASC Meeting

If you plan to attend the ASC Meeting in person, we ask that you send an email to *meetings@asc.gov.* You may register until close of business February 7, 2020. The meeting space is intended to accommodate public attendees. However, if the space will not accommodate all requests, the ASC may refuse attendance on that reasonable basis. The use of any video or audio tape recording device, photographing device, or any other electronic or mechanical device designed for similar purposes is prohibited at ASC Meetings.

Dated: January 29, 2020.

James R. Park,

Executive Director.

[FR Doc. 2020–01986 Filed 1–31–20; 8:45 am]

BILLING CODE 6700–01–P

FEDERAL TRADE COMMISSION

[File No. 192 3092]

T&M Protection Resources, LLC; Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement; Request for Comment.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before March 4, 2020.

ADDRESSES: Interested parties may file comments online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write: ''T&M Protection Resources, LLC: File No. 192 3092'' on your comment, and file your comment online at *https://www.regulations.gov* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Megan Cox (202–326–2282), Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 28, 2020), on the World Wide Web, at *https://www.ftc.gov/news-events/commission-actions.*

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before March 4, 2020. Write ''T&M Protection Resources, LLC: File No. 192 3092'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the *https://www.regulations.gov* website.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online through the *https://www.regulations.gov* website.

If you prefer to file your comment on paper, write ''T&M Protection Resources, LLC: File No. 192 3092'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex D), Washington, DC 20580; or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible website at *https://www.regulations.gov,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and

the public interest. Once your comment has been posted on the public FTC website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before March 4, 2020. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''Commission'') has accepted, subject to final approval, an agreement containing a consent order from T&M Protection Resources, LLC (''T&M'' or ''Respondent'').

The proposed consent order (''proposed order'') has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that T&M made concerning its participation in the Privacy Shield framework agreed upon by the U.S. and the European Union (''EU''). The Privacy Shield framework allows for the lawful transfer of personal data from the EU to participating companies in the U.S. The framework consists of a set of principles and related requirements that have been deemed by the European Commission as providing ''adequate'' privacy protection. The principles include notice; choice; accountability for onward transfer; security; data integrity and purpose limitation; access; and recourse, enforcement, and liability. The related requirements include, for example, securing an independent recourse mechanism to handle any disputes about how the company handles information about EU citizens.

To participate in the framework, a company must comply with the Privacy Shield principles and self-certify that compliance to the U.S. Department of Commerce (''Commerce''). Commerce reviews companies' self-certification applications and maintains a public website, *https://www.privacyshield.gov/list,* where it posts the names of companies who have completed the requirements for certification. Companies are required to recertify every year in order to continue benefitting from Privacy Shield.

T&M provides background check, security and investigative services. In connection with providing services relating to background checks, T&M obtained personal data about individuals in the EU. According to the Commission's complaint, T&M published on its website, *https://www.tmprotection.com/privacy-policy,* a privacy policy containing statements related to its participation in Privacy Shield. However, T&M allowed its certification to lapse and continued to claim it participated in the Privacy Shield framework.

The Commission's proposed three-count complaint alleges that Respondent violated Section 5(a) of the Federal Trade Commission Act. Specifically, the proposed complaint alleges that Respondent engaged in a deceptive act or practice by falsely representing that it was a certified participant in the EU–U.S. Privacy Shield Framework. The proposed complaint further alleges that Respondent engaged in deceptive acts or practices by representing that it complied with the framework when in fact it had failed to comply with certain Privacy Shield requirements.

Part I of the proposed order prohibits the company from making misrepresentations about its membership or compliance with any privacy or security program sponsored by the government or any self-regulatory or standard-setting organization, including, but not limited to, the EU–U.S. Privacy Shield framework, the Swiss-U.S. Privacy Shield framework, and the APEC Cross-Border Privacy Rules.

Part II of the proposed order requires that the company affirm to Commerce that it will either continue to apply the Privacy Shield framework principles to any data it received pursuant to frameworks or protect the information by another means authorized under EU or Swiss law, or will delete or return such data within ten days after the effective date of the order.

Parts III through VI of the proposed order are reporting and compliance provisions. Part III requires acknowledgement of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part IV ensures notification to the FTC of changes in corporate status and mandates that the company submit an initial compliance report to the FTC. Part V requires the company to create certain documents relating to its compliance with the order for ten years and to retain those documents for a five-year period. Part VI mandates that the company make available to the FTC information or subsequent compliance reports, as requested.

Part VII is a provision ''sun-setting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

April J. Tabor,

Acting Secretary.

[FR Doc. 2020–02022 Filed 1–31–20; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Supplemental Evidence and Data Request on Radiation Therapy for Brain Metastases: A Systematic Review

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Request for Supplemental Evidence and Data Submissions.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) is seeking scientific information submissions from the public. Scientific information is being solicited to inform our review on *Radiation Therapy for Brain Metastases: A Systematic Review,* which is currently being conducted by the AHRQ's Evidence-based Practice Centers (EPC) Program. Access to published and unpublished pertinent scientific information will improve the quality of this review.

DATES: *Submission Deadline* on or before 30 days after the date of publication in the **Federal Register**.

ADDRESSES: *Email submissions: epc@ahrq.hhs.gov.*

Print submissions:

Mailing Address: Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, ATTN: EPC SEADs Coordinator, 5600 Fishers Lane, Mail Stop 06E53A, Rockville, MD 20857, Shipping Address (FedEx, UPS, etc.): Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, ATTN: EPC SEADs Coordinator, 5600 Fishers Lane, Mail Stop 06E77D, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Jenae Benns, Telephone: 301–427–1496 or Email: *epc@ahrq.hhs.gov.*

SUPPLEMENTARY INFORMATION: The Agency for Healthcare Research and Quality has commissioned the Evidence-based Practice Centers (EPC) Program to complete a review of the evidence for Radiation Therapy for Brain Metastases: A Systematic Review. AHRQ is conducting this systematic review pursuant to Section 902(a) of the Public Health Service Act, 42 U.S.C. 299b—37(a).

The EPC Program is dedicated to identifying as many studies as possible that are relevant to the questions for each of its reviews. In order to do so, we are supplementing the usual manual and electronic database searches of the literature by requesting information from the public (*e.g.,* details of studies conducted). We are looking for studies that report on *Radiation Therapy for Brain Metastases: A Systematic Review,* including those that describe adverse events. The entire research protocol is available online at: *https://effectivehealthcare.ahrq.gov/products/radiation-brain-metastases/protocol*

This is to notify the public that the EPC Program would find the following information on *Radiation Therapy for Brain Metastases: A Systematic Review* helpful:

- A list of completed studies that your organization has sponsored for this indication. In the list, please *indicate whether results are available on ClinicalTrials.gov along with the ClinicalTrials.gov trial number.*
- *For completed studies that do not have results on ClinicalTrials.gov,* a summary, including the following elements: study number, study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, primary and secondary outcomes, baseline characteristics, number of patients screened/eligible/enrolled/lost to follow-up/withdrawn/analyzed, effectiveness/efficacy, and safety results.
- *A list of ongoing studies that your organization has sponsored for this indication.* In the list, please provide the *ClinicalTrials.gov* trial number or, if the trial is not registered, the protocol for the study including a study number, the study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, and primary and secondary outcomes.
- Description of whether the above studies constitute *ALL Phase II and above clinical trials* sponsored by your organization for this indication and an index outlining the relevant information in each submitted file.

Your contribution is very beneficial to the Program. Materials submitted must be publicly available or able to be made public. Materials that are considered confidential; marketing materials; study types not included in the review; or information on indications not included in the review cannot be used by the EPC Program. This is a voluntary request for information, and all costs for complying with this request must be borne by the submitter.

The draft of this review will be posted on AHRQ's EPC Program website and available for public comment for a period of 4 weeks. If you would like to be notified when the draft is posted, please sign up for the email list at: *https://www.effectivehealthcare.ahrq.gov/email-updates.*

The systematic review will answer the following questions. This information is provided as background. AHRQ is not requesting that the public provide answers to these questions.

Key Questions (KQ)

Key Question 1: What is the effectiveness of whole brain radiation therapy (WBRT), alone or in combination with stereotactic radiosurgery (SRS) or systemic therapies, as initial treatment in patients with brain metastases on patient-relevant outcomes, such as overall survival and quality of life?

KQ1a. How does effectiveness vary by dose fractionation schedule and technique?

KQ1b. How does effectiveness differ by patient prognosis and primary tumor site?

KQ1c. How does effectiveness differ by the addition of systemic therapies?

Key Question 2: What is the effectiveness of SRS/fractionated stereotactic radiation as initial treatment in patients with brain metastases on patient-relevant outcomes, such as overall survival and quality of life?

KQ2a. How does effectiveness vary by dose fractionation schedule and technique?

KQ2b. How does effectiveness differ by patient prognosis and primary tumor site?

KQ2c. How does effectiveness differ by the addition of systemic therapies?

Key Question 3: What is the effectiveness (or comparative effectiveness) of postoperative SRS compared to WBRT, observation, or preoperative SRS in patients with brain metastases on patient-relevant outcomes, such as overall survival and quality of life?

KQ3a. How does effectiveness vary by dose fractionation schedule?

Key Question 4: What are the adverse effects (*i.e.,* serious harms) of WBRT, SRS, and systemic therapies for patients with brain metastases (either alone or in combination)?

KQ4a. Do adverse effects vary by important patient characteristics (*i.e.,* age, performance status, patient prognosis, disease status, primary tumor site) or dose fractionation schedule and technique?

PICOTS (POPULATIONS, INTERVENTIONS, COMPARATORS, OUTCOMES, TIMING, SETTINGS)

PICOTS	Inclusion	Exclusion
Population	• Primary research studies that include a majority (50% or more) of adult patients with metastases in the brain resulting from non-small cell lung cancer, breast cancer, or melanoma.	• Study samples comprising patients with cancer from other origins or primary brain tumors (*e.g.*, glioblastomas) and pediatric samples.
Interventions	• Studies evaluating radiation therapy, including WBRT and SRS alone or in combination, as initial or postoperative treatment, with or without systemic therapy (immunotherapy and chemotherapy). • Studies have to report on effects of radiation therapy in the 1990s or later.	• Studies without WBRT or SRS treatment arms. • Studies based exclusively on pre-1990 data.

PICOTS (POPULATIONS, INTERVENTIONS, COMPARATORS, OUTCOMES, TIMING, SETTINGS)—Continued

PICOTS	Inclusion	Exclusion
Comparators	• Studies comparing eligible interventions to other eligible interventions or other management approaches (no intervention; waitlist; delayed intervention [radiation to be given at a later time]; placebo; observation, watchful waiting, or surveillance; supportive care, palliative care, or steroid treatment; usual care; systemic therapy, immunotherapy, or chemotherapy; WBRT; SRS; surgery; different dose fractionation schedules; different radiation therapy approaches; different intervention combinations).	• Studies comparing only non-intervention features (*e.g.,* comparing two patient subgroups).
Outcomes	• Studies reporting on patient health outcomes, such as ○ overall survival, progression-free survival recurrence/cancer control (local tumor control, intracranial control/complete response, partial response, stable response of all metastases); ○ symptom burden, health status or health-related quality of life; ○ functional status (physical, affective or neurocognition functions);. ○ or adverse events, including acute and late toxicity (*e.g.,* radiation necrosis, hair loss, or nausea). • Patient health outcomes may include patient- and caregiver-reported outcomes as well as clinical, physician assessed, and hospital record outcomes and measures may include quantitative as well as qualitative reports and no restrictions will be imposed regarding the specific measurement, metric, aggregation method (*e.g.,* mean, proportion), or timepoint.	• Studies reporting only on therapy acceptance, provider variables (*e.g.,* provider knowledge), organizational measures (*e.g.,* wait times), treatment utilization, or costs.
Timing	• Studies will not be limited by the duration of the intervention or the length of follow up.	• No exclusions apply.
Setting(s)	• Inpatient and outpatient settings • Studies may include national and international settings	• Studies in resource-limited settings such as developing countries will be reviewed for comparability with US settings.
Study design	All KQs • RCTs • Studies with results published in clinicaltrial.gov will be included regardless of whether a journal publication is available. • English-language publications KQ4 • Prospective experimental and observational studies (including non-randomized clinical trials and cohort studies comparing 2 or more intervention cohorts) of 200 patients or more or those that report a statistical power analysis for adverse events.	• Studies without comparator (*e.g.,* case studies). • Evaluations reported only in abbreviated format (*e.g.,* in a conference abstract) and that are not registered in a research registry. • Studies exclusively reported in non-English publications will be retained as a resource but will not be eligible for inclusion. • Systematic reviews will be retained for reference mining.

Dated: January 29, 2020.

Virginia L. Mackay-Smith,

Associate Director, Office of the Director, AHRQ.

[FR Doc. 2020–01996 Filed 1–31–20; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended, and the Determination of the Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, CDC, pursuant to Public Law 92–463. 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: Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP)–SIP20–008, Validation of Self-Reported Vaccination among Adults.

Date: May 5, 2020.

Time: 11:00 a.m.–6:00 p.m., EDT.

Place: Teleconference.

Agenda: To review and evaluate grant applications.

FOR FURTHER INFORMATION CONTACT: Jaya Raman, Ph.D., Scientific Review Officer, CDC, 4770 Buford Highway, Mailstop F80, Atlanta, Georgia 30341, Telephone: (770) 488–6511, *kva5@cdc.gov.*

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2020–01964 Filed 1–31–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as

amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended, and the Determination of the Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, CDC, pursuant to Public Law 92–463. 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: Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP)–DD15–0030601SUPP20, Using Longitudinal Data to Characterize the Natural History of Fragile X Syndrome to Improve Service.

Date: April 2, 2020.

Time: 11:00 a.m.–5:00 p.m., EDT.

Place: Teleconference.

Agenda: To review and evaluate grant applications.

For Further Information Contact: Jaya Raman Ph.D., Scientific Review Officer, CDC, 4770 Buford Highway, Mailstop F80, Atlanta, Georgia 30341, Telephone: (770) 488–6511, *kva5@cdc.gov*.

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2020–01962 Filed 1–31–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended, and the Determination of the Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, CDC, pursuant to Public Law 92–463. 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: Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP)–SIP20–004, Effect of Survivorship Care Plans on Cancer Mortality and SIP20–005, Validity and Reliability of Survey Measures for Lung, Cervical, Breast, and Colorectal Cancer Screening in the Redesigned National Health Interview Survey.

Date: April 29, 2020.

Time: 10:00 a.m.–6:00 p.m., EDT.

Place: Teleconference.

Agenda: To review and evaluate grant applications.

For Further Information Contact: Jaya Raman, Ph.D., Scientific Review Officer, CDC, 4770 Buford Highway, Mailstop F80, Atlanta, Georgia 30341, Telephone: (770) 488–6511, *kva5@cdc.gov.*

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2020–01963 Filed 1–31–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended, and the Determination of the Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, CDC, pursuant to Public Law 92–463. 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: Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP)–SIP20–006, Coordinating Community-Clinical Linkages With Community Health Workers to Improve Health and Social Outcomes for Adults With Epilepsy and SIP20–007, Building Capacity to Describe Epilepsy Burden by Using Underutilized National and State Data Systems.

Date: May 6, 2020.

Time: 10:00 a.m.–6:00 p.m., EDT.

Place: Teleconference.

Agenda: To review and evaluate grant applications.

For Further Information Contact: Jaya Raman Ph.D., Scientific Review Officer, CDC, 4770 Buford Highway, Mailstop F80, Atlanta, Georgia 30341, Telephone: (770) 488–6511, *kva5@cdc.gov.*

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2020–01965 Filed 1–31–20; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2020–N–0008]

Advisory Committee; Vaccines and Related Biological Products Advisory Committee; Renewal

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; renewal of advisory committee.

SUMMARY: The Food and Drug Administration (FDA) is announcing the renewal of the Vaccines and Related Biological Products Advisory Committee by the Commissioner of Food and Drugs (the Commissioner). The Commissioner has determined that it is in the public interest to renew the Vaccines and Related Biological Products Advisory Committee for an

additional 2 years beyond the charter expiration date. The new charter will be in effect until December 31, 2021.

DATES: Authority for the Vaccines and Related Biological Products Advisory Committee will expire on December 31, 2021, unless the Commissioner formally determines that renewal is in the public interest.

FOR FURTHER INFORMATION CONTACT: Prabhakara Atreya, Division of Scientific Advisors and Consultants, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 6306, Silver Spring, MD 20993–0002, 240–402–8006, *Prabhakara.Atreya@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 41 CFR 102–3, FDA is announcing the renewal of the Vaccines and Related Biological Products Advisory Committee (the Committee). The Committee is a discretionary Federal advisory committee established to provide advice to the Commissioner. The Committee advises the Commissioner or designee in discharging responsibilities as they relate to helping to ensure safe and effective vaccines and related biological products for human use and, as required, any other product for which FDA has regulatory responsibility.

The Committee reviews and evaluates data concerning the safety, effectiveness, and appropriate use of vaccines and related biological products that are intended for use in the prevention, treatment, or diagnosis of human diseases and, as required, any other products for which FDA has regulatory responsibility. The Committee also considers the quality and relevance of FDA's research program, which provides scientific support for the regulation of these products and makes appropriate recommendations to the Commissioner.

Pursuant to its Charter, the Committee shall consist of a core of 15 voting members, including the Chairperson (the Chair). Members and the Chair are selected by the Commissioner or designee from among authorities knowledgeable in the fields of immunology, molecular biology, rDNA, virology, bacteriology, epidemiology or biostatistics, vaccine policy, vaccine safety science, Federal immunization activities, vaccine development including translational and clinical evaluation programs, allergy, preventive medicine, infectious diseases, pediatrics, microbiology, and biochemistry. Members will be invited to serve for overlapping terms of up to 4 years. Almost all non-Federal members of this Committee serve as Special Government Employees. Ex Officio voting members, one each from the Department of Health and Human Services, the Centers for Disease Control and Prevention, and the National Institutes of Health, may be included. The core of voting members may include one technically qualified member, selected by the Commissioner or designee, who is identified with consumer interests and is recommended by either a consortium of consumer-oriented organizations or other interested persons. In addition to the voting members, the Committee may include one non-voting member who is identified with industry interests. There may also be an alternate industry representative.

The Commissioner or designee shall have the authority to select members of other scientific and technical FDA advisory committees (normally not to exceed 10 members) to serve temporarily as voting members and to designate consultants to serve temporarily as voting members when: (1) Expertise is required that is not available among current voting standing members of the Committee (when additional voting members are added to the Committee to provide needed expertise, a quorum will be based on the combined total of regular and added members) or (2) to comprise a quorum when, because of unforeseen circumstances, a quorum is or will be lacking. Because of the size of the Committee and the variety in the types of issues that it will consider, FDA may, in connection with a particular Committee meeting, specify a quorum that is less than a majority of the current voting members. The Agency's regulations (21 CFR 14.22(d)) authorize a Committee charter to specify quorum requirements.

If functioning as a medical device panel, a non-voting representative of consumer interests and a non-voting representative of industry interests will be included in addition to the voting members.

Further information regarding the most recent charter and other information can be found at *https://www.fda.gov/AdvisoryCommittees/CommitteesMeetingMaterials/BloodVaccinesandOtherBiologics/VaccinesandRelatedBiologicalProductsAdvisoryCommittee/ucm129571.htm* or by contacting the Designated Federal Officer (see **FOR FURTHER INFORMATION CONTACT**). In light of the fact that no change has been made to the Committee name or description of duties, no amendment will be made to 21 CFR 14.100.

This document is issued under the Federal Advisory Committee Act (5 U.S.C. app.). For general information related to FDA advisory committees, please check *https://www.fda.gov/AdvisoryCommittees/default.htm.*

Dated: January 29, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–01988 Filed 1–31–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0719]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Planning for the Effects of High Absenteeism To Ensure Availability of Medically Necessary Drug Products

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by March 4, 2020.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, Fax: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0675. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Planning for the Effects of High Absenteeism To Ensure Availability of Medically Necessary Drug Products

OMB Control Number 0910–0675—Extension

This information collection supports recommendations found in Agency guidance. Specifically, we have developed guidance intended to encourage manufacturers of drug and therapeutic biological products, and any raw materials and components used in those products, to develop a written Emergency Plan (Plan) for maintaining an adequate supply of medically necessary drug products (MNPs) during an emergency that results in high employee absenteeism. The guidance entitled, ''Planning for the Effects of High Absenteeism to Ensure Availability of Medically Necessary Drug Products,'' discusses the elements that should be covered by such a Plan, and is available from our website at: *https://www.fda.gov/regulatory-information/search-fda-guidance-documents/planning-effects-high-absenteeism-ensure-availability-medically-necessary-drug-products.*

In the **Federal Register** of October 25, 2019 (84 FR 57448), we published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Activate/deactivate Plan as recommended in the guidance	2	1	2	16	32

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

Activity	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeper	Total hours
Develop initial Plan as recommended in the guidance	70	1	70	250	17,500

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

As explained in the guidance, we provide recommendations for developing and implementing a written Plan, including: (1) Identifying a person or position title (as well as two designated alternates) with the authority to activate and deactivate the Plan and make decisions during the emergency; (2) prioritizing the manufacturer's drug products based on medical necessity; (3) identifying actions that should be taken prior to an anticipated period of high absenteeism; (4) identifying criteria for activating the Plan; (5) performing quality risk assessments to determine which manufacturing activities may be reduced to enable the company to meet a demand for MNPs; (6) returning to normal operations and conducting a post-execution assessment of the execution outcomes; and (7) testing the Plan.

The guidance also encourages manufacturers to include and document procedures in the Plan for notifying the FDA Center for Drug Evaluation and Research (CDER) when the Plan is activated and when returning to normal operations. The guidance recommends that these notifications occur within 1 day of a Plan's activation and within 1 day of a Plan's deactivation. The guidance identifies the information that should be included in these notifications, such as which drug products will be manufactured under altered procedures, which products' manufacturing will be temporarily delayed, and any anticipated or potential drug shortages. We assume two notifications (for purposes of this analysis, we consider an activation and a deactivation notification to equal one notification) will be submitted to CDER annually, and assume each notification requires 16 hours to prepare and submit.

Finally, the guidance recommends developing a Plan for each individual manufacturing facility as well as a broader Plan that addresses multiple sites within the organization. For purposes of this information collection analysis, we consider the Plan for an individual manufacturing facility and the broader Plan to comprise one Plan for each manufacturer. Based on available data on the number of manufacturers that would be covered by the guidance, we previously estimated 70 manufacturers will develop a Plan as recommended by the guidance (*i.e.,* one Plan per manufacturer, to include all manufacturing facilities, sites, and drug products) and that each Plan would take approximately 500 hours to develop. Upon development of the plan, however, we believe fewer hours are necessary to maintain and update it as needed. As FDA issued the guidance in 2011, we now assume that most respondents have developed the recommended plan, and therefore we limit our current burden estimate to updates and maintenance. Accordingly, we have reduced our estimate by half, reasoning that, although it takes fewer hours for updates and maintenance, new respondents may choose to adopt recommendations found in the guidance.

Dated: January 24, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–01992 Filed 1–31–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–1072]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Application for Participation in Food and Drug Administration Fellowship and Traineeship Programs

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of

information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by March 4, 2020.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, Fax: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0780. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Application for Participation in FDA Fellowship and Traineeship Programs; OMB Control Number 0910–0780—Revision

Sections 1104, 1302, 3301, 3304, 3320, 3361, 3393, and 3394 of Title 5 of the United States Code authorize Federal Agencies to rate applicants for Federal jobs. The proposed information collection involves brief online applications completed by applicants applying to FDA's Fellowship and Traineeship programs. These voluntary online applications will allow the Agency to easily and efficiently elicit and review information from students and healthcare professionals who are interested in becoming involved in FDA-wide activities. The process will reduce the time and cost of submitting written documentation to the Agency and lessen the likelihood of applications being misrouted within the Agency mail system. It will assist the Agency in promoting and protecting the public health by encouraging outside persons to share their expertise with FDA.

In the **Federal Register** of October 19, 2018 (83 FR 53065), FDA published a 60-day notice requesting public comment on the proposed collection of information. Although one comment was received, it wasn't responsive to the four collection of information topics solicited and therefore will not be discussed in this document.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Medical Device Fellowship Program	250	1	250	1	250
FDA Traineeship Program	1,000	1	1,000	1	1,000
Reagan-Udall Fellowship at FDA	50	1	50	1	50
Total					1,300

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Because FDA is developing two new training programs, Trainee Program and Reagan-Udell Fellowship, our estimated burden for the information collection reflects an overall increase of 2 hours. FDA has removed the Commissioner Fellowship and Regulatory Science Internship Program from this information collection as the programs have been discontinued.

Dated: January 24, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–01989 Filed 1–31–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; The National Health Service Corps Loan Repayment Programs, OMB No. 0912–0127 Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30 day comment period for this Notice has closed.

DATES: Comments on this Information Collection Request must be received no later than March 4, 2020.

ADDRESSES: Submit your comments, including the ICR Title, to the desk officer for HRSA, either by email to *OIRA_submission@omb.eop.gov* or by fax to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–1984.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: The National Health Service Corps Loan Repayment Programs, OMB No. 0915–0127 Revision.

Abstract: The National Health Service Corps (NHSC) Loan Repayment Program (LRP) was established to assure an adequate supply of trained primary care health professionals to provide services in the neediest Health Professional Shortage Areas (HPSAs) of the United States. The NHSC Substance Use

Disorder (SUD) Workforce LRP and the NHSC Rural Community LRP were established to recruit and retain a health professional workforce with specific training and credentials to provide evidence-based SUD treatment in HPSAs. Under these programs, HHS agrees to repay the qualifying educational loans of selected primary care health professionals. In return, the health professionals agree to serve for a specified period of time in an NHSC-approved site located in a federally-designated HPSA approved by the Secretary for LRP participants.

The forms utilized by each LRP include the following: (1) The NHSC LRP Application, the Authorization for Disclosure of Loan Information form, (2) the Privacy Act Release Authorization form, and if applicable, (3) the Verification of Disadvantaged Background form, and (4) the Private Practice Option form. The first three of the aforementioned NHSC LRP forms collect information that is needed for selecting participants and repaying qualifying educational loans. The last referenced form, the Private Practice Option Form, is needed to collect information for all participants who have applied for that service option.

NHSC-approved sites are health care facilities that provide comprehensive outpatient, ambulatory, primary health care services to populations residing in HPSAs. Related in-patient services may be provided by NHSC-approved Critical Access Hospitals and Indian Health Service hospitals. In order to become an NHSC-approved site, new sites must submit a Site Application for review and approval. Existing NHSC-approved sites are required to complete a Site Recertification Application every 3 years in order to maintain their NHSC-approved status. Both the NHSC Site Application and Site Recertification Application request information on the clinical service site, sponsoring agency, recruitment contact, staffing levels, service users, charges for services, employment policies, and fiscal management capabilities. Assistance in completing these applications may be obtained through the appropriate State Primary Care Offices and the NHSC. The information collected on the applications is used for determining the eligibility of sites for the assignment of NHSC health professionals and to verify the need for NHSC clinicians. NHSC service site approval is valid for 3 years.

A 60-day notice was published in the **Federal Register** on July 18, 2019, vol. 84, No. 138; pp. 34402–03. There were no public comments.

Need and Proposed Use of the Information: The need and purpose of this information collection is to assess an LRP applicant's eligibility and qualifications for the LRP and to obtain information for NHSC site applicants. The NHSC LRP application asks for personal, professional and financial/loan information.

The proposed revisions in this ICR include asking applicants to provide their educational information on the completion of advanced training such as the Primary Care Training and Enhancement (PCTE) Champion fellowship. To identify the PCTE Champions, the NHSC will require applicants to respond to the following additional questions and submit their National Practitioner Identifier (NPI):

(1) Have you completed a fellowship?

(2) Applicants who selected ''yes'' to the question above are required to submit the NPI number.

NHSC policy requires behavioral health providers to practice in a community-based setting that provides access to comprehensive behavioral health services. Accordingly, for those sites seeking to be assigned behavioral health NHSC participants, additional site information will be collected from an NHSC Comprehensive Behavioral Health Services Checklist. NHSC sites that do not directly offer all required behavioral health services must demonstrate a formal affiliation with a comprehensive, community-based primary behavioral health setting or facility to provide these services.

Likely Respondents: Likely respondents include: (1) Licensed primary care medical, dental, and mental and behavioral health providers who are employed or seeking employment, and are interested in serving underserved populations; (2) health care facilities interested in participating in the NHSC and becoming an NHSC-approved service site; and (3) NHSC sites providing behavioral health care services directly, or through a formal affiliation with a comprehensive community-based primary behavioral health setting or facility providing comprehensive behavioral health services.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

Total Estimated Annualized Burden Hours:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
NHSC LRP Application	9,020	1	9,020	1.00	9,020
Authorization for Disclosure of Loan Information Form	7,150	1	7,150	.10	715
Privacy Act Release Authorization Form	303	1	303	.10	30
Verification of Disadvantaged Background Form	660	1	660	.50	330
Private Practice Option Form	330	1	330	.10	33
NHSC Comprehensive Behavioral Health Services Checklist	4,400	1	4,400	.13	572
NHSC Site Application (including recertification)	4,070	1	4,070	.50	2,035
Total	25,933		25,933		12,735

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2020–01933 Filed 1–31–20; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request Information Collection Request Title: Ryan White HIV/AIDS Program Part F Dental Services Report, OMB No. 0915–0151—Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than April 3, 2020.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 14N136B, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference.

Information Collection Request Title: HRSA's Ryan White HIV/AIDS Program Part F Dental Services Report, OMB No. 0915–0151—Extension.

Abstract: The Dental Reimbursement Program (DRP) and the Community Based Dental Partnership Program (CBDPP) under Part F of the Ryan White HIV/AIDS Program (RWHAP) offer funding to accredited dental education programs to support the education and training of oral health providers in HIV oral health care, and reimbursement for the provision of oral health services for people eligible for the RWHAP. Institutions eligible for the RWHAP DRP and CBDPP are accredited schools of dentistry and other accredited dental education programs, such as dental hygiene programs or those sponsored by a school of dentistry, a hospital, or a public or private institution that offers postdoctoral training in the specialties of dentistry, advanced education in general dentistry, or a dental general practice residency. The DRP Application for the Notice of Funding Opportunity includes the Dental Services Report (DSR) that applicants use to apply for funding of non-reimbursed costs incurred in providing oral health care to patients with HIV and to report annual program data. Awards are authorized under section 2692(b) of the Public Health Service Act (42 U.S.C. 300ff–111(b)). The DSR collects data on program information, client demographics, oral health services, funding, and training. It also requests applicants to provide narrative descriptions of their services and facilities as well as their links and collaboration with community-based providers of oral health services.

There are minor revisions to 12 data elements in the DSR to be consistent with other HRSA RWHAP grant recipient data that are submitted. For example, the response options for the data element for gender would be expanded to include transgender options; and the age ranges for the data element age would be changed to align with how data are submitted for the Ryan White HIV/AIDS Program Services Report. In addition, response options for ten other data elements would be reworded or deleted for alignment. These changes would not affect burden as they are minor.

Need and Proposed Use of the Information: The primary purpose of collecting this information annually is to verify applicant eligibility and determine reimbursement amounts for DRP applicants as well as to document the program accomplishments of CBDDP grant recipients. This information also allows HRSA to learn about (1) the extent of the involvement of dental schools and programs in treating patients with HIV, (2) the number and characteristics of clients who receive RWHAP supported oral health services, (3) the types and frequency of the provision of these services, (4) the non-reimbursed costs of oral health care provided to patients with HIV, and (5) the scope of grant recipients' community-based collaborations and training of providers. In addition to meeting the goal of accountability to Congress, patients, community-based organizations, and the general public, information collected in the DSR is critical for HRSA and for recipients to help assess the status of existing HIV-related health service delivery systems.

Likely Respondents: Accredited schools of dentistry and other accredited dental education programs, such as dental hygiene programs or those sponsored by a school of dentistry, a hospital, or a public or private institution that offers postdoctoral training in the specialties of dentistry, advanced education in general dentistry, or a dental general practice residency.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondent	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Dental Services Report	DRP	56	1	56	45	2,520

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Form name	Type of respondent	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
	CBDPP	12	1	12	39	468
Total	.....	68	.....	68	.....	2,988

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2020–01907 Filed 1–31–20; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Integrative Health Special Emphasis Panel; Preclinical Screening for Natural Product Drug Interactions.

Date: April 2–3, 2020.

Time: 5:00 p.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Gaithersburg Marriott Washingtonian Center, 9751 Washingtonian Boulevard, Gaithersburg, MD 20878.

Contact Person: Ashlee Tipton, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Center for Complementary and Integrative Health, 6707 Democracy Boulevard, Room 401, Bethesda, MD 20892, 301–451–3849, *ashlee.tipton@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: January 28, 2020.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01925 Filed 1–31–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Cancellation of Meeting

Notice is hereby given of the cancellation of the Frederick National Laboratory Advisory Committee to the National Cancer Institute, February 19, 2020, 1:00 p.m. to February 19, 2020, 5:00 p.m., National Cancer Institute Shady Grove, 9609 Medical Center Drive, TE406, Rockville, MD 20850 which was published in the **Federal Register** on December 18, 2019, 84 FR 69385.

This meeting is cancelled due to scheduling conflicts and will not be rescheduled.

Dated: January 28, 2020.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01924 Filed 1–31–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Integrative Health Special Emphasis Panel; NCCIH Training and Education Review Panel (CT).

Date: March 26–27, 2020.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jessica Marie McKlveen, Ph.D., Scientific Review Officer, Office of Scientific Review, Division of Extramural Activities, NCCIH, NIH, 6707 Democracy Boulevard, Suite 401, Bethesda, MD 20892–547 *jessica.mcklveen@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: January 28, 2020.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01927 Filed 1–31–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections

552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Integrative Health Special Emphasis Panel; Center of Excellence for Natural Product Drug Interaction Research.

Date: April 2, 2020.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Gaithersburg Marriott Washingtonian Center, 9751 Washingtonian Boulevard, Gaithersburg, MD 20878.

Contact Person: Ashlee Tipton, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Center for Complementary and Integrative Health, 6707 Democracy Boulevard, Room 401, Bethesda, MD 20892, 301–451–3849, *ashlee.tipton@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: January 28, 2020.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–01928 Filed 1–31–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a summary of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (240) 276–0361.

Project: 2020–2023 National Survey on Drug Use and Health: Methodological Field Tests (OMB No. 0930–0290)—Extension

The National Survey on Drug Use and Health (NSDUH) is a survey of the U.S. civilian, non-institutionalized population aged 12 years old or older. The data are used to determine the prevalence of use of tobacco products, alcohol, illicit substances, and illicit use of prescription drugs. The results are used by SAMHSA, the Office of National Drug Control Policy (ONDCP), federal government agencies, and other organizations and researchers to establish policy, direct program activities, and better allocate resources.

Methodological tests will continue to be designed to examine the feasibility, quality, and efficiency of new procedures or revisions to existing survey protocol. Specifically, the tests will measure the reliability and validity of certain questionnaire sections and items through multiple measurements on a set of respondents; assess new methods for gaining cooperation and participation of respondents with the goal of increasing response and decreasing potential bias in the survey estimates; and assess the impact of new sampling techniques and technologies on respondent behavior and reporting. Research will involve focus groups, cognitive laboratory testing, customer satisfaction surveys, and field tests.

These methodological tests will continue to examine ways to increase data quality, lower operating costs, and gain a better understanding of sources and effects of nonsampling error on NSDUH estimates. Particular attention will be given to minimizing the impact of design changes so survey data continue to remain comparable over time. If these tests provide successful results, current procedures or data collection instruments may be revised.

The number of respondents to be included in each field test will vary, depending on the nature of the subject being tested and the target population. However, the total estimated response burden is 8,225 hours. The exact number of subjects and burden hours for each test are unknown at this time, but will be clearly outlined in each individual submission. These estimated burden hours are distributed over three years as follows:

TABLE 1—ESTIMATED BURDEN FOR NSDUH METHODOLOGICAL FIELD TESTS

Time period	Respondent burden hours
May 2020 to May 2021	2,742
May 2021 to May 2022	2,742
May 2022 to May 2023	2,741
Total	8,225

Written comments and recommendations concerning the proposed information collection should be sent by March 4, 2020 to the SAMHSA Desk Officer at the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). To ensure timely receipt of comments, and to avoid potential delays in OMB's receipt and processing of mail sent through the U.S. Postal Service, commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@omb.eop.gov.* Although commenters are encouraged to send their comments via email, commenters may also fax their comments to: 202–395–7285. Commenters may also mail them to: Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building, Room 10102, Washington, DC 20503.

Jennifer Wilson,

Budget Analyst.

[FR Doc. 2020–02023 Filed 1–31–20; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2020–0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at *https://msc.fema.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: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 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.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, 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.

This new or modified 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, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

(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	Date of modification	Community No.
Arizona:					
Maricopa (FEMA Docket No.: B–1956).	City of Buckeye (19–09–0337P).	The Honorable Jackie A. Meck, Mayor, City of Buckeye, 530 East Monroe Avenue, Buckeye, AZ 85326.	Engineering Department, 530 East Monroe Avenue, Buckeye, AZ 85326.	Nov. 22, 2019	040039
Maricopa (FEMA Docket No.: B–1960).	City of Mesa (19–09–0940P).	The Honorable John Giles, Mayor, City of Mesa, P.O. Box 1466, Mesa, AZ 85211.	City Hall, Engineering Department, 20 East Main Street #500, Mesa, AZ 85201.	Dec. 30, 2019	040048
Maricopa (FEMA Docket No.: B–1956).	Town of Fountain Hills (18–09–2286P).	The Honorable Ginny Dickey, Mayor, Town of Fountain Hills, 16705 East Avenue of The Fountains, Fountain Hills, AZ 85268.	Town Hall, 16705 East Avenue of The Fountains, Fountain Hills, AZ 85268.	Nov. 29, 2019	040135
Pima (FEMA Docket No.: B–1953).	City of Tucson (19–09–0058P).	The Honorable Jonathan Rothschild, Mayor, City of Tucson, City Hall, 255 West Alameda Street, 10th Floor, Tucson, AZ 85701.	Planning and Development Services, Public Works Building, 201 North Stone Avenue, Tucson, AZ 85701.	Nov. 18, 2019	040076
Pima (FEMA Docket No.: B–1953).	Unincorporated Areas of Pima County (19–09–0058P).	The Honorable Richard Elias, Chairman, Board of Supervisors, Pima County, 130 West Congress Street, 11th Floor, Tucson, AZ 85701.	Pima County Flood Control District, 201 North Stone Avenue, 9th Floor, Tucson, AZ 85701.	Nov. 18, 2019	040073
Santa Cruz (FEMA Docket No.: B–1960).	Unincorporated Areas of Santa Cruz County (19–09–1888P).	The Honorable Rudy Molera, Chairman, Board of Supervisors, Santa Cruz County, 2150 North Congress Drive, Nogales, AZ 85621.	Santa Cruz County Flood Control District, Gabilondo-Zehentner Building, 275 Rio Rico Drive, Rio Rico, AZ 85648.	Dec. 16, 2019	040090
California:					
Kern (FEMA Docket No.: B–1960).	City of Delano (17–09–2119P).	The Honorable Joe E. Aguirre, Mayor, City of Delano, 1015 11th Avenue, Delano, CA 93215.	Community Development, 1015 11th Avenue, Delano, CA 93215.	Dec. 12, 2019	060078
Kern (FEMA Docket No.: B–1960).	Unincorporated Areas of Kern County (17–09–2119P).	The Honorable David Couch, Chairman, Board of Supervisors, Kern County, 1115 Truxtun Avenue, 5th Floor, Bakersfield, CA 93301.	Kern County Planning Department, 2700 M Street, Suite 100, Bakersfield, CA 93301.	Dec. 12, 2019	060075
Napa (FEMA Docket No.: B–1953).	Unincorporated Areas of Napa County (18–09–1735P).	The Honorable Ryan Gregory, Chairman, Board of Supervisors, Napa County, 1195 3rd Street, Suite 310, Napa, CA 94559.	Napa County, Public Works Department, 1195 3rd Street, Suite 101, Napa, CA 94559.	Nov. 4, 2019	060205
Orange (FEMA Docket No.: B–1953).	City of Fountain Valley (19–09–0812P).	The Honorable Steve Nagel, Mayor, City of Fountain Valley, 10200 Slater Avenue, Fountain Valley, CA 92708.	City Hall, 10200 Slater Avenue, Fountain Valley, CA 92708.	Nov. 15, 2019	060218
Orange (FEMA Docket No.: B–1953).	City of Huntington Beach (19–09–0812P).	The Honorable Erik Peterson, Mayor, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648.	City Hall, 2000 Main Street, Huntington Beach, CA 92648.	Nov. 15, 2019	065034
Orange (FEMA Docket No.: B–1953).	City of Westminster (19–09–0812P).	The Honorable Tri Ta, Mayor, City of Westminster, 8200 Westminster Boulevard, Westminster, CA 92683.	City Hall, 8200 Westminster Boulevard, Westminster, CA 92683.	Nov. 15, 2019	060237

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Orange (FEMA Docket No.: B–1953).	Unincorporated Areas of Orange County (19–09–0812P).	The Honorable Lisa A. Bartlett, Chair, Board of Supervisors, Orange County, 333 West Santa Ana Boulevard, Santa Ana, CA 92701.	Orange County Flood Control Division, H.G. Osborne Building, 300 North Flower Street 7th Floor, Santa Ana, CA 92703.	Nov. 15, 2019	060212
Riverside (FEMA Docket No.: B–1956).	Agua Caliente Band of Cahuilla Indian Reservation (18–09–1802P).	The Honorable Jeff L. Grubbe, Chairman, Agua Caliente Band of Cahuilla Indians, 5401 Dinah Shore Drive, Palm Springs, CA 92264.	Tribal Administrative Office, Planning and Natural Resources, 5401 Dinah Shore Drive, Palm Springs, CA 92264.	Nov. 29, 2019	060763
Riverside (FEMA Docket No.: B–1956).	City of Cathedral City (18–09–1802P).	The Honorable Mark Carnevale, Mayor, City of Cathedral City, 68700 Avenida Lalo Guerrero, Cathedral City, CA 92234.	Engineering Department, 68700 Avenida Lalo Guerrero, Cathedral City, CA 92234.	Nov. 29, 2019	060704
Riverside (FEMA Docket No.: B–1956).	City of Lake Elsinore (19–09–0548P).	The Honorable Steve Manos, Mayor, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.	Engineering Division, 130 South Main Street, Lake Elsinore, CA 92530.	Dec. 9, 2019	060636
Riverside (FEMA Docket No.: B–1956).	City of Palm Springs (18–09–1802P).	The Honorable Robert Moon, Mayor, City of Palm Springs, 3200 East Tahquitz Canyon Way, Palm Springs, CA 92262.	Public Works and Engineering Department, 3200 East Tahquitz Canyon Way, Palm Springs, CA 92262.	Nov. 29, 2019	060257
Riverside (FEMA Docket No.: B–1956).	City of Rancho Mirage (18–09–1802P).	The Honorable Iris Smotrich, Mayor, City of Rancho Mirage, 69825 Highway 111, Rancho Mirage, CA 92270.	City Hall, 69825 Highway 111, Rancho Mirage, CA 92270.	Nov. 29, 2019	060259
Riverside (FEMA Docket No.: B–1956).	City of Wildomar (19–09–0548P).	The Honorable Marsha Swanson, Mayor, City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595.	City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595.	Dec. 9, 2019	060221
San Bernardino (FEMA Docket No.: B–1956).	City of San Bernardino (18–09–1543P).	The Honorable John Valdivia, Mayor, City of San Bernardino, 290 North D Street, San Bernardino, CA 92401.	City Hall, 290 North D Street, San Bernardino, CA 92401.	Nov. 22, 2019	060281
San Luis Obispo (FEMA Docket No.: B–1956).	City of San Luis Obispo (19–09–0399P).	The Honorable Heidi Harmon, Mayor, City of San Luis Obispo, 990 Palm Street, San Luis Obispo, CA 93401.	City Hall, 990 Palm Street, San Luis Obispo, CA 93401.	Nov. 14, 2019	060310
Santa Clara (FEMA Docket No.: B–1956).	City of San Jose (19–09–1253P).	The Honorable Sam Liccardo, Mayor, City of San Jose, 200 East Santa Clara Street, 18th Floor, San Jose, CA 95113.	Department of Public Works, 200 East Santa Clara Street Tower, 5th Floor, San Jose, CA 95113.	Dec. 3, 2019	060349
Santa Clara (FEMA Docket No.: B–1960).	City of Santa Clara (19–09–0759P).	The Honorable Lisa M. Gillmor, Mayor, City of Santa Clara, 1500 Warburton Avenue, Santa Clara, CA 95050.	Planning and Inspection Department, 1500 Warburton Avenue, Santa Clara, CA 95050.	Dec. 19, 2019	060350
Florida:					
Clay (FEMA Docket No.: B–1953).	Unincorporated Areas of Clay County (19–04–3655P).	The Honorable Mike Cella, Chairman, Clay County Board of County Commissioners, P.O. Box 1366, Green Cove Springs, FL 32043.	Clay County, Public Works Department, 5 Esplanade Avenue, Green Cove Springs, FL 32043.	Nov. 22, 2019	120064
St. Johns (FEMA Docket No.: B–1953).	Unincorporated Areas of St. Johns County (19–04–2832P).	The Honorable Paul M. Waldron, Chair, Board of County Commissioners, St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, FL 32084.	Nov. 14, 2019	125147
St. Johns (FEMA Docket No.: B–1960).	Unincorporated Areas of St. Johns County (19–04–4306P).	The Honorable Paul M. Waldron, Chair, Board of County Commissioners, St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, FL 32084.	Dec. 19, 2019	125147
Walton (FEMA Docket No.: B–1949).	Unincorporated Areas of Walton County (19–04–0237P).	Mr. Trey Nick, District 4 Commissioner, 263 Chaffin Avenue, DeFuniak Springs, FL 32433.	Walton County Courthouse Annex, 47 North 6th Street, DeFuniak Springs, FL 32435.	Oct. 17, 2019	120317
Hawaii: Honolulu (FEMA Docket No.: B–1956).	City and County of Honolulu (18–09–2230P).	The Honorable Kirk Caldwell, Mayor, City and County of Honolulu, 530 South King Street, Room 306, Honolulu, HI 96813.	Honolulu City and County Department of Planning and Permitting, 650 South King Street, Honolulu, HI 96813.	Nov. 25, 2019	150001
Idaho:					
Ada (FEMA Docket No.: B–1956).	City of Meridian (19–10–0285P).	The Honorable Tammy De Weerd, Mayor, City of Meridian, Meridian City Hall, 33 East Broadway Avenue, Suite 300, Meridian, ID 83642.	Public Works Department, 660 East Water Tower Lane, Meridian, ID 83642.	Nov. 22, 2019	160180
Canyon (FEMA Docket No.: B–1960).	City of Nampa (19–10–0247P).	The Honorable Debbie Kling, Mayor, City of Nampa, 411 3rd Street South, Nampa, ID 83651.	City Hall, 411 3rd Street South, Nampa, ID 83651.	Dec. 11, 2019	160038
Latah (FEMA Docket No.: B–1953).	City of Moscow (18–10–1024P).	The Honorable Bill Lambert, Mayor, City of Moscow, P.O. Box 9203, Moscow, ID 83843.	Paul Mann Building, 221 East 2nd Street, Moscow, ID 83843.	Nov. 20, 2019	160090

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Latah FEMA Docket No.: B–1956).	Unincorporated Areas of Latah County (19–10–0327P)	Mr. Tom Lamar, Chairperson, Latah County Board of Commissioners, P.O. Box 8068, Moscow, ID 83843.	Latah County Courthouse, 522 South Adams Street, Moscow, ID 83843.	Dec. 5, 2019	160086
Illinois:					
DuPage (FEMA Docket No.: B–1971).	City of Warrenville (19–05–2162P).	The Honorable David L. Brummel, Mayor, City of Warrenville, 28W701 Stafford Place, Warrenville, IL 60555.	City Hall, 28W701 Stafford Place, Warrenville, IL 60555.	Jan. 9, 2020	170218
DuPage (FEMA Docket No.: B–1971).	Unincorporated Areas of DuPage County (19–05–2162P).	The Honorable Dan Cronin, Chairman, DuPage County Board, 421 North County Farm Road, Wheaton, IL 60187.	DuPage County Administration Building, Stormwater Management, 421 North County Farm Road, Wheaton, IL 60187.	Jan. 9, 2020	170197
Marshall (FEMA Docket No.: B–1971).	City of Wenona (19–05–3185P).	The Honorable Jamie Durham, Mayor, City of Wenona, P.O. Box 601, Wenona, IL 61377.	City Hall, 226 South Chestnut Street, Wenona, IL 61377.	Jan. 9, 2020	170462
Marshall (FEMA Docket No.: B–1971).	Unincorporated Areas of Marshall County (19–05–3185P).	The Honorable Gary R. Kroeschen, Chairman, Marshall County Board, P.O. Box 328, Lacon, IL 61540.	Marshall County Courthouse, 122 North Prairie Street, Lacon, IL 61540.	Jan. 9, 2020	170994
St. Clair (FEMA Docket No.: B–1960).	City of O'Fallon (18–05–3948P).	The Honorable Herb Roach, Mayor, City of O'Fallon, 255 South Lincoln Avenue, O'Fallon, IL 62269.	City Hall, 255 South Lincoln Avenue, O'Fallon, IL 62269.	Dec. 20, 2019	170633
St. Clair (FEMA Docket No.: B–1960).	Unincorporated Areas of St. Clair County (18–05–3948P).	The Honorable Mark Kern, Chairman, St. Clair County Board, 10 Public Square, Belleville, IL 62220.	St. Clair County Courthouse, 10 Public Square, Belleville, IL 62220.	Dec. 20, 2019	170616
Iowa:					
Polk (FEMA Docket No.: B–1960).	City of Grimes (18–07–2087P).	The Honorable Scott Mikkelsen, Mayor, City of Grimes, City Hall, 101 Northeast Harvey Street, Grimes, IA 50111.	City Hall, 101 Northeast Harvey Street, Grimes, IA 50111.	Dec. 6, 2019	190228
Polk (FEMA Docket No.: B–1960).	City of Urbandale (18–07–2087P).	The Honorable Bob Andeweg, Mayor, City of Urbandale, City Hall, 3600 86th Street, Urbandale, IA 50322.	City Hall, 3600 86th Street, Urbandale, IA 50322.	Dec. 6, 2019	190230
Kansas:					
Shawnee (FEMA Docket No.: B–1960).	City of Topeka (19–07–0967P).	The Honorable Michelle De La Isla, Mayor, City of Topeka, 215 Southeast 7th Street Room 350, Topeka, KS 66603.	Engineering Division, 620 Southeast Madison Street, Topeka, KS 66603.	Dec. 24, 2019	205187
Shawnee (FEMA Docket No.: B–1960).	Unincorporated Areas of Shawnee County (19–07–0967P).	Mr. Bob Archer, Chairperson, Shawnee County Board of Commissioners, 200 Southeast 7th Street B–11, Topeka, KS 66603.	Shawnee County Engineers Office, 1515 Northwest Saline Street, Topeka, KS 66618.	Dec. 24, 2019	200331
Michigan:					
Macomb (FEMA Docket No.: B–1953).	Township of Macomb (18–05–5405P).	Ms. Janet Dunn, Supervisor, Township of Macomb, 54111 Broughton Road, Macomb, MI 48042.	Township Hall, 54111 Broughton Road, Macomb, MI 48042.	Nov. 7, 2019	260445
Oakland (FEMA Docket No.: B–1949).	City of Novi (19–05–1154P).	The Honorable Bob Gatt, Mayor, City of Novi, 45175 Ten Mile Road, Novi, MI 48375.	Community Development Office, 45175 Ten Mile Road, Novi, MI 48375.	Oct. 25, 2019	260175
Minnesota:					
Dakota (FEMA Docket No.: B–1956).	Unincorporated Areas of Dakota County (18–05–5246P).	Mr. Thomas Egan, Chair, Physical Development Committee, Dakota County Board of Commissioners, Dakota County Administration Center, 1590 Highway 55, Hastings, MN 55033.	Dakota County Administration Center, 1590 Highway 55, Hastings, MN 55033.	Nov. 22, 2019	270101
Olmsted (FEMA Docket No.: B–1953).	City of Rochester (19–05–0734P).	The Honorable Kim Norton, Mayor, City of Rochester, City Hall, 201 4th Street Southeast, Room 281, Rochester, MN 55904.	City Hall, 201 4th Street Southeast, Rochester, MN 55904.	Oct. 31, 2019	275246
Olmsted (FEMA Docket No.: B–1953).	Unincorporated Areas of Olmsted County (19–05–0734P).	Commissioner Jim Bier, Chairperson, Olmsted County Board of Commissioners, 151 4th Street Southeast, Rochester, MN 55904.	Olmsted County Government Center, 151 4th Street Southeast, Rochester, MN 55904.	Oct. 31, 2019	270626
Missouri: Jackson (FEMA Docket No.: B–1960).	City of Lee's Summit (19–07–0788P).	The Honorable Bill Baird, Mayor, City of Lee's Summit, 220 Southeast Green Street, Lee's Summit, MO 64063.	Mayor's Office, 220 Southeast Green Street, Lee's Summit, MO 64063.	Dec. 19, 2019	290174
Nevada: Clark (FEMA Docket No.: B–1956).	City of North Las Vegas (19–09–0818P).	The Honorable John J. Lee, Mayor, City of North Las Vegas, 2250 Las Vegas Boulevard North, North Las Vegas, NV 89030.	Public Works Department, 2200 Civic Center Drive, North Las Vegas, NV 89030.	Nov. 25, 2019	320007
New Jersey: Passaic (FEMA Docket No.: B–1960).	Borough of Woodland Park (19–02–0818P).	The Honorable Keith Kazmark, Mayor, Borough of Woodland Park, Municipal Building, 5 Brophy Lane, Woodland Park, NJ 07424.	Municipal Building, Code Enforcement Office, 5 Brophy Lane, Woodland Park, NJ 07424.	Dec. 13, 2019	340412
New Mexico:, San Juan (FEMA Docket No.: B–1956).	City of Farmington (18–06–3856P).	The Honorable Nate Duckett, Mayor, City of Farmington, 800 Municipal Drive, Farmington, NM 87401.	Public Works Department, 805 Municipal Drive, Farmington, NM 87401.	Nov. 26, 2019	350067
New York:					

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Rockland (FEMA Docket No.: B–1953).	Town of Ramapo (19–02–0049P).	The Honorable Michael B. Specht, Supervisor, Town of Ramapo, Town Hall, 237 Route 59, Suffern, NY 10901.	Ramapo Office of the Building Inspector, 237 Route 59, Suffern, NY 10901.	Dec. 20, 2019	365340
Wayne (FEMA Docket No.: B–1949).	Town of Walworth (18–02–2086P).	Ms. Susie C. Jacobs, Supervisor, Town of Walworth, 3600 Lorraine Drive, Walworth, NY 14568.	Building Department, 3600 Lorraine Drive, Walworth, NY 14568.	Dec. 6, 2019	361228
Ohio:					
Franklin (FEMA Docket No.: B–1960).	Unincorporated Areas of Franklin County (19–05–3292P).	Mr. John O'Grady Commissioner, Franklin County Board of Commissioners, 373 South High Street, 26th Floor, Columbus, OH 43215.	Franklin County Engineer Office, 970 Dublin Road, Columbus, OH 43215.	Dec. 20, 2019	390167
Hamilton (FEMA Docket No.: B–1953).	City of Cincinnati (19–05–2371P).	The Honorable John Cranley, Mayor, City of Cincinnati, City Hall, 801 Plum Street, Suite 150, Cincinnati, OH 45202.	City Hall, 801 Plum Street, Cincinnati, OH 45202.	Nov. 1, 2019	390210
Tuscarawas (FEMA Docket No.: B–1956).	City of New Philadelphia (19–05–1610P).	The Honorable Joel Day, Mayor, City of New Philadelphia, 150 East High Avenue, New Philadelphia, OH 44663.	City Hall, 150 East High Avenue, New Philadelphia, OH 44663.	Nov. 29, 2019	390545
Tuscarawas (FEMA Docket No.: B–1956).	Unincorporated Areas of Tuscarawas County (19–05–1610P).	The Honorable Chris Abbuhl, County Commissioner, Tuscarawas County, County Administration Offices, 125 East High Avenue, New Philadelphia, OH 44663.	Tuscarawas County Administration Offices, 125 East High Avenue, New Philadelphia, OH 44663.	Nov. 29, 2019	390782
Warren (FEMA Docket No.: B–1960).	City of Springboro (19–05–2468P).	The Honorable John Agenbroad, Mayor, City of Springboro, 320 West Central Avenue, Springboro, OH 45066.	Municipal Building, 320 West Central Avenue, Springboro, OH 45066.	Dec. 12, 2019	390564
Oregon:					
Clackamas (FEMA Docket No.: B–1949)..	City of Happy Valley (19–10–0342P).	The Honorable Tom Ellis, Mayor, City of Happy Valley, City Hall, 16000 Southeast Misty Drive, Happy Valley, OR 97086.	City Hall, 16000 Southeast Misty Drive, Happy Valley, OR 97086.	Nov. 1, 2019	410026
Deschutes (FEMA Docket No.: B–1949)..	City of Bend (18–10–0360P).	The Honorable Sally Russell, Mayor, City of Bend, 710 Northwest Wall Street, Bend, OR 97703.	City Hall, Planning Department, 710 Northwest Wall Street, Bend, OR 97703.	Oct. 23, 2019	410056
Grant (FEMA Docket No.: B–1949).	City of Canyon City (19–10–0438P).	The Honorable Steve Fischer, Mayor, City of Canyon City, City Hall, 123 South Washington Street, Canyon City, OR 97820.	City Hall, 123 South Washington Street, Canyon City, OR 97820.	Oct. 17, 2019	410075
Grant (FEMA Docket No.: B–1949).	City of John Day (19–10–0438P).	The Honorable Ron Lundbom, Mayor, City of John Day, City Hall, 450 East Main Street, John Day, OR 97845.	City Hall, 450 East Main Street, John Day, OR 97845.	Oct. 17, 2019	410077
Grant (FEMA Docket No.: B–1949).	Unincorporated Areas of Grant County (19–10–0438P).	The Honorable Scott Myers, County Judge, Grant County, Grant County Courthouse, 201 South Humbolt Street, Suite 280, Canyon City, OR 97820.	Grant County Planning Department, 201 South Humbolt Suite 170, Canyon City, OR 97820.	Oct. 17, 2019	410074
Texas:					
Denton (FEMA Docket No.: B–1949).	City of Carrollton (19–06–1104P).	The Honorable Kevin Falconer, Mayor, City of Carrollton, City Hall, 1945 East Jackson Road, Carrollton, TX 75006.	Engineering Department, 1945 East Jackson Road, Carrollton, TX 75006.	Oct. 24, 2019	480167
Denton (FEMA Docket No.: B–1949).	City of Lewisville (19–06–1104P).	The Honorable Rudy Durham, Mayor, City of Lewisville, P.O. Box 299002, Lewisville, TX 75029.	Engineering Division, 151 West Church Street, Lewisville, TX 75057.	Oct. 24, 2019	480195
Tarrant (FEMA Docket No.: B–1960).	City of Arlington (18–06–3754P).	The Honorable Jeff Williams, Mayor, City of Arlington, City Hall, P.O. Box 90231, Arlington, TX 76010.	City Hall, 101 West Abram Street, Arlington, TX 76010.	Dec. 6, 2019	485454
Tarrant (FEMA Docket No.: B–1953).	City of Arlington (18–06–3755P).	The Honorable Jeff Williams, Mayor, City of Arlington, City Hall, P.O. Box 90231, Arlington, TX 76010.	City Hall, 101 West Abram Street, Arlington, TX 76010.	Nov. 8, 2019	485454
Washington:					
Jefferson. (FEMA Docket No.: B–1960).	City of Port Townsend (19–10–0775P).	The Honorable Deborah Stinson, Mayor, City of Port Townsend, 250 Madison Street, Suite 2, Port Townsend, WA 98368.	City Hall, 250 Madison Street, Suite 2, Port Townsend, WA 98368.	Dec. 12, 2019	530070
Kitsap (FEMA Docket No.: B–1960).	Unincorporated Areas of Kitsap County (18–10–1595P).	The Honorable Ed Wolfe, Kitsap County Commissioner, District 3, 614 Division Street, MS–4, Port Orchard, WA 98366.	Kitsap County, Department of Community Development, 614 Division Street, MS–36, Port Orchard, WA 98366.	Dec. 16, 2019	530092
Skagit (FEMA Docket No.: B–1949).	City of Mount Vernon (19–10–0683P).	The Honorable Jill Boudreau, Mayor, City of Mount Vernon, P.O. Box 809, Mount Vernon, WA 98273.	City Hall, 910 Cleveland Avenue, Mount Vernon, WA 98273.	Oct. 25, 2019	530158
Wisconsin:					
Dane (FEMA Docket No.: B–1949).	Unincorporated Areas of Dane County (18–05–3131P).	Ms. Sharon Corrigan, District 26 Supervisor, City County Building, Room 421, 210 Martin Luther King Jr. Boulevard, Madison, WI 53703.	Dane County Zoning Department, Room 116, 210 Martin Luther King Jr. Boulevard, Madison, WI 53703.	Oct. 24, 2019	550077
Ozaukee (FEMA Docket No.: B–1956).	City of Port Washington (18–05–6323P).	The Honorable Martin Becker, Mayor, City of Port Washington, P.O. Box 307, Port Washington, WI 53074.	City Hall, 100 West Grand Avenue, Port Washington, WI 53074.	Dec. 6, 2019	550316
Wyoming:					

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Natrona (FEMA Docket No.: B–1960).	City of Casper (18–08–0276P).	The Honorable Charlie Powell, Mayor, City of Casper, 200 North David Street, Room 203, Casper, WY 82601.	City Hall, 200 North David Street, Casper, WY 82601.	Dec. 27, 2019	560037
Natrona (FEMA Docket No.: B–1960).	Unincorporated Areas of Natrona County (18–08–0276P).	Mr. Forrest Chadwick, Commissioner, Natrona County, 200 North Center Street, Suite 115, Casper, WY 82601.	Natrona County, Board of Commissioners, 200 North Center Street, Casper, WY 82601.	Dec. 27, 2019	560036

[FR Doc. 2020–01902 Filed 1–31–20; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2020–0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at *https://msc.fema.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: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 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.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, 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.

This new or modified 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, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

(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	Date of modification	Community No.
Arizona: Mohave (FEMA Docket No.: B–1967).	City of Lake Havasu City (19–09–1104P).	The Honorable Cal S. Sheehy, Mayor, City of Lake Havasu City, 2330 McCulloch Boulevard North, Lake Havasu City, AZ 86403.	City Hall, 2330 McCulloch Boulevard North, Lake Havasu City, AZ 86403.	Dec. 31, 2019	040116
California: Calaveras (FEMA Docket No.: B–1967).	Unincorporated areas of Calaveras County (19–09–0712P).	Mr. Albert Alt, Chief Administrative Officer, Calaveras County, 891 Mountain Ranch Road, San Andreas, CA 95249.	Calaveras County Planning Department, 891 Mountain Ranch Road, San Andreas, CA 95249.	Jan. 3, 2020	060633
Colorado:					
Adams (FEMA Docket No.: B–1967).	City of Thornton (18–08–1245P).	The Honorable Heidi Williams, Mayor, City of Thornton, 9500 Civic Center Drive, Thornton, CO 80229.	City Hall, 9500 Civic Center Drive, Thornton, CO 80229.	Jan. 3, 2020	080007

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Adams (FEMA Docket No.: B–1967).	Unincorporated areas of Adams County (18–08–1245P).	The Honorable Steve O'Dorisio, Chairman, Adams County Board of Commissioners, 4430 South Adams County Parkway, 5th Floor, Suite C5000A, Brighton, CO 80601.	Adams County Development and Engineering Services Department, 4430 South Adams County Parkway, Brighton, CO 80601.	Jan. 3, 2020	080001
Jefferson (FEMA Docket No.: B–1967).	City of Lakewood (19–08–0656P).	The Honorable Adam Paul, Mayor, City of Lakewood, 480 South Allison Parkway, Lakewood, CO 80226.	Engineering Department, 480 South Allison Parkway, Lakewood, CO 80226.	Jan. 10, 2020	085075
Larimer (FEMA Docket No.: B–1970).	Town of Berthoud (19–08–0573P).	Mr. Chris Kirk, Town of Berthoud Administrator, P.O. Box 1229, Berthoud, CO 80513.	Public Works Department, 807 Mountain Avenue, Berthoud, CO 80513.	Jan. 17, 2020	080296
Larimer (FEMA Docket No.: B–1970).	Unincorporated areas of Larimer County (19–08–0573P).	The Honorable Tom Donnelly, Chairman, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522.	Larimer County Engineering Department, 200 West Oak Street, Suite 3000, Fort Collins, CO 80521.	Jan. 17, 2020	080101
Summit (FEMA Docket No.: B–1974).	Town of Breckenridge (19–08–0262P).	The Honorable Eric Mamula, Mayor, Town of Breckenridge, P.O. Box 168, Breckenridge, CO 80424.	Public Works Department, 1095 Airport Road, Breckenridge, CO 80424.	Jan. 13, 2020	080172
Weld (FEMA Docket No.: B–1974).	City of Greeley (19–08–0012P).	The Honorable John Gates, Mayor, City of Greeley, 1000 10th Street, Greeley, CO 80631.	City Hall, 1000 10th Street, Greeley, CO 80631.	Jan. 16, 2020	080184
Weld (FEMA Docket No.: B–1974).	Unincorporated areas of Weld County (19–08–0012P).	The Honorable Barbara Kirkmeyer, Chair, Weld County Board of Commissioners, P.O. Box 758, Greeley, CO 80632.	Weld County Department of Planning and Zoning, 1555 North 17th Avenue, Greeley, CO 80631.	Jan. 16, 2020	080266
Connecticut: Hartford (FEMA Docket No.: B–1974).	Town of West Hartford (19–01–1237P).	The Honorable Matthew Hart, Town of West Hartford Manager, 50 South Main Street, West Hartford, CT 06107.	Town Hall, 50 South Main Street, West Hartford, CT 06107.	Jan. 17, 2020	095082
Delaware: Sussex (FEMA Docket No.: B–1967).	Unincorporated areas of Sussex County (19–03–0441P).	The Honorable Michael H. Vincent, President, Sussex County Council, P.O. Box 589, Georgetown, DE 19947.	Sussex County Planning and Zoning Department, 2 The Circle, Georgetown, DE 19947.	Jan. 3, 2020	100029
Florida:					
Charlotte (FEMA Docket No.: B–1974).	Unincorporated areas of Charlotte County (19–04–5020P).	The Honorable Ken Doherty, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Suite 536, Port Charlotte, FL 33948.	Charlotte County Building Department, 18500 Murdock Circle, Port Charlotte, FL 33948.	Jan. 13, 2020	120061
Collier (FEMA Docket No.: B–1967).	City of Naples (19–04–4530P).	The Honorable Bill Barnett, Mayor, City of Naples, 735 8th Street South, Naples, FL 34112.	Building Department, 295 Riverside Circle, Naples, FL 34102.	Dec. 31, 2019	125130
Lake (FEMA Docket No.: B–1970).	City of Groveland (19–04–4877X).	The Honorable Evelyn Wilson, Mayor, City of Groveland, 156 South Lake Avenue, Groveland, FL 34736.	City Hall, 156 South Lake Avenue, Groveland, FL 34736.	Jan. 17, 2020	120135
Lake (FEMA Docket No.: B–1970).	Unincorporated areas of Lake County (19–04–4877X).	Mr. Jeff Cole, Lake County Manager, 315 West Main Street, Tavares, FL 32778.	Lake County Public Works Department, 323 North Sinclair Avenue, Tavares, FL 32778.	Jan. 17, 2020	120421
Lee (FEMA Docket No.: B–1974).	City of Sanibel (19–04–4688P).	The Honorable Kevin Ruane, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957.	Development Services, Planning Division, 800 Dunlop Road, Sanibel, FL 33957.	Jan. 9, 2020	120402
Lee (FEMA Docket No.: B–1967).	Unincorporated areas of Lee County (19–04–2304P).	Mr. Roger Desjarlais, Lee County Manager, P.O. Box 398, Fort Myers, FL 33902.	Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, FL 33901.	Dec. 26, 2019	125124
Lee (FEMA Docket No.: B–1970).	Unincorporated areas of Lee County (19–04–3867P).	Mr. Roger Desjarlais, Lee County Manager, P.O. Box 398, Fort Myers, FL 33902.	Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, FL 33901.	Jan. 13, 2020	125124
Marion (FEMA Docket No.: B–1967).	City of Ocala (19–04–1095P).	The Honorable Kent Guinn, Mayor, City of Ocala, 110 Southeast Watula Avenue, Ocala, FL 34471.	City Hall, 110 Southeast Watula Avenue, Ocala, FL 34471.	Dec. 27, 2019	120330
Monroe (FEMA Docket No.: B–1970).	Unincorporated areas of Monroe County (19–04–4672P).	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.	Jan. 9, 2020	125129
Monroe (FEMA Docket No.: B–1967).	Village of Islamorada (19–04–5066P).	The Honorable Deb Gillis, Mayor, Village of Islamorada, 86800 Overseas Highway, Islamorada, FL 33036.	Building Department, 86800 Overseas Highway, Islamorada, FL 33036.	Dec. 30, 2019	120424
Osceola (FEMA Docket No.: B–1970).	Unincorporated areas of Osceola County (19–04–0903P).	The Honorable Cheryl Grieb, Chair, Osceola County Board of Commissioners, 1 Courthouse Square, Suite 4700, Kissimmee, FL 34741.	Osceola County Stormwater Department, 1 Courthouse Square, Suite 3100, Kissimmee, FL 34741.	Jan. 13, 2020	120189
Seminole (FEMA Docket No.: B–1967).	Unincorporated areas of Seminole County (19–04–3092P).	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.	Dec. 27, 2019	120289
Volusia (FEMA Docket No.: B–1974).	City of Daytona Beach (19–04–0945P).	The Honorable Derrick L. Henry, Mayor, City of Daytona Beach, 301 South Ridgewood Avenue, Room 200, Daytona Beach, FL 32114.	Utilities Department, 125 Basin Street, Suite 131, Daytona Beach, FL 32115.	Jan. 10, 2020	125099

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Volusia (FEMA Docket No.: B–1974).	Unincorporated areas of Volusia County (19–04–0945P).	Mr. George Recktendwald, Volusia County Manager, 123 West Indiana Avenue, DeLand, FL 32720.	Volusia County Building and Zoning Department, 123 West Indiana Avenue, DeLand, FL 32720.	Jan. 10, 2020	125155
Maine: Lincoln (FEMA Docket No.: B–1974).	Town of Southport (19–01–0607P).	The Honorable Gerald L. Gamage, Chairman, Town of Southport Board of Selectmen, P.O. Box 149, Southport, ME 04576.	Code Enforcement Department, 361 Hendricks Hill Road, Southport, ME 04576.	Jan. 17, 2020	230221
Maryland:					
Baltimore (FEMA Docket No.: B–1967).	Unincorporated areas of Baltimore County (19–03–1183P).	The Honorable John A. Olszewski, Jr., Baltimore County Executive, 400 Washington Avenue, Towson, MD 21204.	Baltimore County Department of Public Works, 111 West Chesapeake Avenue, Room 219, Towson, MD 21204.	Dec. 31, 2019	240010
Prince George's (FEMA Docket No.: B–1970).	Unincorporated areas of Prince George's County (19–03–0431P).	The Honorable Angela D. Alsobrooks, Prince George's County Executive, 1301 McCormick Drive, Suite 4000, Largo, MD 20774.	Prince George's County Inglewood Center II, 1801 McCormick Drive, Suite 500, Largo, MD 20774.	Jan. 17, 2020	245208
Massachusetts:					
Plymouth (FEMA Docket No.: B–1970).	Town of Duxbury (19–01–0097P).	The Honorable David J. Madigan, Chairman, Town of Duxbury Board of Selectmen, 878 Tremont Street, Duxbury, MA 02332.	Municipal Services Department, 878 Tremont Street, Duxbury, MA 02332.	Jan. 10, 2020	250263
Plymouth (FEMA Docket No.: B–1967).	Town of Marion (19–01–0738P).	The Honorable Randy L. Parker, Chairman, Town of Marion Board of Selectmen, 2 Spring Street, Marion, MA 02738.	Town Hall, 2 Spring Street, Marion, MA 02738.	Jan. 10, 2020	255213
Plymouth (FEMA Docket No.: B–1967).	Town of Marion (19–01–1162P).	The Honorable Randy L. Parker, Chairman, Town of Marion Board of Selectmen, 2 Spring Street, Marion, MA 02738.	Town Hall, 2 Spring Street, Marion, MA 02738.	Jan. 3, 2020	255213
Plymouth (FEMA Docket No.: B–1970).	Town of Marshfield (19–01–0097P).	The Honorable Joseph E. Kelleher, Chairman, Town of Marshfield Board of Selectmen, 870 Moraine Street, Marshfield, MA 02050.	Building Department, 870 Moraine Street, Marshfield, MA 02050.	Jan. 10, 2020	250273
Plymouth (FEMA Docket No.: B–1967).	Town of Mattapoisett (19–01–0738P).	The Honorable R. Tyler Macallister, Chairman, Town of Mattapoisett Board of Selectmen, P.O. Box 705, Mattapoisett, MA 02739.	Town Hall, 16 Main Street, Mattapoisett, MA 02739.	Jan. 10, 2020	255214
New Mexico: Taos (FEMA Docket No.: B–1970).	Town of Taos (19–06–1284P).	The Honorable Daniel R. Barrone, Mayor, Town of Taos, 400 Camino De La Placita, Taos, NM 87571.	Department of Public Works, 400 Camino De La Placita, Taos, NM 87571.	Jan. 10, 2020	350080
Pennsylvania:					
Chester (FEMA Docket No.: B–1967).	Township of West Pikeland (18–03–1853P).	The Honorable Charlie Humphreys, Chairman, Township of West Pikeland Board of Supervisors, 1645 Art School Road, Chester Springs, PA 19425.	Township Hall, 1645 Art School Road, Chester Springs, PA 19425.	Dec. 31, 2019	421151
Montgomery (FEMA Docket No.: B–1967).	Township of Whitpain (19–03–0500P).	The Honorable Frederick R. Conner, Jr., Chairman, Township of Whitpain Board of Supervisors, 960 Wentz Road, Blue Bell, PA 19422.	Code Enforcement Department, 960 Wentz Road, Blue Bell, PA 19422.	Jan. 3, 2020	420713
Texas:					
Bexar (FEMA Docket No.: B–1974).	City of Converse (18–06–2882P).	The Honorable Al Suarez, Mayor, City of Converse, 406 South Seguin Road, Converse, TX 78109.	City Hall, 406 South Seguin Road, Converse, TX 78109.	Jan. 13, 2020	480038
Dallas (FEMA Docket No.: B–1970).	City of Coppell (19–06–0270P).	The Honorable Karen Hunt, Mayor, City of Coppell, P.O. Box 9478, Coppell, TX 75019.	City Hall, 200 South Main Street, Coppell, TX 76099.	Jan. 6, 2020	480170
Harris (FEMA Docket No.: B–1967).	City of Baytown (18–06–1537P).	The Honorable Brandon Capetillo, Mayor, City of Baytown, 2401 Market Street, Baytown, TX 77520.	Engineering Department, 2123 Market Street, Baytown, TX 77520.	Dec. 30, 2019	485456
Harris (FEMA Docket No.: B–1967).	Unincorporated areas of Harris County (18–06–1537P).	The Honorable Lina Hidalgo, Harris County Judge, 1001 Preston Street, Suite 911, Houston, TX 77002.	Harris County Permits Office, 10555 Northwest Freeway, Suite 120, Houston, TX 77092.	Dec. 30, 2019	480287
Tarrant (FEMA Docket No.: B–1970).	City of Grapevine (19–06–0270P).	The Honorable William D. Tate, Mayor, City of Grapevine, P.O. Box 95104, Grapevine, TX 76099.	City Hall, 200 South Main Street, Grapevine, TX 76099.	Jan. 6, 2020	480598
Utah:					
Washington (FEMA Docket No.: B–1967).	City of Ivins (19–08–0375P).	The Honorable Chris Hart, Mayor, City of Ivins, 55 North Main Street, Ivins, UT 84738.	City Hall, 55 North Main Street, Ivins, UT 84738.	Dec. 31, 2019	490173
Washington (FEMA Docket No.: B–1967).	City of Santa Clara (19–08–0375P).	The Honorable Rick Rosenberg, Mayor, City of Santa Clara, 2603 Santa Clara Drive, Santa Clara, UT 84765.	City Hall, 2603 Santa Clara Drive, Santa Clara, UT 84765.	Dec. 31, 2019	490178
Virginia: Prince William (FEMA Docket No.: B–1970).	Unincorporated areas of Prince William County (19–03–0792P).	Mr. Christopher E. Martino, Prince William County Executive, 1 County Complex Court, Prince William, VA 22192.	Prince William County Department of Public Works, Watershed Management Branch, 5 County Complex Court, Prince William, VA 22192.	Jan. 16, 2020	510119

[FR Doc. 2020–01903 Filed 1–31–20; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0114]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Civil Surgeon Designation

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until April 3, 2020.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0114 in the body of the letter, the agency name and Docket ID USCIS–2013–0002. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal e-Rulemaking Portal website at *http://www.regulations.gov* under e-Docket ID number USCIS–2013–0002;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW, Washington, DC 20529–2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *http://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments:

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2013–0002 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Civil Surgeon Designation.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–910; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. This information collection is required to determine whether a physician meets the statutory and regulatory requirement for civil surgeon designation. For example, all documents are reviewed to determine whether the physician has a currently valid medical license and whether the physician has had any action taken against him or her by the medical licensing authority of the U.S. state(s) or U.S. territories in which he or she practices. If the Application for Civil Surgeon Designation (Form I–910) is approved, the physician is included in USCIS's public Civil Surgeon locator and is authorized to complete Form I–693 (OMB Control Number 1615–0033) for an applicant's adjustment of status.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I–910 is 470 and the estimated hour burden per response is 2 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 940 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 $24,205.

Dated: January 24, 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. 2020–01975 Filed 1–31–20; 8:45 am]
BILLING CODE 9111–97–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[XXXD5198NI DS61100000 DNINR0000.000000 DX61104]

Exxon Valdez Oil Spill Public Advisory Committee

AGENCY: Office of the Secretary, Interior.

ACTION: Meeting Notice.

SUMMARY: The Department of the Interior, Office of the Secretary is announcing a public meeting of the *Exxon Valdez* Oil Spill (EVOS) Trustee Council's Public Advisory Committee.

DATES: February 25, 2020, at 8:30 a.m. AKST.

ADDRESSES: Glenn Olds Hall Conference Room, 4210 University Drive, Anchorage, Alaska; (800) 315–6338, code 72241.

FOR FURTHER INFORMATION CONTACT: Dr. Philip Johnson, Department of the Interior, Office of Environmental Policy and Compliance, 1689 ''C'' Street, Suite 119, Anchorage, Alaska, (907) 271–5011.

SUPPLEMENTARY INFORMATION: The EVOS Public Advisory Committee was created pursuant to Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America and the State of Alaska on August 27, 1991, and approved by the United States District Court for the District of Alaska in settlement of *United States of America* v. *State of Alaska,* Civil Action No. A91–081 CV.

The EVOS Public Advisory Committee meeting agenda will include an orientation for new members, Federal Advisory Committee Act training, and an overview of the proposed draft Work Plan. An opportunity for public comments will be provided. The final agenda and materials for the meeting will be posted on the EVOS Trustee Council website at *www.evostc.state.ak.us.* All EVOS Public Advisory Committee meetings are open to the public.

Public Input

Submitting Written Information or Questions

Interested members of the public may submit relevant information or questions for the Committee to consider during the public meeting. Written statements must be received by February 14, 2020, so that the information may be made available to the Committee for their consideration prior to this meeting. Written statements must be supplied to Dr. Philip Johnson (see **FOR FURTHER INFORMATION CONTACT** above) in the following formats: One hard copy with original signature and/or one electronic copy via email (acceptable file formats are Adobe Acrobat PDF, MS Word, MS PowerPoint, or rich text file).

Public Disclosure of Comments

Before including your address, phone number, email address, or other personal identifying information in your comments, please 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.

Philip Johnson,

Regional Environmental Officer, Office of Environmental Policy and Compliance.

[FR Doc. 2020–01804 Filed 1–31–20; 8:45 am]

BILLING CODE 4334–63–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–458 and 731–TA–1154 (Second Review)]

Certain Kitchen Appliance Shelving and Racks From China; Institution of Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to the Tariff Act of 1930 (''the Act''), as amended, to determine whether revocation of the antidumping and countervailing duty orders on certain kitchen appliance shelving and racks from China would be likely to lead to continuation or recurrence of material injury. Pursuant to the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission.

DATES: Instituted February 3, 2020. To be assured of consideration, the deadline for responses is March 4, 2020. Comments on the adequacy of responses may be filed with the Commission by April 16, 2020.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), 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 proceeding may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On September 14, 2009, the Department of Commerce (''Commerce'') issued antidumping and countervailing duty orders on imports of certain kitchen appliance shelving and racks from China (74 FR 46971). Following the five-year reviews by Commerce and the Commission, effective March 12, 2015, Commerce issued a continuation of the antidumping and countervailing duty orders on imports of certain kitchen appliance shelving and racks from China (80 FR 12983). The Commission is now conducting second reviews pursuant to section 751(c) of the Act, as amended (19 U.S.C. 1675(c)), to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. Provisions concerning the conduct of this proceeding may be found in the Commission's Rules of Practice and Procedure at 19 CFR part 201, subparts A and B, and 19 CFR part 207, subparts A and F. The Commission will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions.—The following definitions apply to these reviews:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by Commerce.

(2) The *Subject Country* in these reviews is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise.* In its original determinations and its expedited first five-year review determinations, the Commission found two *Domestic Like Products:* (1) Certain refrigeration shelving and baskets for refrigerators, freezers, combination refrigerator/freezers and other refrigerating or freezing equipment (''refrigeration shelving''); and (2) certain oven racks, side racks, and subframes for cooking stoves, ranges, and ovens (''oven racks'').

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic*

Like Product, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. Based on its original determinations and its expedited first five-year review determinations of two separate *Domestic Like Products,* the Commission found two *Domestic Industries* consisting of the following: (1) All producers of certain refrigeration shelving and baskets for refrigerators, freezers, combination refrigerator/freezers, and other refrigerating or freezing equipment; and (2) all producers of certain oven racks, side racks, and subframes for cooking stoves, ranges, and ovens.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission's designated agency ethics official has advised that a five-year review is not the same particular matter as the underlying original investigation, and a five-year review is not the same particular matter as an earlier review of the same underlying investigation for purposes of 18 U.S.C. 207, the post employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 79 FR 3246 (Jan. 17, 2014), 73 FR 24609 (May 5, 2008). Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation or an earlier review of the same underlying investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Charles Smith, Office of the General Counsel, at 202–205–3408.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this proceeding available to authorized applicants under the APO issued in the proceeding, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the proceeding. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this proceeding must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will acknowledge that information submitted in response to this request for information and throughout this proceeding or other proceeding may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements.

Written submissions.—Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is March 4, 2020. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is April 16, 2020. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the proceeding must be served on all other parties to the proceeding (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the proceeding you do not need to serve your response).

No response to this request for information is required if a currently valid Office of Management and Budget (''OMB'') number is not displayed; the OMB number is 3117 0016/USITC No. 20–5–455, expiration date June 30, 2020. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Inability to provide requested information.—Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act (19 U.S.C. 1677e(b)) in making its determinations in the reviews.

Information To Be Provided in Response to This Notice of Institution: Please provide the requested information separately for each *Domestic Like Product,* as defined by the Commission in its original determinations, and for each of the products identified by Commerce as *Subject Merchandise.* As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and email address of the certifying official.

(2) A statement indicating whether your firm/entity is an interested party under 19 U.S.C. 1677(9) and if so, how, including whether your firm/entity is a U.S. producer of the *Domestic Like Product,* a U.S. union or worker group, a U.S. importer of the *Subject Merchandi*se, a foreign producer or exporter of the *Subject Merchandise,* a U.S. or foreign trade or business association (a majority of whose members are interested parties under the statute), or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this proceeding by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping and countervailing duty orders on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry.*

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product.* Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 2013.

(7) A list of 3–5 leading purchasers in the U.S. market for the *Domestic Like Product* and the *Subject Merchandise* (including street address, World Wide Web address, and the name, telephone number, fax number, and email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the *Domestic Like Product* or the *Subject Merchandise* in the U.S. or other markets.

(9) If you are a U.S. producer of the *Domestic Like Product,* provide the following information on your firm's operations on that product during calendar year 2019, except as noted (report quantity data in units and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the *Domestic Like Product* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the *Domestic Like Product* produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country,* provide the following information on your firm's(s') operations on that product during calendar year 2019 (report quantity data in units and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country;* and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country.*

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country,* provide the following information on your firm's(s') operations on that product during calendar year 2019 (report quantity data in units and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm(s) to produce the *Subject Merchandise* in the *Subject Country* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 2013, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including

barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country,* and such merchandise from other countries.

(13) (OPTIONAL) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry;* if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

By order of the Commission.

Issued: January 29, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–01980 Filed 1–31–20; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Shelton W. Barnes, M.D.; Decision and Order

On June 28, 2019, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, DEA or Government), issued an Order to Show Cause to Shelton W. Barnes, M.D., (hereinafter, Registrant), of New Orleans, Louisiana. Order to Show Cause (hereinafter, OSC), at 1. The OSC proposed the revocation of Registrant's Certificate of Registration No. BB1040269, because the United States Department of Health and Human Services, Office of Inspector General (hereinafter, HHS OIG) ''mandatorily excluded [Registrant] from participation in Medicare, Medicaid, and all Federal health care programs for a minimum period of twenty-five years pursuant to 42 U.S.C. 1320a–7(a)''; and such exclusion ''warrants revocation of [Registrant's] registration pursuant to 21 U.S.C. 824(a)(5).'' *Id.* at 2.

Specifically, the OSC alleged that, on September 25, 2018, Judgment was entered against Registrant in the United States District Court for the Eastern District of Louisiana (hereinafter, E.D. La.) ''based on [Registrant's] conviction on one count of 'Conspiracy to Commit Health Care Fraud,' in violation of 18 U.S.C. 1349, one count of 'Conspiracy to Pay and Receive Illegal Health Care Kickbacks,' in violation of 18 U.S.C. 371, fifteen counts of 'Health Care Fraud,' in violation of 18 U.S.C. 1347 and 2,[1] and one count of 'Obstruction of a Federal Audit,' in violation of 18 U.S.C. 1516 and 2.''[2] *Id.* at 2 (citing *United States* v. *Barnes*, No. 2:15–cr–0061–SM–JCW (E.D. La. 2018)). The OSC further alleged that ''based on [such] conviction, HHS OIG, by letter dated March 29, 2019, mandatorily excluded [Registrant] from participation in Medicare, Medicaid, and all Federal health care programs for a minimum period of twenty-five years pursuant to 42 U.S.C. 1320a–7(a), effective April 18, 2019.'' *Id.*

The Show Cause Order notified Registrant of the right to request a hearing on the allegations or to submit a written statement, while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* at 2–3 (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. *Id.* at 3–4 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration, dated October 24, 2019, a Diversion Investigator (hereinafter, DI) assigned to the New Orleans Field Division stated that she and another DI traveled to the Federal Prison Camp Pensacola, 110 Raby Ave., Pensacola, Florida 32509, where Registrant was incarcerated, on July 10, 2019. Request for Final Agency Action (hereinafter, RFAA), EX 6 (Declaration of Service). The DI stated that they were taken to a room where correctional officers brought in Registrant, who ''was wearing an inmate nametag with his name on it,'' and she further ''recognized him based on his driver's license photo.'' *Id.* The DI then ''handed the [OSC] to [Registrant] and explained it to him, including his options to request a hearing or surrender his registration.'' *Id.*

The Government submitted its RFAA, along with the evidentiary record, for adjudication on December 4, 2019. In its RFAA, the Government represented that ''at least thirty days have passed since the . . . [OSC] was served on Registrant. Registrant has not requested a hearing and has not otherwise corresponded or communicated with DEA regarding the Order served on him, including the filing of any written statement in lieu of a hearing.'' RFAA, at 2. The Government requested that Registrant's Certificate of Registration be revoked and his pending application for renewal be denied ''because Registrant lacks state authority and because Registrant has been excluded from Medicare, Medicaid and all Federal health care programs, either of which alone is a sufficient basis to revoke Registrant's registration . . . .''[3] *Id.* at 7.

Based on the Government's representations and my review of the record, I find that the Government served the OSC on Registrant on July 10, 2019. I also find that more than thirty days have now passed since the date of service. Further, based on the Government's representations, I find that neither Registrant, nor anyone purporting to represent the Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and corrective action plan. 21 CFR § 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

Registrant is the holder of DEA Certificate of Registration No. BB1040269 at the registered address of 3600 Prytania, Suite 50, New Orleans, LA 70115. RFAA, EX 1 (Certificate of Registration History), at 1. Pursuant to this registration, Registrant is authorized to dispense controlled substances in schedules II through V as a practitioner. *Id.* Registrant's registration was set to expire on July 31, 2018, but on that date, Registrant submitted an online renewal application for 10555 Lake Forest Blvd., Ste. 5J, New Orleans, LA 70127–5208,

[1] The Court's notation of 18 U.S.C. 2 appears in this format, which was replicated in the OSC.

[2] *See* n.1.

[3] In the RFAA, the Government argued for revocation based on a ground that does not appear in the OSC—that the Registrant currently lacks authority to practice medicine in Louisiana, the state in which he is registered with the DEA, and his registration is thus also subject to revocation pursuant to 21 U.S.C. 824(a)(3). Although state authority is a prerequisite to holding (or having) a DEA registration, *see* 21 U.S.C. 823, I see no evidence in the record that Registrant was notified of this additional charge. As such, he has had no opportunity to determine whether to address the status of his state authority. *See Hatem M. Ataya, M.D.,* 81 FR 8221, 8245 (2016) (permitting the consideration of 21 U.S.C. 824(a)(3), because the respondent had a ''meaningful opportunity to show that he retains his state authority.''). In this case, I decline to allow the Government to add the lack of state authority charge.

and his registration is currently ''in a renewal pending status.'' *Id.*

Registrant's Exclusion

The evidence in the record demonstrates that, on September 25, 2018, Judgment was entered against Registrant in E.D. La. ''based on [Registrant's] conviction on one count of 'Conspiracy to Commit Health Care Fraud,' in violation of 18 U.S.C. 1349, one count of 'Conspiracy to Pay and Receive Illegal Health Care Kickbacks,' in violation of 18 U.S.C. 371, fifteen counts of 'Health Care Fraud,' in violation of 18 U.S.C. 1347 and 2, and one count of 'Obstruction of a Federal Audit,' in violation of 18 U.S.C. 1516 and 2.'' RFAA EX 3 (Judgment in a Criminal Case at 1, *United States* v. *Barnes,* No. 2:15–cr–61–SM–JCW (E.D. La. September 28, 2018).

By letter dated March 29, 2019, HHS OIG notified Registrant of his exclusion from Medicare, Medicaid, and all federal health care programs under 42 U.S.C. 1320a–7(a) for a minimum period of twenty-five years based on Registrant's felony convictions in E.D. La. RFAA, EX 4 (hereinafter, Exclusion Letter), at 1. The Exclusion Letter stated that the period of exclusion was greater than the minimum of five years, because the acts resulting in conviction ''caused a financial loss to a government agency or program or to one or more entities of $50,000 or more,'' and specifically, the court ordered Registrant ''to pay approximately $10,850,200 in restitution.'' *Id.* at 2. Further, the HHS OIG reasoned that ''the acts were committed over a period of one year or more,'' and specifically, that ''the acts occurred from November 2008 to about May 2014.'' *Id.* Finally, the HHS OIG considered whether the Registrant was incarcerated and found that the ''court sentenced [Registrant] to 60 months of incarceration.'' *Id.* Per the Exclusion Letter, the exclusion became effective twenty days from the date of the letter, or April 18, 2019. *Id.* at 1. The Exclusion Letter notified Registrant of his appeal rights. *Id.* at 2–4.

Accordingly, I find that the HHS OIG excluded Registrant from Medicare, Medicaid, and all federal health care programs under 42 U.S.C. 1320a–7(a) for twenty-five years, effective April 18, 2019, based on Registrant's convictions in the E.D. La.

Discussion

Under Section 824(a) of the Controlled Substances Act (hereinafter, CSA), a registration may be suspended or revoked upon a finding of one or more of five grounds. Each subsection of Section 824(a) provides an independent ground to impose a sanction on a registrant. *Arnold E. Feldman, M.D.,* 82 FR 39614, 39617 (2017); *see also Gilbert L. Franklin, D.D.S.,* 57 FR 3441 (1992) (''[M]andatory exclusion from participation in the Medicare program constitutes an independent ground for revocation pursuant to 21 U.S.C. [§] 824(a)(5).''). The ground in 21 U.S.C. 824(a)(5) requires that the registrant ''has been excluded (or directed to be excluded) from participation in a program pursuant to section 1320a–7(a) of Title 42.'' 42 U.S.C. 1320a–7(a) provides a list of four predicate offenses for which exclusion from Medicare, Medicaid, and other federal health care programs is mandatory and sets out mandatory timeframes for such exclusion. *Id.*

When a registrant facing a sanction under 21 U.S.C. 824(a)(5) offers no mitigating evidence for the Administrator to consider, ''it is reasonable that the Administrator might revoke or suspend.'' *Jeffrey Stein, M.D.,* 84 FR 46968, 46971 (2019); *see, e.g., Narciso A. Reyes, M.D.,* 83 FR 61678, 61681 (2018); *Richard Hauser, M.D.,* 83 FR 26308, 26310 (2018). Further, ''[t]here does not need to be a nexus to controlled substances to make a connection between the activity that caused the mandatory exclusion and the potential for abuse of a DEA registration.'' *Jeffrey Stein, M.D.,* 84 FR at 46972; *Narciso Reyes, M.D.,* 83 FR at 61681; *KKK Pharmacy,* 64 FR 49507, 49510 (1999) (collecting cases); *Melvin N. Seglin, M.D.,* 63 Red. Reg. 70431, 70433 (1998); *Stanley Dubin, D.D.S.,* 61 FR 60727, 60728 (1996).

Here, there is no dispute in the record that Registrant is mandatorily excluded pursuant to Section 1320a–7(a) of Title 42 and, therefore, that a ground for the revocation or suspension of Registrant's registration exists. 21 U.S.C. 824(a)(5). Indeed, Registrant was convicted of multiple counts involving fraud, kickbacks, and obstruction of a federal audit. The HHS OIG estimated that Registrant's criminality spanned six years and resulted in a financial loss of approximately $10,850,200. RFAA, EX 4, at 2.

Where, as here, the Government has met its *prima facie* burden of showing that a ground for revocation exists, the burden shifts to the Registrant to show why he can be entrusted with a registration. *See Jeffrey Stein, M.D.,* 84 FR at 46972. Registrant, as already discussed, failed to respond in any way to the OSC. *See* RFAA, at 6. Therefore, among other things, Registrant has not accepted responsibility for his criminality, shown any remorse for it, or provided any assurance that he would not repeat it. *See Jeffrey Stein, M.D.,* 84 FR at 46972–74. Such silence weighs against the Registrant's continued registration. *Zvi H. Perper, M.D.,* 77 FR 64131, 64142 (2012) (citing *Medicine Shoppe-Jonesborough,* 73 FR 264, 387 (2008); *Samuel S. Jackson,* 72 FR 23848, 23853 (2007)); *see also Jones Total Health Care Pharmacy, LLC* v. *Drug Enf't Admin.,* 881 F.3d 823, 831 (11th Cir. 2018) (' 'An agency rationally may conclude that past performance is the best predictor of future performance.' ' (quoting *Alra Laboratories, Inc.* v. *Drug Enf't Admin.,* 54 F.3d 450, 452 (7th Cir. 1995))).

Based on the record before me, I conclude that Registrant's founded criminality involving dishonesty and obstruction, resulting in his exclusion from Medicare, Medicaid, and all federal health care programs, makes him ineligible for a DEA registration at this time. Accordingly, I shall order the sanctions the Government requested, as contained in the Order below.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BB1040269 issued to Shelton W. Barnes, M.D. Further, I hereby deny any pending application of Shelton W. Barnes, M.D., to renew or modify this registration, as well as any pending application of Shelton W. Barnes, M.D., for registration in Louisiana. This Order is effective March 4, 2020.

Dated: January 3, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020–01967 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–576]

Bulk Manufacturer of Controlled Substances Application: Noramco Inc.

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before April 3, 2020.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701

Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 17, 2019, Noramco Inc., 1550 Olympic Drive, Athens, Georgia 30601 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Cathinone	1235	I
Gamma Hydroxybutyric Acid	2010	I
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
Codeine-N-oxide	9053	I
Dihydromorphine	9145	I
Hydromorphinol	9301	I
Morphine-N-oxide	9307	I
Normorphine	9313	I
Amphetamine	1100	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Nabilone	7379	II
Codeine	9050	II
Dihydrocodeine	9120	II
Oxycodone	9143	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Levorphanol	9220	II
Morphine	9300	II
Oripavine	9330	II
Thebaine	9333	II
Oxymorphone	9652	II
Noroxymorphone	9668	II
Alfentanil	9737	II
Sufentanil	9740	II
Carfentanil	9743	II
Tapentadol	9780	II
Fentanyl	9801	II

The company plans to manufacture bulk active pharmaceutical ingredients (APIs) and reference standards for distribution to their customers.

In reference to drug codes 7350 (marihuana extract), 7360 (marihuana), and 7370 (tetrahydrocannabinols), the company plans to bulk manufacture these drugs as synthetics. No other activities for these drugs are authorized for this registration.

Dated: January 24, 2020.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2020–01959 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–567]

Bulk Manufacturer of Controlled Substances Application: Bulk Manufacturers of Marihuana: Spocannabis LLC

ACTION: Notice of application.

SUMMARY: The Drug Enforcement Administration (DEA) is providing notice of an application it has received from an entity applying to be registered to manufacture in bulk basic classes of controlled substances listed in schedule I. Prior to making decisions on this and other pending applications, DEA intends to promulgate regulations that govern the program of growing marihuana for scientific and medical research under DEA registration.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefor, may file written comments on or objections to the issuance of the proposed registration on or before April 3, 2020.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW 8701 Morrissette Drive, Springfield, Virginia 22152. To ensure proper handling of comments, please reference ''Docket No. DEA–567'' in all correspondence, including attachments.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act (CSA) prohibits the cultivation and distribution of marihuana except by persons who are registered under the CSA to do so for lawful purposes. In accordance with the purposes specified in 21 CFR 1301.33(a), DEA is providing notice that the entity identified below has applied for registration as a bulk manufacturer of schedule I controlled substances. In response, registered bulk manufacturers of the affected basic classes, and applicants therefor, may file written comments on or objections of the requested registration, as provided in this notice. This notice does not constitute any evaluation or determination of the merits of the application submitted.

The applicant plans to manufacture bulk active pharmaceutical ingredients (APIs) for product development and distribution to DEA registered researchers. If its application for registration is granted, the registrant would not be authorized to conduct other activity under this registration aside from those coincident activities specifically authorized by DEA regulations. DEA will evaluate the application for registration as a bulk manufacturer for compliance with all applicable laws, treaties, and regulations and to ensure adequate safeguards against diversion are in place.

As this applicant has applied to become registered as a Bulk

Manufacturer of Marihuana, the application will be evaluated under the criteria of 21 U.S.C. 823(a) as described in 84 FR 44920, published on August 27, 2019.

In accordance with 21 CFR 1301.33(a), DEA is providing notice that on October 25, 2019, Spocannabis LLC, 1321 North Stanley Road, Suite B, Spokane Valley, Washington 99212 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Marihuana	7360	I
Tetrahydrocannabinols.	7370	I

The applicant noticed above applied to become registered with DEA to grow marihuana as a bulk manufacturer subsequent to a 2016 DEA policy statement that provided information on how it intended to expand the number of registrations, and described in general terms the way it would oversee those additional growers. Before DEA completes the evaluation and registration process for applicants to grow marihuana, DEA intends to propose regulations in the near future that would supersede the 2016 policy statement and govern persons seeking to become registered with DEA to grow marihuana as bulk manufacturers, consistent with applicable law, as described in 84 FR 44920.

Dated: January 7, 2020.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2020–01966 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Theresa L. Wendt, N.P.; Decision and Order

On January 24, 2019, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, Government), issued an Order to Show Cause to Theresa L. Wendt, N.P., (hereinafter, Registrant), of Milwaukee, Wisconsin. Order to Show Cause (hereinafter, OSC), at 1. The OSC proposed the revocation of Registrant's Certificate of Registration No. MW2120006. It alleged that Registrant is ''without authority to handle controlled substances in the State of Wisconsin, the state in which . . . [she is] registered with the DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

Specifically, the OSC alleged that the Wisconsin Board of Nursing (hereinafter, BON) issued an Order on January 19, 2018, suspending Registrant's professional nursing (hereinafter, RN) license and her advanced practice nurse prescriber (hereinafter, APNP) certificate. OSC, at 1. The OSC further alleged that Registrant's RN license expired on February 28, 2018, and her APNP certificate expired on September 30, 2018. *Id.* at 1–2.

The Show Cause Order notified Registrant of the right to request a hearing on its allegations or to submit a written statement, while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* at 2 (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. OSC, at 1, 2–3 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration dated April 2, 2019, a Diversion Investigator (hereinafter, DI) assigned to the Milwaukee District Office, Chicago Field Division, stated that she and a Special Agent (hereinafter, SA) travelled to Registrant's home address on February 6, 2019, to personally serve Registrant with the OSC. RFAA, Exhibit (EX) 4 (DI Declaration), at 1. The DI stated she ''knew this was Registrant's home address because it was the address listed on her Wisconsin d[r]iver's license'' and, upon arriving at the residence, the DI ''recognized Registrant because [she] had previously met with her.'' *Id.* The DI further stated that she ''personally served the [OSC] on Registrant by handing it to her'' and ''Registrant signed a DEA–12, Receipt for Cash or Other Items, acknowledging her receipt'' of the OSC. *Id., see also* RFAA, EX 4B (executed DEA–12).

The Government forwarded its RFAA, along with the evidentiary record, for adjudication on April 3, 2019. The Government represents that ''at least thirty days have passed since the time the [OSC] was served on Registrant'' and she ''has not requested a hearing and has not otherwise corresponded or communicated with DEA.'' RFAA, at 2. The Government requests that ''Registrant's DEA registration be revoked based on 21 U.S.C. 824(a)(3) because Registrant has no valid nursing license in Wisconsin.'' *Id.* at 3.

Based on the DI's Declaration, the Government's written representations, and my review of the record, I find that the Government accomplished service of the OSC on Registrant on February 6, 2019. I also find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the Government's written representations, I find that neither Registrant, nor anyone purporting to represent Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and corrective action plan. 21 CFR 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

On February 17, 2010, DEA Certificate of Registration No. MW2120006 was assigned to Registrant at the registered address of 6001 W North Ave., Milwaukee, Wisconsin. RFAA, EX 5 (Certification of Registration History), at 1. This registration authorized Registrant to dispense controlled substances in schedules II through V as a practitioner. *Id.* Registrant's registration expired on May 31, 2019. *Id.* According to Agency records, Registrant did not submit a renewal application and her registration was retired on July 1, 2019.[1]

The Status of Registrant's State Licensure

On May 11, 2017, the Wisconsin BON issued a Final Decision and Order (hereinafter, collectively, Final Decision) restricting Registrant's RN license and APNP certificate.[2] RFAA, EX 3, at 3–5. On January 19, 2018, the BON determined that Registrant failed to comply with the Final Decision's restrictions and issued an Order, effective immediately, suspending both Registrant's RN license and her APNP certificate. RFAA, EX 3, at 9 (Order Suspending License).

[1] The fact that a Registrant allows her registration to expire during the pendency of an OSC does not impact my jurisdiction or prerogative under the Controlled Substances Act (hereinafter, CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474 (2019).

[2] In its Final Decision, the BON found that Registrant issued a controlled substance prescription to an individual who was not a patient at the pain clinic where Registrant was employed, substituted her cell number for the clinic's phone number, and did not maintain a treatment record at the clinic for that individual.

According to the website of the Wisconsin Department of Safety and Professional Services, of which I take official notice, Registrant's RN license and her APNP certificate remain suspended.[3] Wisconsin Credential/License Search, *https://licensesearch.wi.gov/* (last visited January 3, 2020). The website also states that Registrant's RN license expired on February 28, 2018 and that her APNP certificate expired on September 30, 2018. Thus, neither Registrant's Wisconsin RN license nor her APNP certificate was current on the date the Assistant Administrator issued the OSC, and neither is current today.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the CSA ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, the DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *See, e.g., James L. Hooper, M.D.,* 76 FR 71,371 (2011), *pet. for rev. denied,* 481 Fed. Appx. 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).

This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper,* 76 FR at 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton,* 43 FR at 27617.

In Wisconsin, an ''advanced practice nurse'' is a registered nurse who ''has a current license to practice professional nursing'' in Wisconsin. Wis. Admin. Code N § 8.02(1) (West, Westlaw current through Wisconsin Register 767B, published November 25, 2019). An ''advanced practice nurse prescriber'' is ''an advanced practice nurse who has been granted a certificate to issue prescription orders'' under Wis. Stat § 441.16(2). Wis. Admin. Code N § 8.02(2) (West, Westlaw current through Wisconsin Register 767B, published November 25, 2019).[4]

Under the Wisconsin Uniform Controlled Substances Act (hereinafter, Act), a person must have a federal controlled substances registration in order to lawfully dispense controlled substances in Wisconsin.[5] Wis. Stat. § 961.32(1m)(a) (West, Westlaw current through 2019 Act 21, published November 14, 2019). The Act further provides that a ''practitioner'' includes an '' advanced practice nurse . . . licensed, registered, certified or otherwise permitted to . . . dispense . . . a controlled substance in the course of professional practice.'' Wis. Stat. § 961.01(19)(a) (West, Westlaw current through 2019 Act 21, published November 14, 2019).

Here, the undisputed evidence in the record is that Registrant is not currently licensed as a RN or an APN, prerequisites for her to be licensed as an APNP. As such, she is not authorized to dispense controlled substances in Wisconsin, the state in which she is registered with the DEA. Since Registrant lacks authority to dispense controlled substances in Wisconsin, she is not eligible to hold a DEA registration. 21 U.S.C. 823(f). Accordingly, I will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration MW2120006 issued to Theresa L. Wendt, N.P. I further hereby deny any pending application of Theresa L. Wendt, N.P. to renew or modify this registration, as well as any other applications of Theresa L. Wendt, N.P. for an additional registration in Wisconsin. This Order is effective March 4, 2020.

Dated: January 3, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020–01970 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute my finding by filing a properly supported motion for reconsideration within fifteen calendar days of the date of this Order. Any such motion shall be filed with the Office of the Administrator and a copy shall be served on the Government. In the event Registrant files a motion, the Government shall have fifteen calendar days to file a response. Any such motion and response may be filed and served by email (*dea.addo.attorneys@dea.usdoj.gov*) or by mail to Office of the Administrator, Attn: ADDO, Drug Enforcement Administration, 8701 Morrissette Drive, Springfield, VA 22152.

[4] An advanced practice nurse (hereinafter, APN) who meets the requisite education, training and examination requirements, and who pays the required fee, ''shall [be] grant[ed] a certificate to issue prescription orders.'' Wis. Stat. § 441.16(2) (West, Westlaw current through 2019 Act 21, published November 14, 2019).

[5] Under Wisconsin law, ''dispensing'' a controlled substance includes ''prescribing'' a controlled substance. Wis. Stat. § 961.01(7) (West, Westlaw current through 2019 Act 21, published November 14, 2019).

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Andrzej Kazimierz Zielke, M.D.; Decision and Order

On December 1, 2017, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, DEA or Government), issued an Order to Show Cause (hereinafter, OSC) to Andrzej Kazimierz Zielke, M.D. (hereinafter, Registrant), of North Huntingdon, Pennsylvania. OSC, at 1. The OSC proposed the revocation of Registrant's DEA Certificate of Registration No. BZ6248199 on the ground that Registrant does not have authority to handle controlled substances in the Commonwealth of Pennsylvania, the state in which Registrant is registered with the DEA. *Id.* (citing 21 U.S.C. 823(f) and 824(a)(3)).

Specifically, the OSC alleged that on October 11, 2017, the Pennsylvania State Board of Medicine issued an

''Order of Temporary Suspension and Notice of Hearing in which it suspended [Registrant's] license to practice medicine and surgery,'' and that Registrant is ''without authority to practice medicine or handle controlled substances in the Commonwealth of Pennsylvania, the state in which [he is] registered with DEA.'' *Id.* at 1–2. The OSC asserts that ''[c]onsequently, DEA must revoke [his] DEA registration based on [his] lack of authority to handle controlled substances in the Commonwealth of Pennsylvania.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3); 21 CFR 1301.37(b)).

The OSC notified Registrant of the right to request a hearing on the allegations or to submit a written statement, while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. OSC, at 2 (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. OSC, at 2–3 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

The Government submitted its Request for Final Agency Action (hereinafter, RFAA) in this matter to my office on February 6, 2018, representing that since the service of the Order to Show Cause, Registrant ''has not requested a hearing and has not otherwise corresponded or communicated with DEA.'' RFAA, at 1. The Government's initial RFAA included only a Form DEA–12 Receipt as evidence of service of the Show Cause Order on Registrant. A former Acting Administrator issued an Order directing the Government to provide a declaration setting forth the circumstances regarding how it accomplished service. May 17, 2018, Order of the Acting Administrator. On February 26, 2019, the Government filed its Response to my office, including therein the Declaration of the Special Agent detailing how service was effectuated. Government's Response to Acting Administrator's Order (hereinafter, Government's Response).

On December 6, 2017, a DEA Special Agent (hereinafter, SA) and a Diversion Investigator (hereinafter, DI) with the DEA Pittsburgh District Office, Philadelphia Field Division, personally served Registrant with the OSC at his residence. Government's Response, Declaration of Service of Order to Show Cause (hereinafter, SA's Declaration). The SA stated that upon arrival at the registered address, Registrant identified himself as Dr. Zielke. *Id.* The SA then ''personally served the [OSC] on Registrant.'' *Id.* Registrant signed a DEA Form 12, Receipt for Cash or Other Items, to acknowledge his receipt of the Show Cause Order. *Id.; see also* Government's Response, EX B.

Based on the SA's Declaration, the Government's written representations, and my review of the record, I find that the Government accomplished service of the OSC on Registrant on December 6, 2017. I also find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the Government's written representations, I find that neither Registrant, nor anyone purporting to represent the Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and corrective action plan. 21 CFR 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

Registrant is the holder of DEA Certificate of Registration No. BZ6248199 at the registered address of 8775 Norwin Avenue, Suite 114, North Huntingdon, Pennsylvania. OSC, at 1. Pursuant to this registration, Registrant is authorized to dispense controlled substances in schedules II through V as a practitioner. *Id.* Registrant's registration expires on May 31, 2020, and is ''in an active pending status.'' *Id.*

On October 11, 2017, the State Board of Medicine for the Commonwealth of Pennsylvania (hereinafter, the Board), issued Registrant an Order of Temporary Suspension and Notice of Hearing (hereinafter, Suspension Order), suspending his state license to practice medicine and surgery. RFAA, EX 3, at 2.

The Government contends that Registrant currently lacks state authority to practice medicine and surgery on the basis of the Suspension Order issued by Board. RFAA, at 3. Upon review of the Petition for Temporary Suspension of Registrant's license (hereinafter, Petition), filed by the Prosecuting Attorney for the Commonwealth of Pennsylvania's Department of State, the Board found that the ''alleged facts . . . if taken as true,'' establish that ''[Registrant's] continued practice of medicine and surgery . . . makes [Registrant] an immediate and clear danger to the public health and safety.'' EX 3, at 1 (Suspension Order). According to the Petition, on October 4, 2017, a criminal complaint and arrest warrant were filed in the U.S. District Court for the Western District of Pennsylvania, charging Respondent with: Illegal distribution of Schedule II prescription narcotics and conspiracy to illegally distribute schedule II prescription narcotics in violation of 21 U.S.C 841(a)(1) and 846, mail fraud in violation of 18 U.S.C. 1341, and health care fraud, in violation of 18 U.S.C. 1347. EX 3, at 9 (Petition). Therefore, the Board ordered that the ''license to practice medicine and surgery issued to the Respondent . . . along with any other authorizations to practice the profession issued by the Board to Respondent, are temporarily suspended upon service of [the] Order.'' *Id.* at 1–2 (Suspension Order) (emphasis omitted).

According to Pennsylvania's online records, of which I take official notice, Registrant's license is still suspended.[1] Pennsylvania Department of State, Bureau of Professional and Occupational Affairs, *https://www.pals.pa.gov/* (last visited January 3, 2020).

Therefore, I find that Registrant currently is not licensed to engage in the practice of medicine in the Commonwealth of Pennsylvania, the state in which Registrant is registered with the DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the Controlled Substances Act (hereinafter, CSA), ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, the DEA has also long held that the possession of authority to dispense controlled substances under the laws of the State in which a practitioner engages in professional

[1] Under the Administrative Procedure Act (APA), an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' U.S. Dept. of Justice, *Attorney General's Manual on the Administrative Procedure Act* 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). In accordance with the APA and DEA's regulations, Respondent is ''entitled on timely request to an opportunity to show to the contrary.'' 5 U.S.C. 556(e); *see also* 21 CFR 1316.59(e). To allow Respondent the opportunity to refute the facts of which I take official notice, Respondent may file a motion for reconsideration within 15 calendar days of service of this order which shall commence on the date this order is mailed.

practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371 (2011), *pet. for rev. denied,* 481 Fed. Appx. 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).

This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . ., to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess State authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the State in which he practices. *See, e.g., James L. Hooper, M.D.,* 76 FR at 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR at 27617.

Pennsylvania law defines a ''practitioner'' as a ''(i) a physician . . . licensed, registered or otherwise permitted to distribute, dispense . . . or to administer a controlled substance . . . in the course of professional practice or research in the Commonwealth of Pennsylvania.'' 35 Pa. Stat. and Cons. Stat. Ann. § 780–102 (West 2019). Pennsylvania law further defines a ''physician,'' as a ''medical doctor,'' and a ''medical doctor,'' as an ''individual who has acquired'' a license ''to practice medicine and surgery issued by the board.'' 63 Pa. Stat. and Cons. Stat. Ann. § 422.2 (West 2019). State law prohibits ''[t]he administration, dispensing, delivery, gift or prescription of any controlled substance by any practitioner . . . unless done (i) in good faith in the course of his professional practice; (ii) within the scope of the patient relationship; (iii) in accordance with treatment principles accepted by a responsible segment of the medical profession.'' 35 Pa. Stat. and Cons. Stat. Ann. § 780–113(14). Additionally, the statute prohibits ''knowingly or intentionally possessing a controlled . . . substance by a . . . practitioner not registered or licensed by the appropriate state board.'' *Id.* at § 780–113(15). Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine and surgery in Pennsylvania. A practitioner, who is a physician and a medical doctor, must be licensed and cannot prescribe controlled substances in his professional practice or possess controlled substances without a license to practice medicine and surgery. *Id.* at § 780–113(14), (15). Because Registrant lacks authority to practice medicine in Pennsylvania and, therefore, is not authorized to possess or prescribe controlled substances in Pennsylvania, Registrant is not eligible to maintain a DEA registration. Accordingly, I will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BZ6248199, issued to Andrjez Kazimierz Zielke, M.D. Further, I hereby deny any pending application of Andrjez Kazimierz Zielke, M.D. to renew or modify this registration, as well as any pending application of Andrjez Kazimierz Zielke, M.D., for registration in the Commonwealth of Pennsylvania. This Order is effective March 4, 2020.

Dated: January 3, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020–01968 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Kambiz Haghighi, M.D.; Decision and Order

On May 22, 2019, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, Government), issued an Order to Show Cause to Kambiz Haghighi, M.D. (hereinafter, Registrant) of Long Beach, California. Order to Show Cause (hereinafter, OSC), at 1. The OSC proposed the revocation of Registrant's Certificate of Registration No. BH6439714 on the ground that Registrant ''is without authority to handle controlled substances in the State of California, the state in which [Registrant is] registered with the DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

Specifically, the OSC alleged that on April 20, 2018, the Medical Board of California (hereinafter, Board) issued a Decision and Order directing that, effective May 18, 2018, Registrant '' 'shall not order, prescribe, dispense, administer, furnish, or possess any controlled substances.' '' *Id.* (quoting Board's Order). The OSC further alleged that ''on July 23, 2018, [Registrant] surrendered [his] Physician's and Surgeon's Certificate to the Board in accordance with an 'Agreement for Surrender of License' that [he] entered into with the Board on that same date.'' *Id.* at 1–2.

The OSC notified Registrant of the right to request a hearing on the allegations or to submit a written statement while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* at 2 (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. *Id.* at 1, 3 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration dated July 17, 2019, a Diversion Investigator (hereinafter, DI) assigned to the Los Angeles Field Division stated that on May 29, 2019, she and a Special Agent (hereinafter, SA) traveled to Registrant's home address, which she had obtained during a prior telephone conversation with Registrant. Request for Final Agency Action (hereinafter, RFAA), EX 4 (DI's Declaration), at 1. The DI stated Registrant was not at home when they arrived at the home address, but she spoke with him on his cell phone and he arrived several minutes later. *Id.* Registrant identified himself, the DI verified his identity by looking at his driver's license, and the DI then personally served the OSC on Registrant. RFAA, EX 4, at 1–2. Registrant signed a DEA–12, Receipt for Cash or Other Items, acknowledging his receipt of the OSC, which the SA signed as a witness. *Id.* at 2, *see also* RFAA, EX 4B (DEA–12).

The Government forwarded its RFAA, along with the evidentiary record, to this office on July 26, 2019. Therein, the Government represents that ''at least [thirty] days have passed since the time the [OSC] was served on Registrant'' and he ''has not requested a hearing and has not otherwise corresponded or communicated with DEA.'' RFAA, at 1–2. The Government requests that ''Registrant's DEA Registration [ ] be revoked based on 21 U.S.C. 824(a)(3)

because Registrant has no valid medical license in California . . . [and] is without state authority to handle controlled substances in California, the state where he is registered with DEA.'' *Id.* at 3.

Based on the DI's Declaration, the Government's written representations, and my review of the record, I find that the Government accomplished service of the OSC on Registrant on May 29, 2019. I also find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the Government's written representations, I find that neither Registrant, nor anyone purporting to represent the Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and corrective action plan. 21 CFR 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

Registrant is the holder of DEA Certificate of Registration No. BH6439714 at the registered address of 4401 N. Atlantic Ave., 101, Long Beach, California 90807. RFAA, EX 1 (Certification of Registration History). Pursuant to this registration, Registrant is authorized to dispense controlled substances in schedules II through V as a practitioner. *Id.* Registrant's registration expires on October 31, 2020, and is ''in an active pending status.'' *Id.*

The Status of Registrant's State License

On July 23, 2018, Registrant surrendered his California Physician's and Surgeon's Certificate pursuant to an Agreement for Surrender of License (hereinafter, Agreement) that he entered into with the Board.[1] RFAA, EX 3 (Agreement). According to the Agreement, Registrant surrendered his medical license following a Board Decision effective on May 18, 2018, ''wherein [Registrant's] license was revoked, with the revocation stayed, and placed on seven [ ] years' probation with various standard terms and conditions.'' *Id.* at 2. The Board Decision provided that '' 'if [Registrant] ceases practicing due to retirement, health reasons, or is unable to satisfy the terms and condition of probation, [Registrant] may request to surrender his . . . license.' '' *Id.* Pursuant to the Agreement, Registrant agreed that he ''understands he will no longer be permitted to practice as a physician and surgeon in California.'' *Id.* The Agreement further provided that should Registrant ever file an application for relicensure or reinstatement in California, the Board would treat it as a petition for reinstatement of a revoked license. *Id.*

According to the website of the California Department of Consumer Affairs, of which I take official notice, Registrant's license remains surrendered. [2] *https://search.dca.ca.gov/details/8002/A/68934/f0e886931951cf8f0b2f2099fecad44b* (last visited January 3, 2020).

Accordingly, I find that Registrant currently is not licensed to engage in the practice of medicine in California, the state in which he is registered with the DEA.

This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . ., to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess State authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the State in which he practices. *See, e.g., Hooper, supra,* 76 FR at 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Blanton, supra,* 43 FR at 27617.

According to the California Uniform Controlled Substances Act, ''No person other than a physician . . . shall write or issue a prescription.'' Cal. Health & Safety Code section 11150 (West 2019). Further, ''physician,'' as defined by California statute, is a person who is ''licensed to practice'' in California. Cal. Health & Safety Code section 11024 (West 2019).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine in California. As already discussed, a physician must be a licensed practitioner to dispense a controlled substance in California. Thus, because Registrant lacks authority to practice medicine in California and, therefore, is not authorized to handle controlled substances in California, I will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BH6439714 issued to Kambiz Haghighi, M.D. Further, I hereby deny any pending application of Kambiz Haghighi, M.D., to renew or modify this registration, as well as any pending application of Kambiz Haghighi, M.D., for registration in California. This Order is effective March 4, 2020.

Dated: January 3, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020–01969 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

[1] The Government's evidence includes a letter of certification submitted by the Executive Director of the Medical Board of California, certifying the surrender of Registrant's Physician's and Surgeon's Certificate. RFAA, EX 3, at 1. The letter also certifies prior disciplinary action against Registrant, including an Order Restricting the Practice of Medicine issued by the Superior Court of Riverside County on November 23, 2015, and an Accusation and First Amended Accusation filed against Registrant in May and July, 2017. *Id.*

[2] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute my finding by filing a properly supported motion for reconsideration within 15 calendar days of the date of this Order. Any such motion shall be filed with the Office of the Administrator and a copy shall be served on the Government. In the event Registrant files a motion, the Government shall have 15 calendar days to file a response.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Solomon Adu-Beniako, M.D.; Decision and Order

On September 12, 2019, the Assistant Administrator, Diversion Control Division, Drug Enforcement

Administration (hereinafter, DEA or Government), issued an Order to Show Cause to Solomon Adu-Beniako, M.D, (hereinafter, Registrant), of Southfield, Michigan. Order to Show Cause (hereinafter, OSC), at 1. The OSC proposed the revocation of Registrant's Certificate of Registration No. FA7485027 on the ground that Registrant does ''not have authority to handle controlled substances in Michigan, the state in which . . . [Registrant is] registered with the DEA.'' *Id.* (citing 21 U.S.C. 823(f) and 824(a)(3)).

Specifically, the OSC alleged that the State of Michigan Board of Pharmacy (hereinafter, Board) issued a Final Order effective on July 21, 2019, which revoked Registrant's Michigan controlled substance and drug control-location licenses (5315023991, 5307004648 and 5307004717). *Id.* at 1–2. The OSC alleged that because the Board had not modified or lifted its revocation order, Registrant lacks authority to handle controlled substances in the State of Michigan. *Id.* at 2, citing 21 U.S.C. 802(21), 823(f) and 824(a)(3).

The OSC notified Registrant of the right to request a hearing on the allegations or to submit a written statement while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. OSC, at 2 (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. *Id.* at 4 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration dated November 8, 2019, a Diversion Investigator (hereinafter, DI) assigned to the Detroit Division Office, detailed his investigation in the matter involving Registrant. Request for Final Agency Action (hereinafter, RFAA), EX 8 (DI Declaration), at 1–2. The DI stated that he obtained a copy of the Michigan Board of Pharmacy's Final Order dated June 21, 2019, and as a result of that Final Order, DEA issued an Order to Show Cause on Registrant. *Id.* at 2. He further stated that on September 19, 2019, he and a DEA Special Agent (hereinafter, SA) attempted to serve the OSC on Registrant at Registrant's residence located at 31568 Bridge Street, Livonia, Michigan, but received no answer at that residence. *Id.* at 2. According to the DI, DEA personnel proceeded to Registrant's most recent place of employment, which was also his registered address, located at 20905 Greenfield Road, Suite 702, Southfield, Michigan, but the receptionist at that location ''could not recall the last time [Registrant] was in the office or when [Registrant] was expected to report back to that location.'' *Id.* at 2–3. On the following day, the DI spoke to Registrant on the telephone, identified himself, and arranged to meet with him at a restaurant on that same day. *Id.* The DI stated that he and the same SA met with the Registrant, placed the OSC on the table in front of him, and explained that ''he was being served with an [OSC] because he lacked state authority to handle controlled substances in Michigan and that he would not be able to maintain a DEA registration without such authorization.'' *Id.* at 3. The DI stated that Registrant pushed the document away from him, and the SA ''attempted to again explain the Order to Show Cause process'' to Registrant, at which point Registrant ''stood up and quickly left the restaurant.'' *Id.* at 3. The DI ''mentioned to [Registrant] that his name appeared on the [OSC] document and that he should not leave the document on the table,'' but Registrant ''continued on to his automobile and drove away.'' *Id.* The DI and the SA then left the restaurant with the OSC. *Id.*

The Government forwarded its RFAA, along with the evidentiary record, to this office on November 18, 2019. In its RFAA, the Government contends that despite Registrant's refusal to take possession of the OSC, he is deemed to have been sufficiently served. RFAA, at 6. The Government requests a final order holding that Registrant has waived his opportunity for a hearing and otherwise failed to respond to the Show Cause Order, and revoking Registrant's DEA registration. *Id.* at 2.

Based on the DI's Declaration, the Government's written representations, and my review of the record, I find that the Government accomplished service of the OSC on Registrant on September 20, 2019. I find that the Government has satisfied its obligation under the Due Process Clause ''to provide 'notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.''' *Jones* v. *Flowers,* 547 U.S. 220, 226 (2006) (quoting *Mullane* v. *Central Hanover Bank & Trust Co.,* 339 U.S. 306, 314 (1950)). In this case, the Government tried to serve Registrant at his home and his registered address—both of which were locations where the Government reasonably believed Registrant would be located. RFAA, EX 8, at 2–3. When those efforts failed, the DI contacted Registrant by telephone and arranged an in-person meeting, during which the DI explained to Registrant the context of the OSC. *Id.* at 3. Registrant repeatedly refused to take possession of the OSC during this meeting, even after its relevance had been clearly communicated to Registrant, and the DI and SA made reasonable efforts to leave the papers with Registrant. *Id.* Thus, Registrant was reasonably apprised of the pendency of the action and his refusal to take possession of the papers does not mean service was inadequate. *See United States* v *Miller,* 2007 WL 3173362 (E.D. Mich. Oct. 29, 2007) (The defendant of an institution of an action against him '''cannot claim that the court has not [sic] authority to act when he has willfully evaded the service of process.''' (quoting *Ali* v. *Mid-Atl. Settlement Servs., Inc.,* 233 FRD. 32, 36 (D.D.C. 2006) (citation omitted))).[1]

I also find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the Government's written representations, I find that neither Registrant, nor anyone purporting to represent the Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and corrective action plan. 21 CFR 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

Registrant is the holder of DEA Certificate of Registration No. FA7485027 at the registered address of 20905 Greenfield Rd., Ste. 702, Southfield, Michigan. RFAA, EX 2 (Certification of Registration History). Pursuant to this registration, Registrant is authorized to dispense controlled substances in schedules II through V[2] as

[1] *See also Morgan* v. *United States,* 304 U.S. 1, 18 (1938) (''The right to a hearing embraces not only the right to present evidence, but also a *reasonable* opportunity to know the claims of the opposing party and to meet them. . . . Those who are brought into contest with the Government in a quasijudicial proceeding aimed at the control of their activities are entitled to be fairly advised of what the Government proposes.'') (emphasis added).

[2] It is noted that the OSC mistakenly stated that Registrant was a practitioner in ''Schedules II–IIIN.'' I find this to be harmless error in that the Registration was appropriately identified by its number and so the Registrant had adequate notice of the registration subject to the proceeding.

a practitioner.[3] Registrant's registration expires on June 30, 2020, and is ''in an active pending status.'' RFAA, EX 1 (Copy of Registrant's Certificate of Registration).

The Status of Registrant's State License

On January 19, 2018, the Michigan Department of Licensing and Regulatory Affairs ''executed an Order of Summary Suspension and an Administrative Complaint charging [Registrant] with violating the Public Health Code, [Mich. Comp. Laws] § 333.1101 *et seq.*'' RFAA, EX 3 (Final Order of the Board of Pharmacy Disciplinary Subcommittee, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs), at 1. On June 21, 2019, after an administrative hearing, the Michigan Board of Pharmacy issued a Final Order revoking Registrant's controlled substance license and drug control-location licenses. *Id.* at 2, 4. The Final Order became effective thirty days from its signature, on July 21, 2019. RFAA, EX 3, at 4.

According to Michigan's online records, of which I take official notice,[4] Registrant's controlled substance license and drug control-location licenses remain revoked. *https://aca3.accela.com/MILARA/GeneralProperty/PropertyLookUp.aspx* (last visited January 3, 2020).

Further, the Final Order states that reinstatement of Registrant's revoked licenses ''is not automatic and shall be in accordance with [Mich. Comp. Laws] §§ 333.7315–333.7316.'' RFAA, EX 3, at 3. It is noted that pursuant to Section 333.7315, Registrant may not apply for reinstatement of his revoked licenses before the expiration of five years after the effective date of revocation. Mich. Comp. Laws § 333.7315.

Accordingly, I find that Registrant currently does not possess a controlled substances license in Michigan, the State in which he is registered with the DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the Controlled Substances Act (hereinafter, CSA), ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, the DEA has also long held that the possession of authority to dispense controlled substances under the laws of the State in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371 (2011), *pet. for rev. denied,* 481 Fed. Appx. 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27616, 27617 (1978).

This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . ., to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess State authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the State in which he practices. *See, e.g., James L. Hooper, M.D.,* 76 FR at 71371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.,* 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR at 27617.

Under Michigan law, ''a person who manufactures, distributes, prescribes, or dispenses a controlled substance in this state . . . shall obtain a license issued by the administrator.'' Mich. Comp. Laws § 333.7303(1). Here, the undisputed evidence in the record is that Registrant currently lacks authority to manufacture, distribute, prescribe, or dispense controlled substances in Michigan. Thus, because Registrant lacks authority to distribute, prescribe, or dispense controlled substances in Michigan, Registrant is not eligible to maintain a DEA registration. Accordingly, I will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FA7485027 issued to Solomon Adu-Beniako. This Order is effective March 4, 2020.

Dated: January 3, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020–01971 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–578]

Bulk Manufacturer of Controlled Substances Application: IsoSciences, LLC

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before April 3, 2020.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA **Federal Register** Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on November 27, 2019, IsoSciences, LLC, 340 Mathers Road, Ambler, Pennsylvania 19002–3420 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

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[3] Registrant is also authorized as a Data-Waiver practitioner for up to 100 patients pursuant to 21 U.S.C. 823(g)(2)(a).

[4] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute my finding by filing a properly supported motion for reconsideration within 15 calendar days of the date of this Order. Any such motion shall be filed with the Office of the Administrator and a copy shall be served on the Government. In the event Registrant files a motion, the Government shall have 15 calendar days to file a response.

Controlled substance	Drug code	Schedule
Cathinone	1235	I
Methcathinone	1237	I
Lysergic acid diethylamide	7315	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
3,4-Methylenedioxyamphetamine	7400	I
3,4-Methylenedioxy-N-ethylamphetamine	7404	I
3,4-Methylenedioxymethamphetamine	7405	I
5-Methoxy-N–N-dimethyltryptamine	7431	I
Alpha-methyltryptamine	7432	I
Bufotenine	7433	I
Diethyltryptamine	7434	I
Dimethyltryptamine	7435	I
Psilocybin	7437	I
Psilocyn	7438	I
5-Methoxy-N,N-diisopropyltryptamine	7439	I
Dihydromorphine	9145	I
Heroin	9200	I
Nicocodeine	9309	I
Nicomorphine	9312	I
Normorphine	9313	I
Thebacon	9315	I
Normethadone	9635	I
Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide)	9811	I
Para-Fluorofentanyl	9812	I
3-Methylfentanyl	9813	I
Alpha-methylfentanyl	9814	I
Acetyl-alpha-methylfentanyl	9815	I
N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide	9816	I
Acetyl Fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)	9821	I
Butyryl Fentanyl	9822	I
4-Fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide)	9824	I
2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide	9825	I
Beta-hydroxyfentanyl	9830	I
Beta-hydroxy-3-methylfentanyl	9831	I
Alpha-methylthiofentanyl	9832	I
3-Methylthiofentanyl	9833	I
Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide)	9834	I
Thiofentanyl	9835	I
Beta-hydroxythiofentanyl	9836	I
N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide	9843	I
Amphetamine	1100	II
Methamphetamine	1105	II
Codeine	9050	II
Dihydrocodeine	9120	II
Oxycodone	9143	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Isomethadone	9226	II
Methadone	9250	II
Methadone intermediate	9254	II
Morphine	9300	II
Thebaine	9333	II
Levo-alphacetylmethadol	9648	II
Oxymorphone	9652	II
Thiafentanil	9729	II
Alfentanil	9737	II
Sufentanil	9740	II
Carfentanil	9743	II
Fentanyl	9801	II

The company plans to manufacture bulk controlled substances for use in analytical testing. In reference to drug codes 7360 (marihuana) and 7370 (Tetrahydrocannabinols), the company plans to bulk manufacture these drugs as synthetics. No other activities for these drug codes are authorized for this registration.

Dated: January 24, 2020.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2020–01960 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–575]

Importer of Controlled Substances Application: Stepan Company

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before March 4, 2020. Such persons may also file a written request for a hearing on the application on or before March 4, 2020.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on December 12, 2019, Stepan Company, 100 West Hunter Avenue, Maywood, New Jersey 07607–1021 applied to be registered as an importer of the following basic class of controlled substance:

Controlled substance	Drug code	Schedule
Coca Leaves	9040	II

The company plans to import the listed controlled substance in bulk for the manufacture of controlled substances for distribution to its customers.

Dated: January 16, 2020.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2020–01958 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OMB Number 1121–0330]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection Law Enforcement Congressional Badge of Bravery

AGENCY: Bureau of Justice Assistance, Office of Justice Programs, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: BJA's CBOB Office will use the CBOB nomination information to confirm the eligibility of nominees that are to be considered for the CBOB, and will make the nominations available to the Federal or the State and Local CBOB Board as appropriate, for their consideration.

DATES: The Department of Justice encourages public comment and will accept input until April 3, 2020.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Gregory Joy, Policy Advisor, Office of Justice Programs, Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC 20531, *Gregory.joy@usdoj.gov,* 202–514–1369.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Law Enforcement Congressional Badge of Bravery (Pub. L. 110–298).

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The nomination process is managed through the internet, using the Office of Justice Programs' (OJP) CBOB online nomination system at: *www.bja.gov/CBOB*

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The information that is being collected under Public Law No: 110–298, is solicited from federal, state, local and tribal law enforcement agencies, who wish to nominate their personnel to receive the Law Enforcement Congressional Badge of Bravery (CBOB). This information is provided on a voluntary basis, and includes he agency and nominee information along with details about the events for which the nominees are to be considered when determining which nominees will be recommended to receive the CBOB.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 160 nominations annually.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 66 hours.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: January 28, 2020.

Melody D. Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2020–01918 Filed 1–31–20; 8:45 am]

BILLING CODE 4410–BA–P

DEPARTMENT OF LABOR

President's Committee on the International Labor Organization Charter Renewal

AGENCY: Bureau of International Labor Affairs, Labor.

ACTION: Notice of charter renewal.

SUMMARY: On September 27, 2019, President Trump continued the President's Committee on the International Labor Organization (ILO) for two years through September 30, 2021. In response, and pursuant to the Federal Advisory Committee Act (FACA), the Secretary of Labor renewed the committee's charter on January 22, 2020.

Purpose: The President's Committee on the International Labor Organization was established in 1980 by Executive Order 12216 to monitor and assess the work of the ILO and make recommendations to the President regarding United States policy towards the ILO. The committee is chaired by the Secretary of Labor and the Department of Labor's Bureau of International Labor Affairs is responsible for providing the necessary support for the committee.

The committee is composed of seven ex officio members: The Secretary of Labor (chair), the Secretary of State, the Secretary of Commerce, the Assistant to the President for National Security Affairs, the Assistant to the President for Economic Policy, and one representative each from organized labor and the business community, designated by the Secretary. The labor and business members are the presidents of the American Federation of Labor and Congress of Industrial Organizations (AFL–CIO) and the United States Council for International Business (USCIB), respectively, as the most representative organizations of U.S. workers and employers engaged in ILO matters.

Authority: The authority for this notice is granted by the Federal Advisory Committee Act (5 U.S.C. App. 2) and the Executive Order No. 13889 of September 27, 2019.

FOR FURTHER INFORMATION CONTACT: Robert B. Shepard, Director, Office of International Relations, Bureau of International Labor Affairs, U.S. Department of Labor, telephone (202) 693–4808, *shepard.robert@dol.gov.*

Martha E. Newton,

Deputy Undersecretary, Bureau of International Labor Affairs.

[FR Doc. 2020–02001 Filed 1–31–20; 8:45 am]

BILLING CODE 4510–28–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Certification by School Official

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Office of Workers' Compensation (OWCP) sponsored information collection request (ICR) titled, ''Certification by School Official'' to the Office of Management and Budget (OMB) for review and reinstatement 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 March 4, 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=201909-1240-001* (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–OWCP, 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 reinstate PRA authority for the Certification by School Official information collection. The Certification by School Official information collection mandates that in order to qualify as an eligible dependent for black lung benefits, a child aged 18- to 23-years must be a full-time student as described in the Black Lung Benefits Act, 30 U.S.C. 901 *et seq.,* and regulations 20 CFR 725.209. A school official completes a Certification by School Official (Form CM–981) to verify whether a Black Lung beneficiary's dependent between the ages of 18 to 23 years qualifies as a full-time student. Black Lung Benefits Act section 426 authorizes this information collection. See 30 U.S.C. 936. 30 U.S.C. 902(g); 20 CFR 725.209, 725.218 require that all relevant medical evidence be considered before a decision can be made regarding a claimant's eligibility for benefits. By signing the CM–981 form, the claimant authorizes physicians, hospitals, medical facilities or organizations, and the National Institute for Occupational Safety and Health to release medical information about the miner to the Department of Labor's Office of Workers' Compensation Programs. The form contains information required by medical institutions and private physicians to enable them to release pertinent medical 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 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 requests OMB reinstatement for this information collection under Control Number 1240–0031.

OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL seeks to reinstate PRA authorization for this information collection for three (3) more years, without any change to existing requirements. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 22, 2019 (84 FR 64567).

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 1240–0031. 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–OWCP.

Title of Collection: Certification by School Official.

OMB Control Number: 1240–0031.

Affected Public: State, local, and tribal governments.

Total Estimated Number of Respondents: 100.

Total Estimated Number of Responses: 100.

Total Estimated Annual Time Burden: 17 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: January 28, 2020.

Frederick Licari,

Departmental Clearance Officer.

[FR Doc. 2020–02002 Filed 1–31–20; 8:45 am]

BILLING CODE 4510–CK–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2019–0010]

Beryllium Standards for General Industry, Construction and Maritime; Extension for the Office of Management and Budget's (OMB) Approval of the Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits comments concerning the proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements contained in the Beryllium Standards for General Industry, Construction, and Maritime.

DATES: Comments must be submitted (postmarked, sent, or received) by April 3, 2020.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Facsimile: If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693–1648.

Mail, hand delivery, express mail, messenger, or courier service: When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA–2019–0010, U.S. Department of Labor, Occupational Safety and Health Administration, Room N–3653, 200 Constitution Avenue NW, Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the OSHA Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2019–0010) for the Information Collection Request (ICR). All comments, including any personal information you provide such as social security numbers and date of birth, are placed in the public docket without change, and may be made available online at *http://www.regulations.gov.* For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION.**

Docket: To read or download comments or other material in the docket, go to *http://www.regulations.gov* or the OSHA Docket Office at the above address. All documents in the docket (including this **Federal Register** notice) are listed in the *http://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may contact Theda Kenney at the phone number below to obtain a copy of the ICR.

FOR FURTHER INFORMATION CONTACT: Seleda Perryman, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693–2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of a continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

This ICR is based on the 2017 final rule for Beryllium which includes general industry, construction, and maritime. Subsequently, the agency has proposed revisions to the beryllium standards. OSHA proposed revisions to the beryllium general industry standard in December 2018 (83 FR 63746) titled ''Occupational Exposure to Beryllium in General Industry,'' and to the beryllium construction and shipyard standards in October 2019 (84 FR 53902) titled ''Occupational Exposure to Beryllium in Construction and Shipyard Sectors.'' The agency is planning to finalize the beryllium standards in two separate rulemakings in the coming months. The modification and update of these beryllium standards will clarify the provisions contained in the 2017 general industry standard and will better tailor the construction and shipyard standards to address the particular operations in these sectors involving exposure to beryllium. These two Beryllium final rules contain information collection requirements that will have an impact on this ICR when they are published.

The information collection requirements specified by the beryllium standards for general industry, construction, and maritime standards help protect workers from harmful elements when exposed to permissible exposure limits of beryllium and

beryllium compounds in the workplace. The information collection requirements in the 2017 Standards involve the following elements of the Standard.

Paragraph (d)(2) contains the performance options where the employer must assess the 8-hour TWA exposure and the 15-minute short-term exposure for each employee on the basis of any combination of air monitoring data and objective data sufficient to accurately characterize airborne exposure to beryllium. Employers do not have to conduct initial exposure monitoring if they rely on objective data that would satisfy the exposure assessment requirements contained in this standard. Paragraph (d)(3) says the employer must perform initial monitoring to assess the 8-hour TWA exposure for each employee on the basis of one or more personal breathing zone air samples that reflect the airborne exposure of employees on each shift, for each job classification, and in each work area and the employer is required to do periodic monitoring when the most recent exposure monitoring indicates that airborne exposure is at or above the action level but at or below the TWA PEL, the employer must repeat such monitoring within six months of the most recent monitoring. Paragraph (d)(4) requires the employer to reassess airborne exposure whenever a change in the production, process, control equipment, personnel, or work practices may reasonably be expected to result in new or additional airborne exposure at or above the action level or STEL, or when the employer has any reason to believe that new or additional airborne exposure at or above the action level or STEL has occurred.

In paragraph (f)(1)(i) the employer is required to establish, implement, and maintain a written exposure control plan and what information and procedures are included in the plan. Paragraph (f)(1)(ii) requires the employer to review and evaluate the effectiveness of each written exposure control plan at least annually and update it, as necessary. Also, in paragraph (f)(1)(iii) the employer must make a copy of the written exposure control plan accessible to each employee who is, or can reasonably be expected to be, exposed to airborne beryllium in accordance with OSHA's Access to Employee Exposure and Medical Records (Records Access) standard (29 CFR 1910.1020(e)).

Paragraph (g)(2) requires the employer to provide respiratory protection for the selection and use of respirators, medical evaluations of employees required to use respirators, respirator fit testing procedures for tight-fitting respirators and procedures for proper use of respirators in routine and reasonably foreseeable emergency situations.

Paragraph (h)(3)(iii) requires the employer to inform in writing the persons or the business entities who launder, clean, or repair the personal protective clothing or equipment required by this standard of the potentially harmful effects of airborne exposure to and dermal contact with beryllium and that the personal protective clothing and equipment must be handled in accordance with this standard. This provision is intended to reduce exposure to beryllium for employees handling beryllium-contaminated materials by providing employers and employees handling these materials the information necessary to protect employees from beryllium exposure.

Under paragraph (k)(1) the employer is required to make medical surveillance available at no cost to the employee, and at a reasonable time and place, to each employee who: (A) Is reasonably expected to be exposed at or above the action level for more than 30 days per year; (B) Shows signs or symptoms of chronic beryllium disease (CBD) or other beryllium-related health effects; (C) Is exposed to beryllium during an emergency; or (D) Most recent written medical opinion required by paragraph (k)(6) or (k)(7) recommends periodic medical surveillance.

In paragraph (k)(5) of medical surveillance, the employer is required to ensure that the employee receives a written medical report from the licensed physician within 45 days of the examination (including any follow-up beryllium lymphocyte proliferation test (BeLPT) required under paragraph (k)(3)(ii)(E) of this standard) and that the physician or other licensed health care professional (PLHCP) explains the results of the examination to the employee. The requirement for a written medical report ensures that the employee receives a record of all findings. In paragraph (k)(6) of medical surveillance the employer is required to obtain a written medical opinion from the licensed physician within 45 days of the medical examination and what must be contained in the written medical opinion. Under paragraph (k)(7) of medical surveillance, when being referred to the CBD Diagnostic Center, the employer is required to provide an evaluation at no cost to the employee at a CBD diagnostic center that is mutually agreed upon by the employer and the employee. The examination must be provided within 30 days of: (A) The employer's receipt of a physician's written medical opinion to the employer that recommends referral to a CBD diagnostic center; or (B) The employee presenting to the employer a physician's written medical report indicating that the employee has been confirmed positive or diagnosed with CBD, or recommending referral to a CBD diagnostic center. The employer must ensure that the employee receives all written medical reports from the CBD diagnostic center that contains all the information required in paragraph (k)(5)(i), (ii), (iv), and (v) and that the PLHCP explains the results of the examination to the employee within 30 days of the examination. Also, the employer is require to obtain a written medical opinion from the CBD diagnostic center within 30 days of the medical examination and ensure that each employee receives a copy of the written medical opinion from the CBD diagnostic center within 30 days of any medical examination performed for that employee.

In paragraph (m)(2) the employer is required to post warning signs at each approach to a regulated area. Paragraph (m)(3) requires the employer to label each bag and container of clothing, equipment, and materials contaminated with beryllium.

In paragraph (m)(4)(iv) the employer is required to make a copy of this standard and its appendices readily available at no cost to each employee and designated employee representative(s).

Under paragraph (n) recordkeeping, the employer is required to make and maintain records for the air monitoring data, objective data, medical surveillance, and training. Access to these records must be made available upon request for examination and copying to the Assistant Secretary, the Director, each employee, and each employee's designated representative(s) in accordance the Records Access standard (29 CFR 1910.1020).

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other

technological information collection and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extends approval of the information collection requirements contained in the Beryllium Standards for General Industry (29 CFR part 1910.1024), Construction (29 CFR 1926.1124), Maritime (29 CFR 1915.1024). OSHA is proposing that the burden hours and cost for material and maintenance remain the same. The agency will summarize the comments submitted in response to this notice and will include this summary in the request to OMB.

Type of Review: Extension of a currently approved collection.

Title: Beryllium Standards for General Industry (29 CFR part 1910.1024), Construction (29 CFR 1926.1124), Maritime (29 CFR 1915.1024).

OMB Number: 1218–0267.

Affected Public: Business or other for-profits; Federal Government; State, Local, or Tribal Government.

Number of Respondents: 5,872.

Frequence of Response: On occasion.

Average Time per Response: Various.

Estimated Total Burden Hours: 194,261.

Estimated Cost (Operation and Maintenance): $46,158,266.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal; (2) by facsimile (FAX); or (3) by hard copy. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (Docket No. OSHA–2019–0010). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627).

Comments and submissions are posted without change at *http://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth. Although all submissions are listed in the *http://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *http://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link. Contact the OSHA Docket Office for information about materials not available through the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Loren Sweatt, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1–2012 (77 FR 3912).

Signed at Washington, DC, on January 28, 2020.

Loren Sweatt,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2020–02000 Filed 1–31–20; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (20–008)]

Notice of Intent To Grant Exclusive License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant exclusive patent license.

SUMMARY: NASA hereby gives notice of its intent to grant an exclusive patent license in the United States to practice the inventions set forth below (see, **SUPPLEMENTARY INFORMATION**) to Oerlikon Metco (US) Inc., having its principal place of business in Westbury, New York. The fields of use may be limited to power generation and aerospace. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

DATES: The prospective exclusive license may be granted unless, no later than February 18, 2020, NASA receives written objections including evidence and argument that establish that the grant of the license would not be consistent with the requirements regarding the licensing of federally owned inventions as set forth in the Bayh-Dole Act and implementing regulations. Competing applications completed and received by NASA no later than February 18, 2020 will also be treated as objections to the grant of the contemplated exclusive license. Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act.

ADDRESSES: Objections relating to the prospective license may be submitted to Patent Counsel, Office of Chief Counsel, MS 142–7, NASA Glenn Research Center, 21000 Brookpark Rd., Cleveland, OH 44135. Phone (216) 433–3663. Facsimile (216) 433–6790.

FOR FURTHER INFORMATION CONTACT: Robert Earp, Patent Counsel, Office of Chief Counsel, MS 142–7, NASA Glenn Research Center, 21000 Brookpark Rd., Cleveland, OH 44135. Phone (216) 433–3663. Facsimile (216) 433–6790.

SUPPLEMENTARY INFORMATION: The inventions NASA intends to exclusively license to Oerlikon Metco (US) Inc. are the inventions described and claimed in U.S. Patent Application Serial Number 13/923,450 entitled ''Advanced High Temperature and Fatigue Resistant Environmental Barrier Coating Bond Coat Systems for SiC/SiC Ceramic Matrix Composites,'' LEW–18949–1; U.S. Patent Application Serial Number 15/582,874 entitled ''Advanced High Temperature Environmental Barrier Coating Systems for SiC/SiC Ceramic Matrix Composites,'' LEW–18949–2; U.S. Patent Application Serial Number 15/625,277 entitled ''Advanced High Temperature Environment Barrier Coatings for SiC/SiC Ceramic Matrix Composites,'' LEW–19435–1; U.S. Patent Application Serial Number 15/713,821 entitled ''Ultra High Temperature Ceramic Coatings and Ceramic Matrix Composite Systems,'' LEW–19456–1; U.S. Patent Application Serial Number 15/824,036 entitled ''Calcium-Magnesium-Aluminosilicate (CMAS) Resistant Thermal and Environmental Barrier Coatings,'' LEW–19512–1; U.S. Patent Application Serial Number 15/882,435 entitled ''Multi-Component High Stability Environmental Barrier Coatings For SiC/

SiC Ceramic Matrix Composites,'' LEW–19595–1; U.S. Patent Application Serial Number 15/935,501 entitled ''High Temperature Compositionally Graded Ceramic Matrix Composites and Methods of Making and Using the Same,'' LEW–19610–1; and, U.S. Patent Application Serial Number 62/854,355 entitled ''Visco-Elastic, Durable Environmental Barrier Coatings For SiC/SiC Ceramic Matrix Composites and The Method of Producing the Same,'' LEW–19842–1, to Oerlikon Metco (US) Inc., having its principal place of business in Westbury, New York. The fields of use may be limited to power generation and aerospace.

This notice of intent to grant an exclusive patent license is issued in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i). The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective exclusive license will comply with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Information about other NASA inventions available for licensing can be found online at http://technology.nasa.gov.

Cheryl Parker,

Federal Register Liaison Officer.

[FR Doc. 2020–01884 Filed 1–31–20; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m., Thursday, February 6, 2020.

PLACE: Board Room, 7th Floor, Room 7053, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

MATTERS TO BE CONSIDERED: 1. Supervisory Matter. Closed pursuant to Exemptions (8), (9)(i)(B), and (9)(ii).

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2020–02126 Filed 1–30–20; 4:15 pm]

BILLING CODE 7535–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for International Science and Engineering, 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 Office of International Science and Engineering—PIRE-Sustainable Communities & Gold Supply Chains: Integrating Responsible Engineering & Local Knowledge to Design, Implement & Evaluate Sustainable Artisanal Mining in Latin America (10749)—Reverse Site Visit.

DATE AND TIME: February 27, 2020; 8 a.m.–5 p.m.

PLACE: National Science Foundation, 2415 Eisenhower Avenue, Room E 3350, Alexandria, VA 22314.

TYPE OF MEETING: Part open.

CONTACT PERSON: Maija Kukla, PIRE Program Manager, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone 703/292–7250.

PURPOSE OF MEETING: NSF reverse site visit to conduct a review during year 3 of the five-year award period. To conduct an in-depth evaluation of performance, to assess progress towards goals, and to provide recommendations.

AGENDA: See attached.

REASON FOR CLOSING: Topics to be discussed and evaluated during closed portions of the reverse 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 29, 2020.

Crystal Robinson,

Committee Management Officer.

Partnerships for International Research and Education (PIRE) Reverse Site Visit Agenda

Date: Thursday, February 27, 2020

8:00 a.m. Panelists arrive. Coffee/light refreshments available.
8:15 a.m.–8:45 a.m. Panel Orientation (CLOSED)
PIRE Rationale and Goals
Charge to Panel
8:45 a.m. PIs Arrive/Introductions
9:00 a.m.–11:00 a.m. PIRE Project Presentation
Overview of the Project and Project Management (Lucena)
Research Accomplishments and Impacts to Date (Smits and Schwartz)
Benefits of International Partnerships (Lucena and Roos)
Integrating Research and Education (Smits, Schwartz and Phelan)
Educational Impact on Students (Phelan, Schwartz and Roberts)
Research Plan and Future Activities to Achieve the Projects Goals (Lucena, Smits and Phelan)
11:00 a.m.–11:30 a.m. Questions and Answers
12:00 p.m.–1:30 p.m. Working Lunch—Panel Discussion—(CLOSED)
1:30 p.m.–2:00 p.m. Student recruitment (Lucena, Smits and Phelan)
Diversity (Roos)
Communication and Outreach (Lucena)
Evaluation and Assessment (Roos)
Institutional Support (Lucena, Smits and Phelan)
2:00 p.m.–3:00 p.m. Initial Feedback to the PIRE Project Team (CLOSED)
3:00 p.m. PIRE Project Team is dismissed
3:00 p.m.–4:30pm Panel Meets to Prepare Reverse Site Visit Report (CLOSED)
4:30 p.m.–4:45 p.m. Panel Meets with NSF Staff to Discuss the Report (CLOSED)
5:00 p.m. End of Reverse Site Visit

[FR Doc. 2020–01943 Filed 1–31–20; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for International Science and Engineering; 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 Office of International Science and Engineering—PIRE: Advanced Germanium Detectors and Technologies for Underground Physics (10749) Reverse Site Visit.

DATE AND TIME: February 28, 2020; 8 a.m.–5 p.m.

PLACE: National Science Foundation, 2415 Eisenhower Avenue, Room 3350, Alexandria, VA 22314.

TYPE OF MEETING: Part open.

CONTACT PERSON: Maija Kukla, PIRE Program Manager, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone 703/292–7250.

PURPOSE OF MEETING: NSF reverse site visit to conduct a review during year 3

of the five-year award period. To conduct an in-depth evaluation of performance, to assess progress towards goals, and to provide recommendations.

AGENDA: See attached.

REASON FOR CLOSING: Topics to be discussed and evaluated during closed portions of the reverse 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 29, 2020.

Crystal Robinson,

Committee Management Officer.

Partnerships for International Research and Education (PIRE)

Reverse Site Visit Agenda

Date: Friday, February 28, 2020

8:00 a.m. Panelists arrive. Coffee/light refreshments available.

8:15 a.m.–8:45 a.m. Panel Orientation (CLOSED)

PIRE Rationale and Goals

Charge to Panel

8:45 a.m. PIs Arrive/Introductions

9:00 a.m.–11:00 a.m. PIRE Project Presentation

Overview of the Project and Project Management

Research Accomplishments and Impacts to Date

Benefits of International Partnerships

Integrating Research and Education

Educational Impact on Students

Research Plan and Future Activities to Achieve the Projects Goals

11:00 a.m.–11:30 a.m. Questions and Answers

12:00 p.m.–1:30 p.m. Working Lunch—Panel Discussion—(CLOSED)

1:30 p.m.–2:00 p.m. Student recruitment

Diversity

Communication and Outreach

Evaluation and Assessment

Institutional Support

2:00 p.m.–3:00 p.m. Initial Feedback to the PIRE Project Team (CLOSED)

3:00 p.m. PIRE Project Team is dismissed

3:00 p.m.–4:30 p.m. Panel Meets to Prepare Reverse Site Visit Report (CLOSED)

4:30 p.m.–4:45 p.m. Panel Meets with NSF Staff to Discuss the Report (CLOSED)

5:00 p.m. End of Reverse Site Visit

[FR Doc. 2020–01944 Filed 1–31–20; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2020–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of February 3, 10, 17, 24, March 2, 9, 2020.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public.

Week of February 3, 2020

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)

Week of March 9, 2020—Tentative

There are no meetings scheduled for the week of March 9, 2020.

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 29th day of January 2020.

For the Nuclear Regulatory Commission.

Denise L. McGovern,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2020–02076 Filed 1–30–20; 11:15 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2019–0136]

Information Collection: Requests to Federally Recognized Indian Tribes for Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a proposed collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, ''Requests to Federally Recognized Indian Tribes for Information.''

DATES: Submit comments by March 4, 2020. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: Submit comments directly to the OMB reviewer at: OMB Office of Information and Regulatory Affairs (NRC–2019–0136), Attn: Desk Officer for the Nuclear Regulatory Commission, 725 17th Street NW, Washington, DC 20503; email: *oira_submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *INFOCOLLECTS.Resource@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2019–0136 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–2019–0136. A copy of the collection of information may be obtained without charge by accessing Docket ID NRC–2019–0136 on this website.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The supporting statement is available in ADAMS under Accession No. ML19350A232.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.
- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *INFOCOLLECTS.Resource@NRC.GOV.*

B. Submitting Comments

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at *http://www.regulations.gov* and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a proposed collection of information to OMB for review entitled, ''Requests to Federally Recognized Indian Tribes for Information.'' The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on October 7, 2019 (84 FR 53479).

1. *The title of the information collection:* Requests to Federally Recognized Indian Tribes for Information.
2. *OMB approval number:* An OMB control number has not yet been assigned to this proposed information collection.
3. *Type of submission:* New.
4. *The form number if applicable:* Not Applicable.
5. *How often the collection is required or requested:* On occasion.
6. *Who will be required or asked to respond:* Federally recognized Indian Tribes.
7. *The estimated number of annual responses:* 600.
8. *The estimated number of annual respondents:* 40.
9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 4,800 (14,400 over the course of the three-year clearance period).
10. *Abstract:* NRC actions and NRC-regulated activities may affect Indian Tribes and their current or ancestral Tribal lands. On January 9, 2017, the NRC published a Tribal Policy Statement (82 FR 2402). In its Tribal Policy Statement, the NRC indicted that it recognizes the Federal Trust Relationship with Indian Tribes and will uphold its Trust Responsibility to Indian Tribes. In its policy statement, the NRC indicated that it recognizes and is committed to a government-to-government relationship with Indian Tribes. The NRC also indicated that it will engage in timely consultations with Indian Tribes. The NRC is requesting OMB approval of a plan for a generic collection of information. The need and practicality of the collection can be evaluated, but the details of the specific individual collections will not be known until a later time. The information collected will include voluntary requests for information that would allow the NRC to more effectively involve Indian Tribes in the NRC's regulatory activities and to enable the NRC to plan the NRC's Tribal outreach and consultation activities.

Dated at Rockville, Maryland, this 29th day of January 2020.

For the Nuclear Regulatory Commission.

David C. Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2020–02008 Filed 1–31–20; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52–025 and 52–026; NRC–2008–0252]

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Inspections, Tests, Analyses, and Acceptance Criteria

AGENCY: Nuclear Regulatory Commission.

ACTION: Determination of the successful completion of inspections, tests, and analyses.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) staff has determined that specified inspections, tests, and analyses have been successfully completed, and that specified acceptance criteria are met for the Vogtle Electric Generating Plant (VEGP), Units 3 and 4.

DATES: Determinations of the successful completion of inspections, tests, and analyses for VEGP Units 3 and 4 are effective on the dates indicated in the NRC staff's verification evaluation forms for the inspections, tests, analyses, and acceptance criteria (ITAAC).

ADDRESSES: Please refer to Docket ID NRC–2008–0252 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov/* and search for Docket ID NRC–2008–0252. Address questions about NRC docket IDs 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.

• *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 in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

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

FOR FURTHER INFORMATION CONTACT: Chandu Patel, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3025; email: *Chandu.Patel@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Licensee Notification of Completion of ITAAC

Southern Nuclear Operating Company, Inc. (SNC), Georgia Power Company, Oglethorpe Power Corporation, MEAG Power SPVM, LLC., MEAG Power SPVJ, LLC., MEAG Power SPVP, LLC., and the City of Dalton, Georgia, (hereafter called the licensee) has submitted ITAAC closure notifications (ICNs) under section 52.99(c)(1) of title 10 of the *Code of Federal Regulations* (10 CFR), informing the NRC that the licensee has successfully performed the required inspections, tests, and analyses, and that the acceptance criteria are met for:

VEGP Unit 3 ITAAC

2.2.03.08c.vi.03 (191), 2.5.04.01 (556), 2.6.09.05b (645), 3.3.00.02a.ii.e (768), 2.6.03.04j (876), and 2.6.05.03i (630).

VEGP Unit 4 ITAAC

2.2.03.09a.iii (203), 2.3.05.03c.i (349), 2.3.05.03d.i (351), 2.6.09.05b (645), 3.3.00.06b (788), and 2.6.03.04j (876).

The ITAAC for VEGP Unit 3 are in Appendix C of the VEGP Unit 3 combined license (ADAMS Accession No. ML14100A106). The ITAAC for VEGP Unit 4 are in Appendix C of VEGP Unit 4 combined license (ADAMS Accession No. ML14100A135).

II. Licensee ITAAC Post-Closure Notifications (IPCNs)

Since the last **Federal Register** notice of the NRC staff's determinations of successful completion of inspections, tests, and analyses for VEGP Units 3 and 4 (October 15, 2019; 84 FR 55183), the NRC staff has not made additional determinations of the successful completion of inspections, tests, and analyses based on licensee IPCNs submitted under 10 CFR 52.99(c)(2).

III. NRC Staff Determination of Completion of ITAAC

The NRC staff has determined that the specified inspections, tests, and analyses have been successfully completed, and that the specified acceptance criteria are met. The documentation of the NRC staff's determination is in the ITAAC Closure Verification Evaluation Form (VEF) for each ITAAC. The VEF is a form that represents the NRC staff's structured process for reviewing ICNs and IPCNs.

Each ICN presents a narrative description of how the ITAAC was completed. The NRC's ICN review process involves a determination on whether, among other things: (1) Each ICN provides sufficient information, including a summary of the methodology used to perform the ITAAC, to demonstrate that the inspections, tests, and analyses have been successfully completed; (2) each ICN provides sufficient information to demonstrate that the acceptance criteria of the ITAAC are met; and (3) any NRC inspections for the ITAAC have been completed and any ITAAC findings associated with that ITAAC have been closed. The NRC's review process for IPCNs is similar to that for ICNs but focuses on how the licensee addressed the new material information giving rise to the IPCN.

The NRC staff's determination of the successful completion of these ITAAC is based on information available at this time and is subject to the licensee's ability to maintain the condition that the acceptance criteria are met. If the NRC staff receives new information that suggests the NRC staff's determination on any of these ITAAC is incorrect, then the NRC staff will determine whether to reopen that ITAAC (including withdrawing the NRC staff's determination on that ITAAC). The NRC staff's determination will be used to support a subsequent finding, pursuant to 10 CFR 52.103(g), at the end of construction that all acceptance criteria in the combined license are met. The ITAAC closure process is not finalized for these ITAAC until the NRC makes an affirmative finding under 10 CFR 52.103(g). Any future updates to the status of these ITAAC will be reflected on the NRC's website at *https://www.nrc.gov/reactors/new-reactors/oversight/itaac.html.*

This notice fulfills the NRC staff's obligations under 10 CFR 52.99(e)(1) to publish a notice in the **Federal Register** of the NRC staff's determination of the successful completion of inspections, tests, and analyses.

Vogtle Electric Generating Plant Unit 3, Docket No. 5200025

A complete list of the review status for VEGP Unit 3 ITAAC, including the submission date and ADAMS Accession Number for each ICN received, the ADAMS Accession Number for each VEF, and the ADAMS Accession Numbers for the inspection reports associated with these specific ITAAC, can be found on the NRC's website at *https://www.nrc.gov/reactors/new-reactors/new-licensing-files/vog3-icnsr.pdf.*

Vogtle Electric Generating Plant Unit 4, Docket No. 5200026

A complete list of the review status for VEGP Unit 4 ITAAC, including the submission date and ADAMS accession number for each ICN and IPCN received, the ADAMS accession number for each VEF, and the ADAMS accession numbers for the inspection reports associated with these specific ITAAC, can be found on the NRC's website at *https://www.nrc.gov/reactors/new-reactors/new-licensing-files/vog4-icnsr.pdf.*

Dated at Rockville, Maryland, this 28th day of January 2020.

For the Nuclear Regulatory Commission.

Victor E. Hall,

Chief, Vogtle Project Office, Office of Nuclear Reactor Regulation.

[FR Doc. 2020–01921 Filed 1–31–20; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission Small Business Capital Formation Advisory Committee on Small and Emerging Companies will hold a public meeting on Tuesday February 4, 2020, in Multi-Purpose

Room LL–006 at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

PLACE: The meeting will begin at 9:30 a.m. (ET) and will be open to the public. Seating will be on a first-come, first-served basis. Doors will open at 9:00 a.m. Visitors will be subject to security checks. The meeting will be webcast on the Commission's website at *www.sec.gov.*

STATUS: On January 22, 2020, the Commission published notice of the Committee meeting (Release No. 33–10747), indicating that the meeting is open to the public and inviting the public to submit written comments to the Committee. This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

MATTER TO BE CONSIDERED: The agenda for the meeting includes matters relating to rules and regulations affecting small and emerging companies under the federal securities laws.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact the Office of the Secretary at (202) 551–5400.

Dated: January 29, 2020.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2020–02055 Filed 1–30–20; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88056; File No. SR–NASDAQ–2020–004]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Clarify the Term "Closing Price" in Rule 5635(d)(1)(A) Relating to Shareholder Approval for Transactions Other Than Public Offerings

January 28, 2020.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on January 15, 2020, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to clarify Rule 5635(d)(1)(A) without changing its substance. The text of the proposed rule change is set forth below. Proposed new language is in italics; deleted text is in brackets.

* * * * *

The Nasdaq Stock Market LLC Rules

* * * * *

5635. Shareholder Approval

This Rule sets forth the circumstances under which shareholder approval is required prior to an issuance of securities in connection with: (i) the acquisition of the stock or assets of another company; (ii) equity-based compensation of officers, directors, employees or consultants; (iii) a change of control; and (iv) transactions other than public offerings. General provisions relating to shareholder approval are set forth in Rule 5635(e), and the financial viability exception to the shareholder approval requirement is set forth in Rule 5635(f). Nasdaq-listed Companies and their representatives are encouraged to use the interpretative letter process described in Rule 5602.

(a) No change.

(b) No change.

(c) No change.

IM–5635–1. No change.

(d) Transactions other than Public Offerings

(1) For purposes of this Rule 5635(d):

(A) ''Minimum Price'' means a price that is the lower of: (i) the *Nasdaq Official Closing Price* [closing price] (as reflected on Nasdaq.com) immediately preceding the signing of the binding agreement; or (ii) the average *Nasdaq Official Closing Price* [closing price] of the common stock (as reflected on Nasdaq.com) for the five trading days immediately preceding the signing of the binding agreement.

(B) No change.

(2) No change.

IM–5635–2. No change.

IM–5635–3. No change.

(e) No change.

(f) No change.

IM–5635–4. No change.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

On September 26, 2018, the Exchange amended Rule 5635(d)(1)(A) to change the definition of market value for purposes of the shareholder approval rule and eliminate the requirement for shareholder approval of issuances at a price less than book value but greater than market value (the ''Amendment'').[3] As revised, Rule 5635(d) requires a Nasdaq-listed company to obtain shareholder approval prior to the issuance of securities in connection with a transaction other than a public offering[4] involving the sale, issuance or potential issuance by the company of common stock (or securities convertible into or exercisable for common stock), which alone or together with sales by officers, directors or Substantial Shareholders[5] of the company, equals 20% or more of the common stock or 20% or more of the voting power outstanding before the issuance (a ''20% Issuance'') at a price that is less than the Minimum Price. Rule 5635(d)(1)(A) defines ''Minimum Price'' as a price that is the lower of: (i) The closing price (as reflected on *Nasdaq.com*) immediately preceding the signing of the binding agreement; or (ii) the average closing price of the common stock (as reflected on Nasdaq.com) for the five trading days immediately preceding the signing of the binding agreement.

Prior to the Amendment, shareholder approval was required for a 20% Issuance at a price less than the greater of book or market value.[6] In the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 84287 (September 26, 2018), 83 FR 49599 (October 2, 2018) (approving SR-Nasdaq-2018–008) (the ''Approval Order'').

[4] *See* Nasdaq Rule IM–5635–3 (Definition of a Public Offering).

[5] An interest consisting of less than either 5% of the number of shares of common stock or 5% of the voting power outstanding of a Company or party will not be considered a substantial interest or cause the holder of such interest to be regarded as a ''Substantial Shareholder.'' *See* Nasdaq Rule 5635(e)(3).

[6] ''Market value'' is defined in Nasdaq Rule 5005(a)(23) as the consolidated closing bid price

Continued

Exchange's proposal to use the closing price reported on Nasdaq.com, rather than the market value, the Exchange explained that ''[t]he closing price reported on Nasdaq.com is the Nasdaq Official Closing Price, which is derived from the closing auction on Nasdaq and reflects actual sale prices at one of the most liquid times of the day.'' [7] At the time, Nasdaq believed that ''codify[ing] within the rule that Nasdaq.com is the appropriate source of the closing price information'' would ''assure that companies and investors use the Nasdaq Official Closing Price when pricing transactions.'' [8] However, Rule 5635(d)(1)(A) does not specify that the closing price refers to the Nasdaq Official Closing Price, which may create confusion. Nasdaq proposes to amend Rule 5635(d)(1)(A) to revise ''closing price (as reflected on Nasdaq.com)'' to ''Nasdaq Official Closing Price (as reflected on Nasdaq.com).'' [9] The Exchange believes that this change will reflect the Exchange's original intention in adopting the Amendment.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[10] in general, and furthers the objectives of Section 6(b)(5) of the Act,[11] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by eliminating potential confusion and enhancing clarity and transparency in its rules. The proposal is consistent with the Exchange's original intent as approved by the Commission and does not have any substantive effect on the rule.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is designed to more clearly describe the current operation and original intent of an existing rule without changing its substance and, therefore, Nasdaq believes that the proposed change will not impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and Rule 19b–4(f)(6) thereunder.[13]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act [14] normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii) [15] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that Rule 5635(d)(1)(A) may be amended to reflect the Exchange's original intent and reduce potential confusion for companies and investors.

The Commission believes that waiver of the operative delay should, as noted by Nasdaq, help to avoid potential confusion for investors and listed companies. The Commission further notes that the current proposal is consistent with Nasdaq's original proposal to adopt the current rule language.[16] For these reasons, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the operative delay and designates the proposal as operative upon filing.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2020–004 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–NASDAQ–2020–004. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the

multiplied by the measure to be valued (*e.g.,* a company's market value of publicly held shares is equal to the consolidated closing bid price multiplied by a company's publicly held shares). *See* Nasdaq Rule 5005(a)(23).

[7] *See* Securities Exchange Act Release No. 82702 (February 13, 2018), 83 FR 7269 (February 20, 2018) at 7270. *See also* Approval Order at 49602 (''the proposal to use the Nasdaq Official Closing Price for purposes of market value should help to ensure transparency to investors in calculating market value for purposes of the rule.'').

[8] *Id.*

[9] *See* Nasdaq Rule 4754(b)(4) (''All orders executed in the Nasdaq Closing Cross will be executed at the Nasdaq Closing Cross price, trade reported anonymously, and disseminated via the consolidated tape. The Nasdaq Closing Cross price will be the Nasdaq Official Closing Price for stocks that participate in the Nasdaq Closing Cross. Fifteen minutes after the close of trading, Nasdaq will disseminate via the network processor a trade message setting the Nasdaq Official Closing Price as the official Consolidated Last Sale Price in each Nasdaq-listed security in which one round lot or more is executed in the Nasdaq Closing Cross where the closing price differs from the Consolidated Last Sale Price.'').

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] *See supra* note 7 and accompanying text.

[17] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2020–004 and should be submitted on or before February 24, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–01912 Filed 1–31–20; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88058; File No. SR–NYSE–2020–04]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 104(f)(5) To Extend the Operative Date of the Requirements of Rules 104(f)(2) and (3) to Exchange Traded Products

January 28, 2020.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on January 17, 2020, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 104(f)(5) to extend the operative date of the requirements of Rules 104(f)(2) and (3) to Exchange Traded Products (''ETPs'') to no later than eighteen weeks after ETPs listed on the Exchange pursuant to Rules 5P and 8P begin trading. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 104(f)(5) to extend the operative date of the requirements of Rules 104(f)(2) and (3) to ETPs to no later than eighteen weeks after ETPs listed on the Exchange pursuant to Rules 5P and 8P begin trading.

Rule 104(f) imposes an affirmative obligation on Designated Market Makers (''DMM'') to maintain, insofar as reasonably practicable, a fair and orderly market on the Exchange in assigned securities, including maintaining price continuity with reasonable depth and trading for the DMM's own account when lack of price continuity, lack of depth, or disparity between supply and demand exists or is reasonably to be anticipated. The Exchange supplies DMMs with suggested Depth Guidelines for each security in which a DMM is registered, and DMMs are expected to quote and trade with reference to those Depth Guidelines.[4]

The Exchange amended Rule 104 to specify DMM requirements for ETPs listed on the Exchange pursuant to Rules 5P and 8P.[5] In that filing, the Exchange added subsection (5) to Rule 104(f) providing that, for those ETPs in which they are registered, DMM units are responsible for the affirmative obligation of maintaining a fair and orderly market, including maintaining price continuity with reasonable depth for their registered ETPs in accordance with Depth Guidelines published by the Exchange. To provide the Exchange time to collect trading data adequate to calculate appropriate Depth Guidelines for listed ETPs, the Exchange proposed that Rule 104(f)(2) and (3) would not be operative until eighteen weeks after the approval of the proposed rule change by the Commission.[6] The Commission approved the rule filing on September 23, 2019. Rules 104(f)(2) and (3) would accordingly be operative for ETPs on January 27, 2020.

To date, no ETPs have listed on the Exchange. In order to provide the Exchange with adequate time to calculate the appropriate Depth Guidelines for ETPs based on actual trading data, the Exchange proposes to specify in Rule 104(f)(5) that the outside date for the requirements Rule 104(f)(2) and (3) to be operative with respect to ETPs would be no later than eighteen weeks after ETPs listed on the Exchange pursuant to Rules 5P and 8P begin trading.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Sections 6(b)(5) of the Act,[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to, and perfect the mechanisms of, a free and open market and a national market system and, in general, to protect investors and the public interest and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that delaying implementation of Depth Guidelines no later than eighteen weeks after ETPs listed on the Exchange pursuant to Rules 5P and 8P begin trading would remove impediments to

[18] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Rule 104(f)(3).

[5] *See* Securities Exchange Act Release No. 87056 (September 23, 2019), 84 FR 51205 (September 27, 2019) (SR–NYSE–2019–34).

[6] *See id.,* 84 FR at 51207.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

and perfect the mechanism of a free and open market and a national market system by allowing the Exchange time to develop Depth Guidelines tailored for how ETPs actually trade on the Exchange, thereby facilitating market making by DMMs in listed ETPs and maintaining the Exchange's current structure to trade listed securities. The proposed rule change is therefore consistent with the existing delayed implementation of Depth Guidelines. Because the purpose of the original delayed implementation was to provide time to develop Depth Guidelines tailored for how ETPs listed on the Exchange would trade, the Exchange believes that beginning the delayed implementation period from the start of trading of ETPs listed under Rules 5P and 8P would serve the same goal, which is to provide time for the Exchange to develop Depth Guidelines tailored for how ETPs listed on the Exchange will trade.

The Exchange further believes that the proposal would not be inconsistent with the public interest and the protection of investors. The proposal would not eliminate or reduce the Rule 104 requirements applicable to DMMs trading ETPs on the Exchange that transactions be effected in a reasonable and orderly manner in relation to the condition of the general market and the market in the particular stock. Rather, the Exchange proposes that implementation of these obligations would be delayed no later than eighteen weeks following the start of ETP trading so that the Exchange can calculate Depth Guidelines based on actual trading data. As noted, the Exchange believes that delayed implementation of Depth Guidelines will allow it to develop more appropriately tailored guidelines that should improve the DMM units' ability to maintain a fair and orderly market and also the broader market for those securities here on the Exchange and on other markets.[9]

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[10] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed change would promote competition by facilitating the trading of Exchange-listed ETPs by DMMs and promoting the display of liquidity on an exchange, which would benefit all market participants, which would enable the Exchange to further compete with unaffiliated exchange competitors that also trade ETPs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[11] and Rule 19b–4(f)(6) thereunder.[12] Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[13] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2020–04 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–NYSE–2020–04. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions.

You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2020–04 and should be submitted on or before February 24, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–01909 Filed 1–31–20; 8:45 am]

BILLING CODE 8011–01–P

[9] *See* Securities Exchange Act Release Nos. 62479 (July 9, 2010), 75 FR 41264, 41265 (July 15, 2010) (SR–NYSEAmex–2010–31).

[10] 15 U.S.C. 78f(b)(8).

[11] 15 U.S.C. 78s(b)(3)(A)(iii).

[12] 17 CFR 240.19b–4(f)(6).

[13] 15 U.S.C. 78s(b)(2)(B).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88064; File No. SR–ICC–2019–010]

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Partial Amendment No. 2 to Proposed Rule Change Relating to Amendments to the ICC Clearing Rules To Address Non-Default Losses

January 28, 2020.

On August 8, 2019, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend ICC's Clearing Rules (the ''Rules'') to address treatment of losses not related to a Clearing Participant default. The proposed rule change was published for comment in the **Federal Register** on August 28, 2019.[3] On October 4, 2019, the Commission designated a longer period of time for Commission action on the proposed rule change until November 26, 2019.[4] On October 7, 2019, ICC filed a partial amendment (''Partial Amendment No. 1'') to modify the proposed rule change.[5] On November 25, 2019, the Commission published notice of Partial Amendment No. 1, solicited comments from interested persons on the proposed rule change as modified by Partial Amendment No. 1, and instituted proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change as modified by Partial Amendment No. 1.[7] On January 24, 2020, ICC filed Partial Amendment No. 2 to the proposed rule change.

Pursuant to Section 19(b)(1) of the Act[8] and Rule 19b–4 thereunder[9] the Commission is publishing notice of Partial Amendment No. 2 to the proposed rule change as described in Items I and II below, which Items have been prepared by ICC. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Partial Amendments No. 1 and No. 2, from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of Partial Amendment No. 2 to the Proposed Rule Change

ICC is filing this Partial Amendment No. 2 to SR–ICC–2019–010 (the ''Filing'') to make certain clarifications related to the allocation of Investment Losses.[10] With this Partial Amendment No. 2, ICC is including Exhibit 4, which reflects changes to the text of the proposed rule change pursuant to this Partial Amendment No. 2, and Exhibit 5, which reflects all proposed changes to the current rule text, as amended by this Partial Amendment No. 2. This Partial Amendment No. 2 makes the following changes to the Filing: (1) It specifies that the allocation of Investment Losses is limited to Investing Participants in the case of Investment Losses in the client origin account and (2) it clarifies that Investment Losses would be determined separately for the house account and client origin account.

In this Partial Amendment No. 2, ICC proposes new term ''Investing Participant'' in Rule 102. An Investing Participant would be defined in Rule 402(k) as a Participant that has instructed ICC to invest cash Initial Margin provided by it in respect of its client origin account. The incorporation of this term clarifies that, in the case of an Investment Loss in the client origin account, the obligation to pay an Investment Loss Contribution is in respect of Investing Participants under the proposed approach.

Additionally, ICC proposes in this Partial Amendment No. 2 that Investment Losses would be determined separately for the house account and client origin account. In the event the Investment Loss Resources were insufficient to cover the Investment Loss (an ''Investment Loss Shortfall''), ICC would have the right, under Rule 811(d), to allocate the Investment Loss Shortfall to Participants (including any Defaulting Participants). In the case of an Investment Loss in the house account, each Participant would be obligated to make a contribution (an ''Investment Loss Contribution''), based on its pro rata share of the Investment Loss Shortfall, determined based on the proportion of its aggregate Initial Margin (both house and customer) and General Guaranty Fund contributions (its ''Participant IM/GF Contribution'') as compared to the aggregate Participant IM/GF Contributions for all Participants. For example, in the case of an Investment Loss Shortfall of 3,000 units in the house account, each Participants is obligated make an Investment Loss Contribution. Assuming the aggregate Participant IM/GF Contributions for all Participants is 525,000 units and Participant ''ABC'' has a Participant IM/GF Contribution of 26,250 (5%), Investing Participant ''ABC'' has an Investment Loss Contribution of 150 units (5% of the Investment Loss Shortfall).

In the case of an Investment Loss in the client origin account, each Investing Participant would be obligated to pay an Investment Loss Contribution equal to its pro rata share of the Investment Loss Shortfall, determined based on the proportion of its Participant IM/GF Contribution to the aggregate Participant IM/GF Contributions of all Investing Participants. For example, in the case of an Investment Loss Shortfall of 3,000 units in the client origin account where only 27 of 29 Participants are Investing Participants, only 27 Investing Participants are obligated make an Investment Loss Contribution. Assuming the aggregate Participant IM/GF Contributions of all Investing Participants is 500,000 units and Investing Participant ''XYZ'' has a Participant IM/GF Contribution of 20,000 (4%), Investing Participant ''XYZ'' has an Investment Loss Contribution of 120 units (4% of the Investment Loss Shortfall). Whether a Participant is an Investing Participant would be determined as of the time immediately prior to the Investment Loss. In the case of simultaneous Investment Losses for the house account and client origin account, available Investment Loss Resources would be applied pro rata based on the amount of such Investment Losses.

The proposed approach in the Filing mutualizes Investment Losses across Participants, in these remote loss scenarios where such losses exceed applicable ICC resources allocated to such losses. This Amendment No. 2 further clarifies that, with respect to the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Self-Regulatory Organizations; ICE Clear Credit LLC; Proposed Rule Change, Security-Based Swap Submission, or Advance Notice Relating to the ICC Clearing Rules; Exchange Act Release No. 86729 (Aug. 22, 2019); 84 FR 45191 (Aug. 28, 2019) (SR–ICC–2019–010).

[4] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change Relating to Amendments to the ICC Clearing Rules To Address Non-Default Losses; Exchange Act Release No. 87225 (Oct. 4, 2019); 84 FR 54712 (Oct. 10, 2019) (SR–ICC–2019–010).

[5] In Partial Amendment No. 1 to the proposed rule change, ICC provided additional details and analyses surrounding the proposed rule change in the form of a confidential Exhibit 3.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Partial Amendment No. 1 and Order Instituting Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Change, as Modified by Partial Amendment No. 1, Relating to Amendments to the ICC Clearing Rules To Address Non-Default Losses; Exchange Act Release No. 87622 (Nov. 25, 2019); 84 FR 66041 (Dec. 2, 2019) (SR–ICC–2019–010).

[8] 15 U.S.C. 78s(b)(1).

[9] 17 CFR 240.19b–4.

[10] Capitalized terms used but not defined herein have the meanings specified in the Rules and the Filing.

client origin account, the obligation to pay an Investment Loss Contribution is in respect of Investing Participants. Even though such investment elections by Participants may shift the balances between investment assets (subject to Investment Losses) and custodial assets (subject to Custodial Losses), ICC believes that it is appropriate to limit the allocation of Investment Losses in the client origin account to Investing Participants. Moreover, ICC does not anticipate a significant amount of non-Investing Participants. In ICC's view, the amendments provide an appropriate and equitable method to allocate the loss from an extreme non-default loss scenario and will facilitate ICC's ability to allocate such loss so that it can continue clearing operations.

Additionally, ICC proposes the following clarifying revisions to the Purpose and Statutory Basis sections of the Filing in the Form 19b–4 and Exhibit 1A.

• ICC proposes to add the following text at the end of the second paragraph under ''Definition of Loss Categories'' on page 5 of the Form 19b–4 and on page 25 of Exhibit 1A: Investment Losses would be determined separately for the house account and client origin account.

• ICC proposes to add the following text at the end of the third paragraph under ''Treatment of Losses'' on page 6 of the Form 19b–4 and on page 27 of Exhibit 1A: In the case of simultaneous Investment Losses for the house account and client origin account, available Investment Loss Resources would be applied pro rata based on the amount of such Investment Losses.

• ICC proposes to amend the fourth paragraph under ''Treatment of Losses'' on page 7 of the Form 19b–4 and on page 27 of Exhibit 1A accordingly (new text is bolded and deleted text is bracketed): In the event the Investment Loss Resources were insufficient to cover the Investment Loss (an ''Investment Loss Shortfall''), ICC would have the right, under Rule 811(d), to allocate the Investment Loss Shortfall to [all] Participants (including any Defaulting Participants). In th[at]**e** case **of an Investment Loss in the house account**, each Participant would be obligated to make a contribution (an ''Investment Loss Contribution''), based on its pro rata share of the Investment Loss Shortfall, determined based on the proportion of its aggregate Initial Margin (both house and customer) and General Guaranty Fund contributions (its ''Participant IM/GF Contribution'') as compared to the aggregate Participant IM/GF Contributions for all Participants. **In the case of an Investment Loss in the client origin account, each Investing Participant (i.e., a Participant that has instructed ICC to invest cash Initial Margin provided by it in respect of its client origin account) would be obligated to pay an Investment Loss Contribution equal to its pro rata share of the Investment Loss Shortfall, determined based on the proportion of its Participant IM/GF Contribution to the aggregate Participant IM/GF Contributions of all Investing Participants**. Under Rule 811(e), the maximum contribution of a Participant for an Investment Loss Contribution in respect of any event giving rise to an Investment Loss may not exceed its Participant IM/GF Contribution. Investment Loss Contributions could only be applied to Investment Loss Shortfalls (and not Custodial Loss Shortfalls).

• ICC proposes to amend the second paragraph on page 17 of the Form 19b–4 and the third paragraph on page 37 of Exhibit 1A accordingly (new text is bolded and deleted text is bracketed): Under the amendments, losses in excess of the amount of Investment Loss Resources or Custodial Loss Resources would be shared among Participants **as set forth in Rule 811**[, proportionally based on their respective aggregate initial margin and guaranty fund contributions]. ICC has determined that the allocation of Investment Losses or Custodial Losses, as the case may be, to Participants **(which are limited to Investing Participants in the case of Investment Losses in the client origin account)** should be made proportionately based on the relative Participant IM/GF Contributions. The approach mutualizes both Investment Losses and Custodial Losses across [all] Participants, in these remote loss scenarios where such losses exceed applicable ICC resources allocated to such losses. **The approach also ensures that, with respect to the client origin account, the obligation to pay an Investment Loss Contribution is in respect of Investing Participants**. Participants may be required to make Loss Contributions that are independent of the particular mix of cash and securities provided by the Participant as margin or guaranty fund assets[, or any investment elections made by the Participant with respect to its customer origin account]. Nonetheless, ICC believes that the approach is appropriate in light of the remote nature of the potential losses, the fact that Participant margin and guaranty fund assets are invested and custodied collectively, and the practical and operational considerations that would be required for an approach that attempted to allocate losses based on a Participant's particular assets [and elections]. [In this regard, in ICC's view, individual elections by a Participant with respect to its customer origin account are unlikely to affect the overall risk of Investment Loss and Custodial Loss (and indeed, investment elections by Participants will generally only shift the balances between investment assets (subject to Investment Losses) and custodial assets (subject to Custodial Losses)). Regardless of any elections, t]**T**he balance of investments, and the particular investments made, may change on a daily (or more frequent) basis, as may the balance of assets (and types of assets) held with any individual Custodian, meaning that any attempt to allocate based on specific Participant positions would have to be done on a real-time basis. Furthermore, [all] Participant assets are held and invested on an aggregate basis (excluding Participants that have instructed ICC not to invest cash Initial Margin provided by it in respect of its client origin account) [(]such that investments cannot be allocated to particular Participants[)], and all **such** Participants receive a blended rate of return from aggregate clearing house investment activity. [As a result,] ICC does not believe it would be operationally feasible, or beneficial to Participants, to attempt to allocate Investment or Custodial Losses based on [particular investment elections made or] assets maintained by individual Participants with the clearing house on a real time basis. Instead, ICC believes it is more appropriate, in light of these operational and other considerations, to allocate Investment Losses and Custodial Losses, if any, to Participants **(which are limited to Investing Participants in the case of Investment Losses in the client origin account)** based on their respective aggregate amount of Margin and General Guaranty Fund assets at the clearing house.

II. Date of Effectives of Proposed Rule Change and Timing for Commission Action

Because the Commission instituted proceedings to determine whether to approve or disapprove the proposed rule change,[11] the Commission shall by order approve, disapprove, or designate

[11] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Partial Amendment No. 1 and Order Instituting Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Change, as Modified by Partial Amendment No. 1, Relating to Amendments to the ICC Clearing Rules To Address Non-Default Losses; Exchange Act Release No. 87622 (Nov. 25, 2019); 84 FR 66041 (Dec. 2, 2019) (SR–ICC–2019–010).

a longer period for Commission action on proceedings to determine whether to approve or disapproved the proposed rule change, as modified by Partial Amendments No. 1 and No. 2, by February 24, 2020.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as modified by Partial Amendments No. 1 and No. 2, 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–ICC–2019–010 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–ICC–2019–010. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filings will also be available for inspection and copying at the principal office of ICE Clear Credit and on ICE Clear Credit's website at *https://www.theice.com/clear-credit/regulation.* 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–ICC–2019–010 and should be submitted on or before February 18, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–01910 Filed 1–31–20; 8:45 am]

BILLING CODE 8011–01–P

[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88066; File No. SR–NYSEArca–2019–77]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the AdvisorShares Pure US Cannabis ETF Under NYSE Arca Rule 8.600–E

January 28, 2020.

On December 13, 2019, NYSE Arca, Inc. (''Exchange'') 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 list and trade shares of the AdvisorShares Pure US Cannabis ETF under NYSE Arca Rule 8.600–E. The proposed rule change was published for comment in the **Federal Register** on December 26, 2019.[3] The Commission has received no comment letters on the proposed rule change.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is February 9, 2020. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates March 25, 2020 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEArca-2019–77).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–01914 Filed 1–31–20; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 87791 (December 18, 2019), 84 FR 71057.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is publishing this notice to comply with requirements of the Paperwork Reduction Act (PRA) requires agencies to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice also allows an additional 30 days for public comments.

DATES: Submit comments on or before March 4, 2020.

ADDRESSES: Comments should refer to the information collection by name and/or OMB Control Number and should be sent to: *Agency Clearance Officer,* Curtis Rich, Small Business Administration, 409 3rd Street SW, 5th Floor, Washington, DC 20416; and *SBA Desk Officer,* Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Curtis Rich, Agency Clearance Officer, (202) 205–7030, *curtis.rich@sba.gov.*

Copies: A copy of the Form OMB 83–1, supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

SUPPLEMENTARY INFORMATION: The information on SBA Form 480, Size Status Declaration, is collected from small business investment companies (SBICs) and the small businesses that receive assistance from SBICs. SBA uses the information to determine whether SBIC assistance is provided only to small business concerns as defined in the Small Business Investment Act of 1958 and in SBA size regulations. Without this information, businesses that exceed SBA's size standards could benefit from program resources intended only for small businesses.

Solicitation of Public Comments

Title: Size Status Declaration.
Description of Respondents: Small Business Investment.
Form Number: 480.
Estimated Annual Responses: 1,350.
Estimated Annual Hour Burden: 225.

Curtis Rich,
Management Analyst.

[FR Doc. 2020–01929 Filed 1–31–20; 8:45 am]

BILLING CODE 8026–03–P

DEPARTMENT OF STATE

[Public Notice: 11017]

Foreign Affairs Policy Board Meeting Notice; Closed Meeting

In accordance with the Federal Advisory Committee Act, 5 U.S.C. App., the Department of State announces a meeting of the Foreign Affairs Policy Board to take place on March 2, 2020, at the Department of State, Washington, DC.

The Foreign Affairs Policy Board reviews and assesses: (1) Global threats and opportunities; (2) trends that implicate core national security interests; (3) technology tools needed to advance the State Department's mission; and (4) priorities and strategic frameworks for U.S. foreign policy. Pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App 10(d), and 5 U.S.C. 552b(c)(1), it has been determined that this meeting will be closed to the public as the Board will be reviewing and discussing matters properly classified in accordance with Executive Order 13526.

For more information, contact Duncan Walker at (202) 647–2236.

Duncan H. Walker,
Designated Federal Officer, Department of State.

[FR Doc. 2020–01930 Filed 1–31–20; 8:45 am]

BILLING CODE 4710–10–P

DEPARTMENT OF STATE

[Public Notice:11018]

Covered Claims Under the Promoting Security and Justice for Victims of Terrorism Act of 2019

ACTION: Notice of identification of method for submission of covered claims.

SUPPLEMENTARY INFORMATION: Section 903(b)(4) of the Promoting Security and Justice for Victims of Terrorism Act of 2019 (Div. J, Pub. L. 116–94) provides that it is the sense of Congress that (A) covered claims should be resolved in a manner that provides just compensation to the victims; (B) covered claims should be resolved and settled in favor of the victim to the fullest extent possible and without subjecting victims to unnecessary or protracted litigation; (C) the United States Government should take all practicable steps to facilitate the resolution and settlements of all covered claims, including engaging directly with the victims or their representatives and the Palestinian Authority and the Palestine Liberation Organization; and (D) the United States Government should strongly urge the Palestinian Authority and the Palestine Liberation Organization to commit to good-faith negotiations to resolve and settle all covered claims.

Section 903(b)(2)(A) provides that the Department of State shall publish a notice in the **Federal Register** identifying the method by which a national of the United States, or a representative of a national of the United States, who has a covered claim, may contact the Department of State to give notice of the covered claims. Section 903(b)(2)(B) further provides that the Secretary of State, or a designee of the Secretary, shall meet (and make every effort to continue to meet on a regular basis thereafter) with any national of the United States, or a representative of a national of the United States, who has a covered claim and has informed the Department of State of the covered claim using the method established pursuant to subparagraph (A) to discuss the status of the covered claim, including the status of any settlement discussions with the Palestinian Authority or the Palestine Liberation Organization.

Consistent with section 903(b)(2)(A), the Department of State hereby provides notice that nationals of the United States, or their representatives, may submit notice of and information concerning their covered claim to *PalestinianClaims@state.gov* by May 3, 2020. Such information shall include, at a minimum, the method by which the Department of State may contact a claimant, as well as sufficient documentation to establish that the claim constitutes a ''covered claim'' within the meaning of section 903. Section 903 defines a ''covered claim'' to mean any pending action by, or final judgment in favor of, a national of the United States, or any action by a national of the United States dismissed for lack of personal jurisdiction, under section 2333 of title 18, United States Code, against the Palestinian Authority or the Palestine Liberation Organization. In the event notice and information of a covered claim is submitted by the representative of a national of the United States, the information provided shall also include such documentation as necessary to establish the representative's legal capacity to act on behalf of the national of the United States.

Persons with questions about filing notice of a covered claim may contact the Palestinian Claims line at 202–776–8430.

Richard C. Visek,
Principal Deputy Legal Adviser, Office of the Legal Adviser, Department of State.

[FR Doc. 2020–02082 Filed 1–31–20; 8:45 am]

BILLING CODE 4710–31–P

DEPARTMENT OF STATE

[Public Notice: 11011]

Biodiversity Beyond National Jurisdiction

ACTION: Notice of public meeting.

SUMMARY: The Department of State will hold an information session regarding upcoming United Nations negotiations concerning marine biodiversity in areas beyond national jurisdiction.

DATES: The public meeting will be held on February 25, 2020, 2:00–3:00 p.m.

ADDRESSES: The meeting will be held at the Harry S. Truman Main State Building, Room 3940, 2201 C Street NW, Washington, DC 20520.

FOR FURTHER INFORMATION CONTACT: If you would like to participate in this meeting, please send your name, organization/affiliation, email address, and phone number, as well as any requests for reasonable accommodation, to Elana Mendelson at *Katz-MinkEH@state.gov* or 202–647–1073.

SUPPLEMENTARY INFORMATION: The United Nations will convene the fourth, and possibly final, session of an Intergovernmental Conference (IGC) on

the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) on March 23–April 4, 2020, in New York City. The UN General Assembly established the IGC to consider the recommendations of a two-year Preparatory Committee and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of Sea on BBNJ. The IGC met for its third session August 19–30, 2019. Additional information on the BBNJ process is available at *www.un.org/bbnj.*

We would like to invite interested stakeholders to a public meeting to share views about the BBNJ IGC, in particular to provide information to assist the U.S. Government in developing its positions. Stakeholders are invited to provide comments on the IGC President's Draft text, available at *https://www.un.org/bbnj/content/fourth-substantive-session.* We will provide a brief overview of the discussions at and outcomes of the third session of the IGC and listen to the viewpoints of U.S. stakeholders. The information obtained from this session will help the U.S. delegation prepare for participation in the upcoming IGC session.

Reasonable Accommodation: This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other reasonable accommodation should be directed to (see **FOR FURTHER INFORMATION**) at least five days prior to the meeting date. Requests received after that date will be considered, but might not be possible to fulfill.

Personal data for entry into the Harry S. Truman building is requested pursuant to Public Law 99–399 (Omnibus Diplomatic Security and Antiterrorism Act of 1986), as amended; Public Law 107–56 (USA PATRIOT Act); and Executive Order 13356. The purpose of the collection is to validate the identity of individuals who enter Department facilities. The data will be entered into the Visitor Access Control System (VACS–D) database. For further information, please see the Security Records System of Records Notice (State-36) (PDF file) at *https://www.state.gov/wp-content/uploads/2019/05/Security-Records-STATE-36.pdf.*

Michael J. Layne,

Acting Director, Office of Ocean and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State.

[FR Doc. 2020–01931 Filed 1–31–20; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF STATE

[Public Notice:11021]

Notice of Determinations; Additional Culturally Significant Object Imported for Exhibition—Determinations: "Lucian Freud: The Self Portraits" Exhibition

SUMMARY: On January 21, 2020, notice was published on page 3468 of the **Federal Register** (volume 85, number 13) of determinations pertaining to certain objects to be included in an exhibition entitled ''Lucian Freud: The Self Portraits.'' Notice is hereby given of the following determinations: I hereby determine that a certain additional object to be included in the exhibition ''Lucian Freud: The Self Portraits,'' imported from abroad for temporary exhibition within the United States, is of cultural significance. The additional object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the additional exhibit object at the Museum of Fine Arts, Boston, Massachusetts, from on or about March 1, 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.

Matthew R. Lussenhop,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–02125 Filed 1–31–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 11016]

Commission on Unalienable Rights; Notice of Open Meeting

The Commission on Unalienable Rights (''Commission'') will meet from 2:00 p.m. until 5:35 p.m., on Friday, February 21 and from 1:00 p.m. until 5:05 p.m. on Thursday, March 26. Both meetings will be in Washington, DC at the State Department, 320 21st St. NW. Doors for the February 21 meeting will open at 1:00 p.m. and doors for the March 26 meeting will open at 12:00 p.m. There will not be late seating available for the March 26 meeting. Participants are asked to use the 21st Street entrance to gain access to each meeting. The March meeting will be directed by the Chair of the Commission, Ambassador Mary Ann Glendon. The Commission serves the U.S. government in a solely advisory capacity, and provides advice concerning principles related to human rights. The discussion at the February 21 meeting will include topics related to the role of human rights in American foreign policy. The discussion of the role of human rights in American foreign policy will continue on March 26, together with a discussion of new challenges for human rights.

This meeting is open to the public, though seating is limited. Entry to the building is controlled. To obtain pre-clearance for entry, members of the public planning to attend must, *no later than February 13 for the February 21 meeting, and March 18 for the March 26 meeting,* provide their full name, date of birth, drivers' license or passport number, and email address to the RSVP email address at *RSVPCommission@state.gov.* Requests for reasonable accommodation should be made at the same time as the notification. Late requests will be considered, but might not be possible to fulfill.

This information is being collected pursuant to 22 U.S.C. 2651a and 22 U.S.C. 4802 for the purpose of screening and pre-clearing participants to enter the host venue at the U.S. Department of State, in line with standard security procedures for events of this size. The Department of State will use this information consistent with the routine uses set forth in the System of Records Notices for Protocol Records (State-33) and Security Records (State-36). See *https://www.state.gov/system-of-records-notices-privacy-office/.* Provision of this information is voluntary, but failure to provide accurate information may impede your ability to register for the event. Email

addresses are collected for purposes of notification should the meeting be postponed or cancelled due to weather or other exigencies.

For additional information, contact Duncan Walker, Policy Planning Staff, at (202) 647–2236, or *walkerdh3@state.gov.*

Duncan H. Walker,

Designated Federal Officer, U.S. Department of State.

[FR Doc. 2020–01932 Filed 1–31–20; 8:45 am]

BILLING CODE 4710–10–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2019–0898]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Representatives of the Administrator, 14 CFR Part 183

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on November 7, 2019. The collection involves the voluntary submission of application information for persons applying to become designated representatives of the FAA Administrator under 14 CFR part 183. The information to be collected will be used by the FAA to screen and select designees who will act as representatives of the FAA Administrator in performing various certification and examination functions under Title VI of the Federal Aviation Act. This notice corrects information in the 60-day notice stating the collection applies only to DER applicants using FAA Form 8110–4. The collection applies to all applicants for designation under 14 CFR part 183 and includes four (4) forms in total. Additionally, the FAA is introducing the Designee Management System (DMS), a web-based application to provide for electronic information submission by applicants.

DATES: Written comments should be submitted by March 4, 2020.

ADDRESSES: Interested persons are invited to 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 attention of the Desk Officer, Department of Transportation/FAA, and sent via electronic mail to *oira_submission@omb.eop.gov,* or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

FOR FURTHER INFORMATION CONTACT: Tanya Glines by email at: *Tanya.glines@faa.gov.* phone: 801–257–5085.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0033.

Title: Representatives of the Administrator, 14 CFR part 183.

Form Numbers: FAA Forms 8110–14, 8110–28, 8710–6, 8710–10.

Type of Review: Renewal of an information collection

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on November 7, 2019 (84 FR 60136).

Title 49, United States Code, Section 44702 states that the Secretary of Transportation may, subject to such regulations as he may prescribe, delegate to any properly qualified private person, the examination and testing necessary for the issuance of certificates under Title VI of the Federal Aviation Act. Title 14, Code of Federal Regulations, part 183 (14 CFR part 183), Representatives of the Administrator, implements the provisions of section 314 of the Federal Aviation Act. 14 CFR part 183 (part 183) describes the requirements for delegating to any properly qualified private person, the examination and testing necessary for the issuance of airmen certificates.

Response to this collection of information is required to obtain a benefit, specifically, to obtain a FAA designation as a representative of the FAA Administrator. Designee applicants come from private industry. They are experts in the aviation and medical communities who are familiar with the regulations and certification requirements necessary to issue an FAA certificate. Only highly experienced aviation professionals are expected to respond to the collection. The collection is for reporting of an individual's eligibility and qualifications and occurs on an as needed basis for initial applicants. However, if an individual is not selected as a designee, their application must be updated whenever information changes (as needed) and at least every 12 calendar months (annually).

The information is collected using the Designee Management System (DMS) or using a paper application form, depending on the type of designation being applied for.

Respondents: Persons applying to become a Designated Representative of the FAA Administrator. (2143).

Frequency: As needed/annually.

Estimated Average Burden per Response: 1.5 hours.

Estimated Total Annual Burden: 5,949 hours.

Issued in Washington, DC, on January 28, 2020.

Tanya A. Glines,

Aviation Safety Inspector, Safety Standards, General Aviation Maintenance Branch (AFS–350).

[FR Doc. 2020–01926 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2020–0013]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel BELLA LINA (Motor Vessel); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before March 4, 2020.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2020–0013 by any one of the following methods:

• *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Search MARAD–2020–0013 and follow the instructions for submitting comments.

• *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2020–0013, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel BELLA LINA is:

—*Intended Commercial Use of Vessel:* ''Charters six pack''

—*Geographic Region Including Base of Operations:* ''Florida'' (Base of Operations: Miami, FL)

—*Vessel Length and Type:* 50′ motor vessel

The complete application is available for review identified in the DOT docket as MARAD–2020–0013 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the vessel name, state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at *http://www.regulations.gov,* keyword search MARAD–2020–0013 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

* * * * *

Dated: January 28, 2020.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2020–01892 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2020–0016]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ELIZABETH (Motor Vessel); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before March 4, 2020.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2020–0016 by any one of the following methods:

• *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Search MARAD–2020–0016 and follow the instructions for submitting comments.

• *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2020–0016, 1200 New Jersey Avenue SE, West

Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ELIZABETH is:

—*Intended Commercial Use of Vessel:* ''UPV tours and sightseeing''
—*Geographic Region Including Base of Operations:* ''New Jersey and New York'' (Base of Operations: Bayonne, NJ
—*Vessel Length and Type:* 32′ motor vessel

The complete application is available for review identified in the DOT docket as MARAD–2020–0016 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the vessel name, state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at *http://www.regulations.gov.,* keyword search MARAD–2020–0016 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

* * * * *

Dated: January 28, 2020.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2020–01893 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2020–0014]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel KAILA LANI (Motor Vessel); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before March 4, 2020.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2020–0014 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Search MARAD–2020–0014 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2020–0014, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,*

including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel KAILA LANI is:

—*Intended Commercial Use of Vessel:* ''Private vessel charter, passenger only''

—*Geographic Region Including Base of Operations:* ''Hawaii, California, Oregon, Washington, and Alaska (excluding waters in Southeastern Alaska).'' (Base of Operations: San Diego, CA)

—*Vessel Length and Type:* 33′ motor vessel

The complete application is available for review identified in the DOT docket as MARAD–2020–0014 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the vessel name, state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at *http://www.regulations.gov.,* keyword search MARAD–2020–0014 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121

Dated: January 28, 2020.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2020–01894 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2020–0015]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MAYA (Sailboat); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before March 4, 2020.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2020–0015 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Search MARAD–2020–0015 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD–2020–0015, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey

Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel MAYA is:

—*Intended Commercial Use of Vessel:* ''Coastwise Passenger Trips, 6 passengers or less, plus 2 crew.''

—*Geographic Region Including Base of Operations:* ''California, Oregon, Washington'' (Base of Operations: Morro Bay, CA)

—*Vessel Length and Type:* 43′ sailboat

The complete application is available for review identified in the DOT docket as MARAD–2020–0015 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the vessel name, state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at *http://www.regulations.gov.,* keyword search MARAD–2020–0015 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR–225, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

Dated: January 28, 2020.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2020–01896 Filed 1–31–20; 8:45 am]

BILLING CODE 4910–81–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 persons 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 persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable dates.

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 29, 2020, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

BILLING CODE 4810–AL–P

Individuals:

1. GANOV, Alexander Nikolaevich (Cyrillic: ГАНОВ, Александр Николаевич) (a.k.a. GANOV, Aleksandr Nikolaevich), Russia; DOB 24 Oct 1974; POB Voronezh, Russia; Gender Male (individual) [UKRAINE-EO13685] (Linked To: GRAND SERVICE EXPRESS).

Designated pursuant to section 2(a)(ii) of Executive Order 13685 of December 19, 2014 (E.O. 13685), for being a leader of GRAND SERVICE EXPRESS, an entity operating in the Crimea region of Ukraine; also designated pursuant to section 2(a)(iii) of E.O. 13685 for having acted or purported to act, for or on behalf of, directly or indirectly, GRAND SERVICE EXPRESS, a person whose property and interests in property are blocked pursuant to E.O. 13865.

2. ALTABAEVA, Ekaterina Borisovna (Cyrillic: АЛТАБАЕВА, Екатерина Борисовна) (a.k.a. ALTABAEVA, Kateryna Borysivna (Cyrillic: АЛТАБАЄВА, Катерина Борисівна)), Sevastopol, Ukraine; DOB 27 May 1956; POB Uglich, Russia; Gender Female (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

3. BASOVA, Lidia Aleksandrovna (Cyrillic: БАСОВА, Лидия Александровна) (a.k.a. BASOVA, Lidiya Oleksandrivna (Cyrillic: БАСОВА, Лідія Олександрівна)), Sevastopol, Ukraine; DOB 1972; Gender Female (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

4. DANILENKO, Sergei Andreevich (Cyrillic: ДАНИЛЕНКО, Сергей Андреевич), Sevastopol, Ukraine; DOB 14 Mar 1960; POB Krasnodar, Russia; Gender Male (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

5. GOTSANYUK, Yuri Mikhailovich (Cyrillic: ГОЦАНЮК, Юрий Михайлович) (a.k.a. GOTSANIUK, Jurij Mikhailovich; a.k.a. GOTSANYUK, Jury Mikhailovich; a.k.a. HOTSANIUK, Iurii Mykhailovych (Cyrillic: ГОЦАНЮК, Юрій Михайлович)), Simferopol, Ukraine; DOB 18 Jul 1966; POB Nove Selo, Ukraine; Gender Male (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

6. NEMTSEV, Vladimir Vladimirovich (Cyrillic: НЕМЦЕВ, Владимир Владимирович) (a.k.a. NEMTSEV, Volodymyr Volodymyrovych (Cyrillic: НЄМЦЕВ, Володимир Володимирович)), Sevastopol, Ukraine; DOB 15 Nov 1971; POB Sevastopol, Ukraine; Gender Male (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

7. PYRKOVA, Ekaterina Eduardovna (Cyrillic: ПЫРКОВА, Екатерина Эдуардовна) (a.k.a. PYRKOVA, Kateryna Eduardivna (Cyrillic: ПИРКОВА, Катерина Едуардівна)), Sevastopol, Ukraine; DOB 22 Aug 1967; Gender Female (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

8. RAZVOZHAEV, Mikhail Vladimirovich (Cyrillic: РАЗВОЖАЕВ, Михаил Владимирович) (a.k.a. RAZVOZHAEV, Mykhailo Volodymyrovich (Cyrillic: РАЗВОЖАЄВ, Михаило Володимирович)), Sevastopol, Ukraine; DOB 30 Dec 1980; POB Krasnoyarsk, Russia; Gender Male (individual) [UKRAINE-EO13660].

Designated pursuant to section 1(a)(ii) of Executive Order 13660 of March 6, 2014, for having asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine.

Entity:

1. GRAND SERVICE EXPRESS (Cyrillic: ГРАНД СЕРВИС ЭКСПРЕСС) (a.k.a. AO GRAND SERVIS EKSPRESS; a.k.a. JOINT STOCK COMPANY GRAND SERVICE EXPRESS; a.k.a. JOINT STOCK COMPANY TRANSPORT COMPANY GRAND SERVICE EXPRESS (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТВО ТРАНСПОРТНАЯ КОМПАНИЯ ГРАНД СЕРВИС ЭКСПРЕСС); a.k.a. "JSC GSE"; a.k.a. "GRAND EXPRESS" (Cyrillic: "ГРАНД ЭКСПРЕСС")), 85 Sheremetevskaya St., Building 1, Moscow 129075, Russia; ul. Sheremetevskaya, d. 85, str. 1, Moscow 129075, Russia; P.O. Box 15, Moscow 129075, Russia; a/ya 15, Moscow 129075, Russia; Tax ID No. 7705445700 (Russia) [UKRAINE-EO13685].

Designated pursuant to section 2(a)(i) of Executive Order 13685 of December 19, 2014, for operating in the Crimea region of Ukraine.

Dated: January 29, 2020.

Andrea Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2020–02009 Filed 1–31–20; 8:45 am]

BILLING CODE 4810–AL–C

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Hearing

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public hearing.

SUMMARY: Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

The Commission is mandated by Congress to investigate, assess, and report to Congress annually on ''the national security implications of the economic relationship between the United States and the People's Republic

of China.'' Pursuant to this mandate, the Commission will hold a public hearing in Washington, DC on February 20, 2020 on ''China's Military Power Projection and U.S. National Interests.''

DATES: The hearing is scheduled for Thursday, February 20, 2020 at 9:00 a.m.

ADDRESSES: TBD, Washington, DC. A detailed agenda for the hearing will be posted on the Commission's website at *www.uscc.gov.* Also, please check the Commission's website for possible changes to the hearing schedule. *Reservations are not required to attend the hearing.*

FOR FURTHER INFORMATION CONTACT: Any member of the public seeking further information concerning the hearing should contact Brittney Washington, 444 North Capitol Street NW, Suite 602, Washington DC 20001; telephone: 202–624–1482, or via email at *bwashington@uscc.gov. Reservations are not required to attend the hearing.*

ADA Accessibility: For questions about the accessibility of the event or to request an accommodation, please contact Brittney Washington at 202–624–1482, or via email at *bwashington@uscc.gov.* Requests for an accommodation should be made as soon as possible, and at least five business days prior to the event.

SUPPLEMENTARY INFORMATION:

Background: This is the second public hearing the Commission will hold during its 2020 report cycle. This hearing will examine China's ability to project military power and influence beyond its shores, with an emphasis on the country's development of expeditionary capabilities. Officials from the Departments of State and Defense will provide testimony on how the Administration views China's power projection and how such capabilities further China's plans to reorder the Indo-Pacific and other key regions to its advantage. The first panel of experts will explore why and how China is developing expeditionary capabilities, with a focus on the Belt and Road Initiative (BRI) as a vehicle for testing and justifying these capabilities. The second panel will focus on the ''nuts and bolts'' of China's expeditionary capabilities, including the PLA's efforts to improve its logistics organization and expand its access to overseas bases. The third panel will examine how China's activities in South and Southeast Asia, Africa, and Latin America and the Caribbean further its development of expeditionary capabilities. The hearing will be co-chaired by Commissioner Jeffrey Fiedler and Commissioner Larry Wortzel. Any interested party may file a written statement by February 20, 2020 by mailing to the contact above. A portion of each panel will include a question and answer period between the Commissioners and the witnesses.

Authority: Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Pub. L. 106–398), as amended by Division P of the Consolidated Appropriations Resolution, 2003 (Pub. L. 108–7), as amended by Public Law 109–108 (November 22, 2005), as amended by Public Law 113–291 (December 19, 2014).

Dated: January 28, 2020.

Daniel W. Peck,

Executive Director, U.S.-China Economic and Security Review Commission.

[FR Doc. 2020–01982 Filed 1–31–20; 8:45 am]

BILLING CODE 1137–00–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0047]

Agency Information Collection Activity: Financial Statement

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The 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 April 3, 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. 2900–0047'' 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. 2900–0047'' 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 89–754, Section 1013; 8 U.S.C. 3702(b)(2), 38 U.S.C. 3714.

Title: Financial Statement (VA form 26–6807).

OMB Control Number: 2900–0047.

Type of Review: Extension of a currently approved collection.

Abstract: VA Form 26–6807 is used to determine a borrower's financial condition in connection with efforts to reinstate a seriously defaulted, guaranteed, insured, or portfolio loan. In addition, the form is used in determining the financial feasibility of a veteran or service member to obtain a home with the assistance of a Specially Adapted Housing Grant under 38 U.S.C., Chapter 21. Also, VA Form 26–6807 may be used to establish eligibility of homeowners for aid under the Homeowners Assistance Program, Public Law 89–754, which provides assistance by reducing losses incident to the disposal of homes when military installations at which the homeowners were employed or serving are ordered closed in whole or in part. Finally, the form is used in release of liability and substitution of entitlement cases. Under the provisions of 38 U.S.C. 3714, the Department of Veterans Affairs (VA) may release original veteran obligors from personal liability arising from the original guaranty of their home loans, or the making of a direct loan, provided purchasers/assumers meet the necessary requirements, among which is qualifying from a credit standpoint. Substitution of entitlement is authorized

by 38 U.S.C. 3702(b)(2) and prospective veteran-assumers must also meet the creditworthiness requirements.

Affected Public: Individuals or Households.

Estimated Annual Burden: 2,250 hours.

Estimated Average Burden per Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 3,000.

By direction of the Secretary.

Danny S. Green,

VA Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2020–01940 Filed 1–31–20; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0663]

Agency Information Collection Activity: (Pay Now Enter Info Page)

AGENCY: Debt Management Center, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Debt Management Center (DMC), 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 April 3, 2020.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to John Scott, Debt Management Center (189), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *John.Scott335@va.gov.* Please refer to ''OMB Control No. 2900–0663'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: John W. Scott at (612) 970–5740 or email *John.Scott335@va.gov.*

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, DMC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of DMC's functions, including whether the information will have practical utility; (2) the accuracy of DMC'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: Pay Now Enter Info Page.

OMB Control Number: 2900–0663.

Type of Review: Reinstatement of a previously OMB approved collection.

Abstract: Claimants who participated in VA's benefit programs and owe debts to VA can voluntary make online payments through VA's Pay Now Enter Info Page website. Data enter on the Pay Now Enter Info Page is redirected to the Department of Treasury's Pay.gov website allowing claimants to make payments with credit or debit cards, or directly from their bank account. At the conclusion of the transaction, the claimant will receive a confirmation acknowledging the success or failure of the transaction.

Affected Public: Individuals and households.

Estimated Annual Burden: 31,261 hours.

Estimated Average Burden Per Respondent: 10 minutes.

Frequency of Response: Daily.

Estimated Number of Respondents: 187,567.

By direction of the Secretary.

Danny S. Green,

Department Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2020–01915 Filed 1–31–20; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0165]

Agency Information Collection Activity: (Financial Status Report)

AGENCY: Debt Management Center, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Debt Management Center (DMC), 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 April 3, 2020.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or send to John W. Scott, Debt Management Center (189), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *John.Scott335@va.gov.* Please refer to ''OMB Control No. 2900–0165'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: John W. Scott at (612) 970–5740 or email *john.scott335@va.gov.*

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, DMC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of DMC's functions, including whether the information will have practical utility; (2) the accuracy of DMC'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: Financial Status Report.

OMB Control Number: 2900–0165.

Type of Review: Reinstatement of a previously OMB approved collection.

Abstract: Claimants complete VA Form 5655 to report their financial status. VA uses the data collected to determine the claimant's eligibility for a waiver of collection, setup a payment plan or for the acceptance of a compromise offer on their VA benefit debt.

Affected Public: Individuals and households.

Estimated Annual Burden: 116,151 hours.

Estimated Average Burden per Respondent: 1 hour.

Frequency of Response: Annual.

Estimated Number of Respondents: 116,151.

By direction of the Secretary.

Danny S. Green,

Department Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2020–01913 Filed 1–31–20; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0652]

Agency Information Collection Activity Under OMB Review: Request for Nursing Home Information in Connection With Claim for Aid and Attendance

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 4, 2020.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW, Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0652'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Danny S. Green, Enterprise Records Service (005R1B), Department of Veterans Affairs, 811 Vermont Avenue NW, Washington, DC 20420, (202) 421–1354 or email *danny.green2@va.gov.* Please refer to ''OMB Control No. 2900–0652'' in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: 44 U.S.C. 3501–21.

Title: Request for Nursing Home Information in Connection with Claim for Aid and Attendance (VA Form 21–0779).

OMB Control Number: 2900–0652.

Type of Review: Extension of a currently approved collection.

Abstract: VA Form 21–0779 is used to gather the necessary information to determine eligibility for pension and aid and attendance benefits based on nursing home status. The form also requests information regarding Medicaid status and nursing home care charges, so VA can determine the proper rate of payment.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 84 FR 234 on December 5, 2019 pages 66707 and 66708.

Affected Public: Individuals or Households.

Estimated Annual Burden: 10,188 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 61,125.

By direction of the Secretary.

Danny S. Green,

VA Clearance Officer, Office of Quality, Performance and Risk (OQPR), Department of Veterans Affairs.

[FR Doc. 2020–01941 Filed 1–31–20; 8:45 am]

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Federal Register

Vol. 85, No. 22

Monday, February 3, 2020

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FEDERAL REGISTER PAGES AND DATE, FEBRUARY

5903–6022 3

CFR PARTS AFFECTED DURING FEBRUARY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

14 CFR

Proposed Rules:

21 5905
39 5906

33 CFR

Proposed Rules:

165 (2 documents) 5909, 5911

41 CFR

102-82.....5903

50 CFR

Proposed Rules:

10 (2 documents) 5913, 5915

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Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List January 30, 2020

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When a date falls on a weekend or holiday, the next Federal business day is used. (See 1 CFR 18.17)

A new table will be published in the first issue of each month.

Date of FR publication	15 days after publication	21 days after publication	30 days after publication	35 days after publication	45 days after publication	60 days after publication	90 days after publication
February 3	Feb 18	Feb 24	Mar 4	Mar 9	Mar 19	Apr 3	May 4
February 4	Feb 19	Feb 25	Mar 5	Mar 10	Mar 20	Apr 6	May 4
February 5	Feb 20	Feb 26	Mar 6	Mar 11	Mar 23	Apr 6	May 5
February 6	Feb 21	Feb 27	Mar 9	Mar 12	Mar 23	Apr 6	May 6
February 7	Feb 24	Feb 28	Mar 9	Mar 13	Mar 23	Apr 7	May 7
February 10	Feb 25	Mar 2	Mar 11	Mar 16	Mar 26	Apr 10	May 11
February 11	Feb 26	Mar 3	Mar 12	Mar 17	Mar 27	Apr 13	May 11
February 12	Feb 27	Mar 4	Mar 13	Mar 18	Mar 30	Apr 13	May 12
February 13	Feb 28	Mar 5	Mar 16	Mar 19	Mar 30	Apr 13	May 13
February 14	Mar 2	Mar 6	Mar 16	Mar 20	Mar 30	Apr 14	May 14
February 18	Mar 4	Mar 10	Mar 19	Mar 24	Apr 3	Apr 20	May 18
February 19	Mar 5	Mar 11	Mar 20	Mar 25	Apr 6	Apr 20	May 19
February 20	Mar 6	Mar 12	Mar 23	Mar 26	Apr 6	Apr 20	May 20
February 21	Mar 9	Mar 13	Mar 23	Mar 27	Apr 6	Apr 21	May 21
February 24	Mar 10	Mar 16	Mar 25	Mar 30	Apr 9	Apr 24	May 26
February 25	Mar 11	Mar 17	Mar 26	Mar 31	Apr 10	Apr 27	May 26
February 26	Mar 12	Mar 18	Mar 27	Apr 1	Apr 13	Apr 27	May 26
February 27	Mar 13	Mar 19	Mar 30	Apr 2	Apr 13	Apr 27	May 27
February 28	Mar 16	Mar 20	Mar 30	Apr 3	Apr 13	Apr 28	May 28