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

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

DEPARTMENT OF AGRICULTURE

Office of the Secretary

5 CFR Part 8301

RIN 3209–AA48

[Docket No. USDA–2019–0005]

Supplemental Standards of Ethical Conduct for Employees of the Department of Agriculture

AGENCY: Department of Agriculture, USDA.

ACTION: Final rule.

SUMMARY: The U.S. Department of Agriculture (''USDA'' or ''Department''), with the concurrence of the U.S. Office of Government Ethics (OGE), is issuing this final rule for attorneys of USDA's Office of the General Counsel (OGC). The final rule supplements the Standards of Ethical Conduct for Employees of the Executive Branch (OGE Standards) issued by OGE by revising the Supplemental Standards of Ethical Conduct for Employees of the Department of Agriculture (USDA Supplemental Ethics Regulations) concerning the outside practice of law by USDA OGC attorneys. To more fully address ethical issues unique to OGC attorneys, the final rule imposes additional restrictions on the outside practice of law, subject to certain exceptions.

DATES: This final rule is effective March 5, 2020.

FOR FURTHER INFORMATION CONTACT: Stuart Bender, Director of the Office of Ethics, U.S. Department of Agriculture, at (202) 720–2251, *Stuart.Bender@usda.gov*.

SUPPLEMENTARY INFORMATION:

Background

On November 8, 2019, USDA, with OGE's concurrence, published a proposed rule in the **Federal Register**, 84 FR 60346, proposing to amend the USDA Supplemental Ethics Regulations as they relate to OGC attorneys who engage in the outside practice of law. The proposed rule provided a 45-day comment period, which ended on December 23, 2019. During the comment period USDA received two comments from members of the public.

Analysis of Comments Received

USDA received two sets of comments from members of the public pertaining to the proposed amendment of USDA Supplemental Ethics Regulations as they relate to OGC attorneys that engage in the outside practice of law. Neither of the comments referred specifically to the proposed revision of the USDA Supplemental Ethics Regulations as they relate to OGC attorneys who seek to engage in the outside practice of law. Instead each comment addressed unrelated general topics. The first comment recommended that USDA conduct greater environmental protection.[1] The second comment recommended that USDA more fully place an array of reports and other documents concerning the Animal Welfare Act and the Horse Protection Act in a public, searchable public database.[2] Neither comment addressed the substance of or suggested changes to the proposed rule. The proposed rule clarifies and strengthens the ethical requirements for attorneys in the Department's Office of the General Counsel regarding the outside practice of law. The proposed rule also encourages OGC attorneys to consider voluntary *pro bono publico* legal service, provided that such *pro bono* legal work would be compliant with the legal and ethical requirements provided in the proposed rule. Finally, the proposed rule updates and improves the procedures and standards related to OGC attorneys seeking to engage in the outside practice of law and uncompensated *pro bono publico* legal services to benefit the public, and will enhance adherence to ethics conduct related to the outside practice of law. As noted above, the two comments addressed wholly unrelated topics and did not address the substance of the proposed rule. Therefore, for the reasons detailed in the preamble of the previously issued Notice of Proposed Rulemaking (at 84 FR 60346), USDA, with the concurrence of OGE, is issuing this rule in final without changes, besides the typographical edit noted below.

During the review of the proposed rule, USDA noted an inadvertent typographical error in Section 8301.105(c)(iii)(B). Specifically, the words ''exception'' and ''does'' in that provision should read ''exceptions'' and ''do.'' The revised sentence now reads: ''The exceptions to 18 U.S.C. 205 described in paragraphs (c)(ii)(B) and (c)(ii)(C) do not apply unless the employee has obtained the prior approval of a supervisory official who has authority to determine whether the employee's proposed representation is consistent with the faithful performance of the employee's duties.'' This grammatical edit does not alter the substance or meaning of the proposed rule.

Matters of Regulatory Procedure

Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (the RFA), requires each agency to consider the potential impact of its regulations on small entities, including small businesses, small governmental units, and small not-for-profit organizations, unless the head of the agency certifies that the rules will not have a significant economic impact on a substantial number of small entities. The Secretary of Agriculture so certifies. The rule does not impose any obligations or standards of conduct for purposes of analysis under the RFA, and it therefore does not give rise to a regulatory compliance burden for small entities.

Paperwork Reduction Act

The Department has determined that this rule does not impose any new recordkeeping, reporting, or disclosure requirements on members of the public that would be collections of information requiring approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

[1] Comment received from Jean Publieee, November 8, 2019. For transparency, this comment was posted, in full, to the public *Regulations.gov* page associated with this docket.

[2] Comment received from Jacqui Marcella Urban, December 21, 2019. For transparency, this comment was posted, in full, to the public *Regulations.gov* page associated with this docket.

List of Subjects in 5 CFR Part 8301

Conflict of interests, Government employees.

Authority and Issuance

For the reasons set forth in the preamble, the Department, in concurrence with OGE, is amending 5 CFR part 8301 as follows:

PART 8301—SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE

■ 1. The authority citation for § 8301.105 is revised to read as follows:

Authority: 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159 (April 12, 1989); 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547 (October 17, 1990); 3 CFR, 1990 Comp., p. 306; 5 CFR 2635.105, 2635.403, 2635.502 and 2635.803.

■ 2. Revise § 8301.105 to read as follows:

§ 8301.105 Additional rules for attorneys in the Office of the General Counsel.

(a) *Additional rules for attorneys in the Office of the General Counsel regarding the outside practice of law.* Any attorney serving within the Office of the General Counsel shall obtain written approval, in accordance with the procedures set forth in § 8301.102(c) and the standard for approval set forth in paragraph (b) of this section, before engaging in the outside practice of law, whether compensated or not. For purposes of this section the ''outside practice of law'' means those activities requiring professional licensure by a state bar as an attorney and include, but are not limited to, providing legal advice to a client, drafting legal documents, and representing clients in legal negotiations or litigation.

(b) *Standard for approval.* Approval shall be granted by the agency designee unless it is determined that the outside practice of law is expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635, or paragraph (c) of this section.

(c)(1) *Prohibited outside practice of law applicable to attorneys in the Office of the General Counsel.* An employee who serves as an attorney within the Office of the General Counsel shall not engage in any outside practice of law that might require the attorney to:

(i) Assert a legal position that is or appears to be in conflict with the interests of the Department of Agriculture, the client to which the attorney owes a professional responsibility; or

(ii) Interpret any statute, regulation, or rule administered or issued by the Department of Agriculture, or where a supervisory attorney determines that the outside practice of law would conflict with the employee's official duties or create the appearance of a loss of the attorney's impartiality, as prohibited by 5 CFR 2635.802; or

(iii) Act as an agent or attorney in any matter in which the U.S. government is a party or has a direct and substantial interest, as prohibited by 18 U.S.C. 205.

(2) *Exceptions.* Nothing in paragraph (c)(1) of this section prevents an attorney in the Office of the General Counsel from:

(i) Acting, with or without compensation, as an agent or attorney for, or otherwise representing, the employee's parents, spouse, child, or any other person for whom, or for any estate for which, the employee is serving as guardian, executor, administrator, trustee, or other personal fiduciary to the extent permitted by 18 U.S.C. 203(d) and 205(e), or from providing advice or counsel to such persons or estates; or

(ii) Acting, without compensation, as an agent or attorney for, or otherwise representing, any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings, or from providing uncompensated advice and counsel to such person to the extent permitted by 18 U.S.C. 205; or

(iii) Acting, without compensation, as an agent or attorney for, or otherwise representing any cooperative, voluntary, professional, recreational, or similar organization or group not established or operated for profit, if a majority of the organization's or group's members are current employees of the United States or the District of Columbia, or their spouses or dependent children. As limited by 18 U.S.C. 205(d), this exception is not permitted for any representation with respect to a matter which involves prosecuting a claim against the United States under 18 U.S.C. 205(a)(1) or 18 U.S.C. 205(b)(1), or involves a judicial or administrative proceeding where the organization or group is a party, or involves a grant, contract, or other agreement providing for the disbursement of Federal funds to the organization or group; or

(iv) Giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

(3) *Specific approval procedures for paragraph (c)(2) of this section.*

(i) The exceptions to 18 U.S.C. 203 and 205 described in paragraph (c)(2)(i) of this section do not apply unless the employee obtained the prior approval of the Government official responsible for the appointment of the employee to a Federal position.

(ii) The exceptions to 18 U.S.C. 205 described in paragraphs (c)(2)(ii) and (c)(2)(iii) of this section do not apply unless the employee has obtained the prior approval of a supervisory official who has authority to determine whether the employee's proposed representation is consistent with the faithful performance of the employee's duties.

(d) *Pro Bono activity.* Subject to compliance with paragraph (c) of this section, attorneys within the Office of the General Counsel are permitted to provide outside *pro bono* legal services (without compensation other than reimbursement of expenses) to organizations or individuals through a non-profit organization, without obtaining prior written approval in accordance with the procedures set forth in § 8301.102(c).

Stephen Alexander Vaden,

General Counsel, U.S. Department of Agriculture.

Emory A. Rounds, III,

Director, U.S. Office of Government Ethics.

[FR Doc. 2020–03058 Filed 3–4–20; 8:45 am]

BILLING CODE 3410–18–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 920

[Doc. No. AMS–SC–20–0016; SC20–920–1 CR]

Kiwifruit Grown in California; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible California kiwifruit growers to determine whether they favor continuance of the marketing order regulating the handling of kiwifruit grown in California.

DATES: The referendum will be conducted from May 18 through May 29, 2020. Only current producers of kiwifruit within the California production area that produced kiwifruit during the period August 1, 2018, through July 31, 2019, are eligible to vote in this referendum.

ADDRESSES: Copies of the marketing order may be obtained from the California Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, U.S. Department of Agriculture,

2202 Monterey Street, Suite 102B, Fresno, California 93721–3129, or the Office of the Docket Clerk, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237, or internet: *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Jeffery Rymer, Marketing Specialist, or Terry Vawter, Regional Director, California Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (559) 487–5901, Fax: (559) 487–5906, or Email: *JefferyM.Rymer@usda.gov* or *Terry.Vawter@usda.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 920, as amended (7 CFR part 920), hereinafter referred to as the ''Order,'' and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act,'' it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order is favored by growers. The referendum shall be conducted from May 18 through May 29, 2020, among eligible California kiwifruit growers. Only current growers who were also engaged in the production of kiwifruit in California during the period of August 1, 2018, through July 31, 2019, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether growers favor the continuation of marketing order programs. USDA would consider termination of the Order if less than fifty percent of the growers voting in the referendum and growers of less than fifty percent of the volume of California kiwifruit represented in the referendum favor continuance of their program. In evaluating the merits of continuance versus termination, USDA will consider the results of the continuance referendum and other relevant information regarding operation of the Order. USDA will also consider the Order's relative benefits and disadvantages to growers, processors, and consumers to determine whether continuing the Order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballot materials used in the referendum have been approved by the Office of Management and Budget (OMB) under OMB No. 0581–0189, Fruit Crops. It has been estimated that it will take an average of 20 minutes for each of the approximately 150 growers of California kiwifruit to cast a ballot. Participation is voluntary. Ballots postmarked after May 29, 2020, will not be included in the vote tabulation.

Jeffery Rymer and Terry Vawter of the California Marketing Field Office, Specialty Crops Program, AMS, USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the ''Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended'' (7 CFR part 900.400 *et seq.*).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents or their appointees.

List of Subjects in 7 CFR Part 920

Marketing agreements, Kiwifruit, Reporting and recordkeeping requirements.

Authority: 7 U.S.C. 601–674.

Dated: February 25, 2020.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2020–04176 Filed 3–4–20; 8:45 am]

BILLING CODE 3410–02–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2019–0195]

RIN 3150–AK38

List of Approved Spent Fuel Storage Casks: NAC International MAGNASTOR® System, Certificate of Compliance No. 1031, Amendment No. 8

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is confirming the effective date of March 24, 2020, for the direct final rule that was published in the **Federal Register** on January 9, 2020. This direct final rule amended the NRC's spent fuel storage regulations by revising the ''List of approved spent fuel storage casks'' to include Amendment No. 8 to Certificate of Compliance No. 1031 for the NAC International, Inc. MAGNASTOR® System.

DATES: The effective date of March 24, 2020, for the direct final rule published January 9, 2020 (85 FR 1096), is confirmed.

ADDRESSES: Please refer to Docket ID NRC–2019–0195 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–2019–0195. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov*. For technical questions, contact the individuals 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 proposed amendment to the certificate of compliance, the proposed changes to the technical specifications, and the preliminary safety evaluation report are available in ADAMS under Accession No. ML19228A234. The final amendment to the certificate of compliance, final changes to the technical specifications, and final safety evaluation report can also be viewed in ADAMS under Accession No. ML20036E079.
- *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: Bernard White, Office of Nuclear Material Safety and Safeguards; telephone: 301–415–6577; email: *Bernard.White@nrc.gov* or Edward M. Lohr, Office of Nuclear Material Safety and Safeguards; telephone: 301–415–0253; email: *Edward.Lohr@nrc.gov*. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION: On January 9, 2020 (85 FR 1096), the NRC published a direct final rule amending § 72.214 of title 10 of the *Code of Federal Regulations,* ''List of approved spent fuel storage casks'' to include Amendment No. 8 to Certificate of Compliance No. 1031 for the NAC International, Inc. MAGNASTOR®

System. Amendment No. 8 revised the technical specifications to delete Technical Specification A5.6 and revised the maximum pellet diameter in the technical specifications, Appendix B, Table B2–3, from 0.325 inches to 0.3255 inches for the CE16H1 hybrid fuel assembly, which includes Combustion Engineering 16 x 16 fuel assemblies.

In the direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on March 24, 2020. The NRC did not receive any comments on the direct final rule. Therefore, this direct final rule will become effective as scheduled.

Dated at Rockville, Maryland, this 14th day of February 2020.

For the Nuclear Regulatory Commission.

Cindy K. Bladey,

Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Envionmental and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2020–03947 Filed 3–4–20; 8:45 am]

BILLING CODE 7590–01–P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 123

RIN 3245–AH12

Regulatory Reform Initiative: Disaster Loan Program

AGENCY: U. S. Small Business Administration.

ACTION: Direct final rule.

SUMMARY: The U.S. Small Business Administration (SBA) is removing from the Code of Federal Regulations (CFR) 20 regulations that are no longer necessary because the programs they govern are no longer in effect. The rule will remove all regulations applicable to two subparts: Pre-Disaster Mitigation Loans and Economic Injury Disaster Loans as a Result of the September 11, 2001 Terrorist Attacks. The removal of these regulations will assist the public by simplifying SBA's regulations in the CFR.

DATES: This rule is effective on June 3, 2020 without further action, unless significant adverse comment is received by May 4, 2020. If significant adverse comment is received, SBA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: You may submit comments, identified by RIN: 3245–AH12 by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail or Hand Delivery/Courier:* Jerome Edwards, Director, Program Policy and Evaluation, Office of Disaster Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416.

SBA will post all comments on *http://www.regulations.gov.* If you wish to submit confidential business information (CBI), as defined in the User Notice at *http://www.regulations.gov,* please submit the information to Jerome Edwards, Director, Program Policy and Evaluation, Office of Disaster Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416, or send an email to *jerome.edwards@sba.gov.* Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review the information and make the final determination on whether it will publish the information.

FOR FURTHER INFORMATION CONTACT: Jerome Edwards, Director, Program Policy and Evaluation, (202) 205–6734, *jerome.edwards@sba.gov.*

SUPPLEMENTARY INFORMATION:

I. Background Information

A. Pre-Disaster Mitigation Loans, Part 123, Subpart E

Pre-disaster mitigation loans were authorized by Congress in 1999 to encourage disaster preparedness rather than reliance on response and recovery. The program was authorized for five fiscal years (2000–2004). During that time, SBA made four loans under the program. SBA published regulations implementing the Pre-Disaster Mitigation Loan program on October 7, 2002 (67 FR 62337). SBA is now removing those regulations as the program is no longer authorized.

B. Economic Injury Disaster Loans as a Result of the September 11, 2001 Terrorist Attacks, Part 123, Subpart G

In response to the September 11, 2001, terrorist attacks, SBA published regulations authorizing economic injury disaster loans outside the declared disaster areas to small businesses that suffered economic injury as a direct result of the attacks or any related Federal action following the attacks. The rule, published on October 22, 2001 (66 FR 53331), outlined the eligibility criteria and loan terms. On June 24, 2002, SBA extended the deadline for businesses to apply for the loans from May 22, 2002 to September 30, 2002 (67 FR 42594). SBA made 4,996 loans under the program. SBA is now removing these regulations as they are now obsolete.

C. Executive Order 13771

On January 30, 2017, President Trump signed Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs, which, among other objectives, is intended to ensure that an agency's regulatory costs are prudently managed and controlled so as to minimize the compliance burden imposed on the public. For every new regulation an agency proposes to implement, unless prohibited by law, this Executive order requires the agency to (i) identify at least two existing regulations that the agency can cancel; and (ii) use the cost savings from the cancelled regulations to offset the cost of the new regulation.

D. Executive Order 13777

On February 24, 2017, the President issued Executive Order 13777, Enforcing the Regulatory Reform Agenda, which further emphasized the goal of the Administration to alleviate the regulatory burdens placed on the public. Under Executive Order 13777, agencies must evaluate their existing regulations to determine which ones should be repealed, replaced, or modified. In doing so, agencies should focus on identifying regulations that, among other things: Eliminate jobs or inhibit job creation; are outdated, unnecessary or ineffective; impose costs that exceed benefits; create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies; or are associated with Executive orders or other Presidential directives that have been rescinded or substantially modified. SBA has engaged in this process and has identified the regulations in this rulemaking as appropriate for removal in accordance with Executive Order 13777.

II. Section by Section Analysis

A. Pre-Disaster Mitigation Loans, Part 123, Subpart E

SBA is removing subpart E from part 123 of SBA's regulations because the regulations are no longer necessary. The regulations at 13 CFR 123.400 through 123.412 describe eligibility requirements, allowable uses of proceeds, loan terms, and application procedures for Pre-Disaster Mitigation Loans. Specifically, the provisions to be removed are: (1) § 123.400 What is the Pre-Disaster Mitigation Loan Program?; (2) § 123.401 What types of mitigation measures can your business include in

an application for a pre-disaster mitigation loan?; (3) § 123.402 Can your business include its relocation as a mitigation measure in an application for a pre-disaster mitigation loan?; (4) § 123.403 When is your business eligible to apply for a pre-disaster mitigation loan?; (5) § 123.404 When is your business ineligible to apply for a pre-disaster mitigation loan?; (6) § 123.405 How much can your business borrow with a pre-disaster mitigation loan?; (7) § 123.406 What is the interest rate on a pre-disaster mitigation loan?; (8) § 123.407 When does your business apply for a pre-disaster mitigation loan and where does your business get an application?; (9) § 123.408 How does your business apply for a pre-disaster mitigation loan?; (10) § 123.409 Which pre-disaster mitigation loan requests will SBA consider for funding?; (11) § 123.410 Which loan requests will SBA fund?; (12) § 123.411 What if SBA determines that your business loan request meets the selection criteria of § 123.409 but SBA is unable to fund it because SBA has already allocated all program funds?; and (13) § 123.412 What happens if SBA declines your business' pre-disaster mitigation loan request?

The statutory authority for Pre-Disaster Mitigation Loans expired in 2004; therefore, SBA is no longer making these loans. There are no outstanding loans.

B. Economic Injury Disaster Loans as a Result of the September 11, 2001 Terrorist Attacks, Part 123, Subpart G

SBA is also removing subpart G from part 123 of SBA's regulations because the regulations are no longer necessary. The regulations at 13 CFR 123.600 through 123.606 describe eligibility requirements, allowable uses of proceeds, loan terms, and application procedures for economic injury disaster loans made under Subpart G. Specifically, the provisions to be removed are: (1) § 123.600 Are economic injury disaster loans under this subpart limited to the geographic areas contiguous to the declared disaster areas?; (2) § 123.601 Is my business eligible to apply for an economic injury disaster loan under this subpart?; (3) § 123.602 When would my business not be eligible to apply for an economic injury disaster loan under this subpart?; (4) § 123.603 What is the interest rate on an economic injury disaster loan under this subpart?; (5) § 123.604 How can my business spend my economic injury disaster loan under this subpart?; (6) § 123.605 How long do I have to apply for a loan under this subpart?; and (7) § 123.606 May I request an increase in the amount of an economic injury disaster loan under this subpart?

This loan program was intended to specifically address the unique injury caused by the September 11, 2001 terrorist attacks. Since the deadline for businesses to apply for the loans was September 30, 2002 (67 FR 42594), SBA is no longer making these loans. Therefore, the regulations are no longer necessary. There are approximately 478 outstanding loans; existing borrowers can refer to their loan documents for information on loan terms.

C. Conforming Amendment

SBA is removing regulatory text that cross-references the regulations being removed by this rule. Specifically, this conforming change removes the text in § 123.21 that references pre-disaster mitigation loans.

D. Administrative Procedure Act—Direct Final Rule

SBA is publishing this rule as a direct final rule because SBA views this action as a non-controversial administrative action that relates solely to expired SBA programs. This rule will be effective on the date shown in the **DATES** section unless SBA receives any significant adverse comments on or before the deadline for comments set forth in the **DATES** section. Significant adverse comments are comments that SBA determines provide strong justifications for why the rule should not be adopted or for changing the rule. If SBA receives any significant adverse comments, SBA will publish a document in the **Federal Register** withdrawing this rule before the effective date.

III. Compliance With Executive Orders 12866, 13771, 12988, and 13132, the Paperwork Reduction Act (44 U.S.C., Ch. 35), and the Regulatory Flexibility Act (5 U.S.C. 601–612)

A. Executive Order 12866

The Office of Management and Budget (OMB) has determined that this rule does not constitute a significant regulatory action for purposes of Executive Order 12866 and is not a major rule under the Congressional Review Act, 5 U.S.C. 801, *et seq.*

B. Executive Order 13771

This direct final rule is an Executive Order 13771 deregulatory action with an annualized net savings of $45,245 and a net present value of $646,355, both in 2016 dollars. This rule will remove information, which will save potential applicants time in reading and inquiring about these obsolete programs and reduce confusion around whether applications are being accepted.

Approximately 109,131 applicants apply for SBA disaster assistance loans per year on average, based on data from 2014–2018. These calculations assume 3% of disaster loan applicants read the regulations per year (or approximately 3,300 applicants) and that the removal of these obsolete regulations would save each applicant 30 minutes of time otherwise spent reviewing or inquiring about non-existent programs. This time is valued at $28.80 per hour—the median wage of a full-time working adult based on 2018 Bureau of Labor Statistics (BLS) data, adding 30% more for benefits. The removal of these regulations produces a total savings per year of $47,145 in current dollars.

C. Executive Order 12988

This action meets applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have retroactive or preemptive effect.

D. Executive Order 13132

This rule does not have federalism implications as defined in Executive Order 13132. It will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in the Executive order. As such it does not warrant the preparation of a Federalism Assessment.

E. Paperwork Reduction Act

The SBA has determined that this final rule does not affect any existing collection of information.

F. Regulatory Flexibility Act

When an agency issues a rule, the Regulatory Flexibility Act (RFA) requires the agency to prepare a final regulatory flexibility analysis (FRFA), which describes whether the rule will have a significant economic impact on a substantial number of small entities. However, Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing a FRFA, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities.

This direct final rule is removing descriptions of obsolete programs in the current regulations, which will reduce confusion and the time required to read and/or inquire about obsolete programs. Approximately 109,131 applicants apply for SBA disaster assistance loans per year, on average based on data from

2014–2018. The net savings to potential disaster loan applicants is $47,145 per year in current dollars, or less than a dollar per applicant.

Therefore, SBA hereby certifies that this rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 13 CFR Part 123

Disaster assistance, Loan programs-business, Small businesses, Terrorism.

Accordingly, for the reasons stated in the preamble, SBA is amending 13 CFR part 123 as follows:

PART 123—DISASTER LOAN PROGRAM

■ 1. The authority citation for part 123 is revised to read as follows:

Authority: 15 U.S.C. 632, 634(b)(6), 636(b), 636(d), and 657n.

§ 123.21 [Amended]

■ 2. Amend § 123.21 by removing the last sentence.

Subpart E—[Removed and Reserved]

■ 3. Remove and reserve subpart E, consisting of §§ 123.400 through 123.412.

Subpart G—[Removed and Reserved]

■ 4. Remove and reserve subpart G, consisting of §§ 123.600 through 123.606.

Dated: February 11, 2020.

Jovita Carranza,

Administrator.

[FR Doc. 2020–03657 Filed 3–4–20; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2019–0329; Special Conditions No. 25–760–SC]

Special Conditions: The Boeing Company (Boeing) Model 777–9 Series Airplane; Interior Design To Facilitate Searches Above Passenger Cabin High Wall Suites

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for The Boeing Company (Boeing) Model 777–9 series airplane. This airplane will have novel or unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. These design features are passenger cabins with high wall suites (HWS). The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Effective April 6, 2020.

FOR FURTHER INFORMATION CONTACT: Shannon Lennon, Airframe and Cabin Safety Section, AIR–675, Transport Standards Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone and fax 206–231–3209; email *shannon.lennon@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On April 24, 2018, Boeing applied for an amendment to Type Certificate No. T00001SE to include the new Model 777–9 series airplane. The Boeing Model 777–9 series airplane, which is a derivative of the 777–300ER currently approved under Type Certificate No. T00001SE, is a twin-engine, transport category airplane with seating for up to 495 passengers depending upon airplane configuration, and a maximum takeoff weight of approximately 775,000 lbs.

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, Boeing must show that the Model 777–9 series airplane continues to meet the applicable provisions of part 25, through amendment 139, and the regulations listed in Type Certificate No. T00001SE, or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

If the Administrator finds that the applicable airworthiness regulations (*e.g.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the Boeing Model 777–9 series airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

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

In addition to the applicable airworthiness regulations and special conditions, the Boeing Model 777–9 series airplane must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34, and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Features

The Boeing Model 777–9 series airplane will incorporate the following novel or unusual design features:

This airplane will include a passenger cabin with six HWS arranged in two rows of three suites each in a 1–1–1 configuration. Each HWS has a door and walls that extend from the floor to the ceiling or close to the ceiling. The characteristics of the HWS design are novel or unusual in that the suites are within, but not fully open to the cabin (such as for conventional mini-suites with partial height surrounds). They are not remote from the main cabin, as are overhead crew rest areas.

Discussion

This Boeing Model 777–9 series airplane HWS with interfacing ceiling design is novel or unusual since its design was not specifically considered during the development of § 25.795(c)(3), which requires that certain areas of the airplane incorporate features that deter the concealment, or promote the discovery, of weapons, explosives, or other objects. The areas regulated by that rule are toilets, life preservers and their storage areas, and the areas above overhead bins. These areas are not readily visible, but are readily accessible. For example, areas above overhead bins may not be easily visible when conducting a search due to light fixtures that could inhibit both the visual and physical inspection, but these areas could be accessible places to hide an explosive device.

The wall-to-ceiling interface presented in the HWS design in this application is similar to overhead bin designs with respect to such challenges associated with conducting searches. These special conditions address those challenges.

However, as opposed to areas above overhead bins, which often exist in continuous sections in the passenger

cabin, the search challenges associated with HWS designs, and therefore the particular conditions necessary, may be limited when there are a relatively small number of installed suites, and therefore a smaller amount of area in which objects could be concealed.

In consideration of the HWS design and ceiling interface, an installation incorporating six suites or less limits the search challenge due to the limited overhead area involved, which is similar to the search area presented by installation of a combined galley and lavatory area. Installations incorporating more than six suites present a large overhead area that more closely resembles the search challenges presented by the large overhead bin areas currently addressed by the rule. Since the development of HWS designs such as this one were not specifically considered during development of the rule, special conditions are needed for interior configurations incorporating HWS.

Special Conditions 25–703–SC were previously issued for HWS installations on Model 777–300ER. Those special conditions, however, did not address the novel wall-to-ceiling interface design proposed for Model 777–9 HWS installations. In order to ensure that the Model 777–9 design facilitates a search for dangerous objects, these additional special conditions were proposed for Boeing Model 777–9 airplanes.

The associated guidance material presented in Advisory Circular 25.795–8, Interior Design to Facilitate Searches, dated October 24, 2008, specific to overhead bins designs can also be applied to the Model 777–9 HWS designs.

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

Discussion of Comments

The FAA issued Notice of Proposed Special Conditions No. 25–19–06–SC for The Boeing Company (Boeing) Model 777–9 series airplane, which was published in the **Federal Register** on August 9, 2019 (84 FR 39234). No comments were received, and the special conditions are adopted as proposed, except that information about the availability of AC 25.795–8 as a method of compliance was moved from required text to the preceding general discussion.

Applicability

As discussed above, these special conditions are applicable to the Boeing Model 777–9 series airplanes with HWS installations that interface with the ceiling. Should Boeing apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

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

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

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

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Boeing Model 777–9 series airplanes with HWS installed. These conditions are in addition to existing FAA Special Condition No. 25–703–SC published in the **Federal Register** on October 26, 2017 (82 FR 49492).

Interior Design To Facilitate Searches Above Passenger Cabin High Wall Suites

1. The area above each HWS must be designed such that there should be no hazards to a person performing a physical search above the HWS (*e.g.,* no hot surfaces, no sharp edges, and no corners).

2. Where there are more than six (6) HWS installed on the aircraft, design features must be incorporated that will deter concealment or promote discovery of weapons, explosives, or objects from a simple inspection. Areas above the HWS must be designed to prevent objects from being hidden from view in a simple, visual search from the aisle.

Issued in Des Moines, Washington, on February 14, 2020.

James E. Wilborn,

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

[FR Doc. 2020–03474 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2019–0799; Airspace Docket No. 19–AGL–13]

RIN 2120–AA66

Amendment of VHF Omnidirectional Range (VOR) Federal Airway V–71 and Area Navigation Route T–285 Due to the Decommissioning of the Winner, SD, VOR

Correction

Rule document C1–2020–03280, appearing on page 11841 in the issue of Friday, February 28, 2020 is withdrawn.

In rule document 2020–03280, appearing on pages 10052 through 10053 in the issue of Friday, February 21, 2020 make the following correction.

§ 71.1 [Corrected]

■ On page 10053, in the table, on the final line, ''\(Lat. 44°26′24.30″ N, long. 98°18′39.89″ W)'' should read ''(Lat. 44°26′24.30″ N, long. 98°18′39.89″ W)''.

[FR Doc. C2–2020–03280 Filed 3–4–20; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31298; Amdt. No. 3893]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

DATES: This rule is effective March 5, 2020. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 5, 2020.

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

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001.
2. The FAA Air Traffic Organization Service Area in which the affected airport is located;
3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,
4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email *fedreg.legal@nara.gov* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Availability

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

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone: (405) 954–4164.

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

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

Availability and Summary of Material Incorporated by Reference

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

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

The Rule

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

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

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

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

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on February 21, 2020.

Rick Domingo,

Executive Director, Flight Standards Service.

Adoption of the Amendment

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

Part 97—Standard Instrument Approach Procedures

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

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

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

Effective 26 March 2020

Crystal River, FL, Crystal River-Captain Tom Davis Fld, RNAV (GPS) RWY 27, Amdt 1C

Tampa, FL, Peter O Knight, RNAV (GPS) RWY 22, Amdt 2C

Tampa, FL, Peter O Knight, RNAV (GPS) RWY 36, Amdt 2E
Dubuque, IA, Dubuque Rgnl, ILS OR LOC RWY 36, Amdt 1
Dubuque, IA, Dubuque Rgnl, LOC RWY 31, Amdt 2
Dubuque, IA, Dubuque Rgnl, VOR RWY 31, Amdt 13
Dubuque, IA, Dubuque Rgnl, VOR RWY 36, Amdt 7
Hazard, KY, Wendell H Ford, LOC RWY 14, Amdt 1
Baudette, MN, Baudette Intl, RNAV (GPS) RWY 12, Amdt 1B
Baudette, MN, Baudette Intl, RNAV (GPS) RWY 30, Amdt 2A
Baudette, MN, Baudette Intl, VOR/DME RWY 12, Amdt 5, CANCELLED
Kansas City, MO, Kansas City Intl, ILS OR LOC RWY 1L, Amdt 16
Kansas City, MO, Kansas City Intl, ILS OR LOC RWY 19R, ILS RWY 19R (SA CAT I), ILS RWY 19R (CAT II), ILS RWY 19R (CAT III), Amdt 12
Kansas City, MO, Kansas City Intl, ILS OR LOC RWY 27, Amdt 4
St Louis, MO, St Louis Lambert Intl, ILS OR LOC RWY 6, Amdt 3
St Louis, MO, St Louis Lambert Intl, ILS OR LOC RWY 12R, Amdt 23
St Louis, MO, St Louis Lambert Intl, ILS OR LOC RWY 24, Amdt 47
St Louis, MO, St Louis Lambert Intl, ILS OR LOC RWY 30L, Amdt 13
St Louis, MO, St Louis Lambert Intl, RNAV (GPS) RWY 6, Amdt 2
St Louis, MO, St Louis Lambert Intl, RNAV (GPS) Y RWY 30L, Amdt 2
St Louis, MO, St Louis Lambert Intl, RNAV (RNP) Z RWY 30L, Amdt 1
Grand Forks, ND, Grand Forks Intl, ILS OR LOC RWY 35L, Amdt 12C
Grand Forks, ND, Grand Forks Intl, LOC BC RWY 17R, Amdt 13A
Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 9L, Amdt 1A
Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 27R, Amdt 2A
Grand Forks, ND, Grand Forks Intl, VOR RWY 35L, Amdt 7B
Bassett, NE, Rock County, RNAV (GPS) RWY 13, Amdt 2
Grants Pass, OR, Grants Pass, RNAV (GPS) RWY 13, Amdt 1
Waynesburg, PA, Greene County, COPTER RNAV (GPS) Y RWY 9, Amdt 1
Waynesburg, PA, Greene County, RNAV (GPS) Z RWY 9, Amdt 1
Cisco, TX, Gregory M Simmons Memorial, RNAV (GPS) RWY 36, Orig
Hartford, WI, Hartford Muni, RNAV (GPS) RWY 9, Orig
Hartford, WI, Hartford Muni, RNAV (GPS) RWY 27, Orig
Lewisburg, WV, Greenbrier Valley, ILS OR LOC RWY 4, Amdt 12
Lewisburg, WV, Greenbrier Valley, RNAV (GPS) RWY 4, Amdt 1
Cody, WY, Yellowstone Rgnl, RNAV (GPS) RWY 4, Orig
Cody, WY, Yellowstone Rgnl, RNAV (GPS) RWY 22, Amdt 2
Cody, WY, Yellowstone Rgnl, RNAV (GPS)-B, Amdt 1
Cody, WY, Yellowstone Rgnl, Takeoff Minimums and Obstacle DP, Amdt 5
Cody, WY, Yellowstone Rgnl, VOR–A, Amdt 9

Rescinded: On January 27, 2020 (85 FR 4580), the FAA published an Amendment in Docket No. 31292 Amdt No. 3887, to Part 97 of the Federal Aviation Regulations under sections 97.27 and 97.37. The following entries for Cloquet, MN, effective March 26, 2020, are hereby rescinded in their entirety:

Cloquet, MN, Cloquet Carlton County, NDB RWY 18, Amdt 4B
Cloquet, MN, Cloquet Carlton County, NDB RWY 36, Amdt 5B
Cloquet, MN, Cloquet Carlton County, Takeoff Minimums and Obstacle DP, Amdt 3

[FR Doc. 2020–04174 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31299; Amdt. No. 3894]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

DATES: This rule is effective March 5, 2020. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 5, 2020.

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

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;
2. The FAA Air Traffic Organization Service Area in which the affected airport is located;
3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,
4. The National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, email *fedreg.legal@nara.gov* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Availability

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

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone: (405) 954–4164.

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

the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary.

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

Availability and Summary of Material Incorporated by Reference

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

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

The Rule

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

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

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

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

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

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on February 21, 2020.

Rick Domingo,

Executive Director, Flight Standards Service.

Adoption Of The Amendment

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

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

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

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

** * * Effective Upon Publication*

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
26–Mar–20	NC	Greensboro	Piedmont Triad Intl	9/2114	1/17/20	This NOTAM, published in Docket No. 31297, Amdt No. 3892, TL 20–07 (85 FR 10270; February 24, 2020), is hereby rescinded in its entirety.
26–Mar–20	ME	Sanford	Sanford Seacoast Rgnl	0/0536	2/4/20	RNAV (GPS) RWY 25, Orig-B.
26–Mar–20	ME	Sanford	Sanford Seacoast Rgnl	0/0537	2/4/20	RNAV (GPS) RWY 32, Orig-A.
26–Mar–20	ME	Sanford	Sanford Seacoast Rgnl	0/0538	2/4/20	RNAV (GPS) RWY 7, Orig-C.
26–Mar–20	ME	Sanford	Sanford Seacoast Rgnl	0/0539	2/4/20	VOR RWY 25, Amdt 14B.
26–Mar–20	TX	Angleton/Lake Jackson	Texas Gulf Coast Rgnl	0/0544	2/4/20	RNAV (GPS) RWY 17, Amdt 2A.
26–Mar–20	TX	Angleton/Lake Jackson	Texas Gulf Coast Rgnl	0/0545	2/4/20	RNAV (GPS) RWY 35, Amdt 2A.
26–Mar–20	OK	Tulsa	Richard Lloyd Jones Jr	0/0581	2/4/20	VOR/DME–A, Amdt 7A.
26–Mar–20	ND	Grand Forks	Grand Forks Intl	0/2419	2/11/20	RNAV (GPS) RWY 35L, Orig-B.
26–Mar–20	OK	Okmulgee	Okmulgee Rgnl	0/3051	2/11/20	RNAV (GPS) RWY 36, Orig.
26–Mar–20	OK	Okmulgee	Okmulgee Rgnl	0/3052	2/11/20	ILS OR LOC RWY 18, Amdt 1B.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
26–Mar–20	OK	Okmulgee	Okmulgee Rgnl	0/3053	2/11/20	RNAV (GPS) RWY 18, Amdt 1.
26–Mar–20	OK	Okmulgee	Okmulgee Rgnl	0/3056	2/11/20	VOR–A, Amdt 1.
26–Mar–20	MN	Staples	Staples Muni	0/3087	2/11/20	NDB RWY 14, Amdt 3A.
26–Mar–20	MI	Hastings	Hastings	0/3088	2/11/20	VOR RWY 12, Orig-G.
26–Mar–20	TX	Granbury	Granbury Rgnl	0/3089	2/11/20	VOR/DME RWY 14, Amdt 1A.
26–Mar–20	VA	Charlottesville	Charlottesville-Albemarle	0/3090	2/11/20	RNAV (GPS) Y RWY 21, Amdt 2B.
26–Mar–20	MO	Fredericktown	A Paul Vance Frederick-town Rgnl.	0/3093	2/11/20	VOR/DME RWY 1, Amdt 3A.
26–Mar–20	MO	Fredericktown	A Paul Vance Frederick-town Rgnl.	0/3094	2/11/20	VOR RWY 19, Amdt 1B.
26–Mar–20	VA	Hot Springs	Ingalls Field	0/3317	2/14/20	RNAV (GPS) RWY 25, Orig.
26–Mar–20	VA	Hot Springs	Ingalls Field	0/3318	2/14/20	RNAV (GPS) RWY 7, Orig.
26–Mar–20	TX	Dallas-Fort Worth	Dallas-Fort Worth Intl	0/3356	2/12/20	ILS OR LOC RWY 17R, Amdt 23C.
26–Mar–20	NM	Deming	Deming Muni	0/3465	1/16/20	VOR RWY 26, Amdt 10A.
26–Mar–20	NE	York	York Muni	0/3638	1/17/20	RNAV (GPS) RWY 35, Amdt 1.
26–Mar–20	MN	Minneapolis	Airlake	0/3905	2/12/20	VOR RWY 12, Amdt 3.
26–Mar–20	WI	Appleton	Appleton Intl	0/3911	2/12/20	RNAV (GPS) RWY 12, Amdt 1A.
26–Mar–20	WI	Appleton	Appleton Intl	0/3912	2/12/20	RNAV (GPS) RWY 3, Amdt 1A.
26–Mar–20	WI	Appleton	Appleton Intl	0/3916	2/12/20	RNAV (GPS) RWY 21, Amdt 2A.
26–Mar–20	NC	Greensboro	Piedmont Triad Intl	0/4152	2/12/20	ILS OR LOC RWY 23L, Amdt 9C.
26–Mar–20	MI	Saginaw	Saginaw County H W Browne.	0/4286	2/12/20	RNAV (GPS) RWY 10, Amdt 1.
26–Mar–20	PA	Washington	Washington County	0/4320	2/13/20	ILS OR LOC RWY 27, Amdt 1B.
26–Mar–20	OH	Millersburg	Holmes County	0/4324	2/12/20	RNAV (GPS) RWY 9, Orig-A.
26–Mar–20	OH	Millersburg	Holmes County	0/4342	2/12/20	RNAV (GPS) RWY 27, Orig-A.
26–Mar–20	FL	Orlando	Orlando Sanford Intl	0/4707	2/13/20	ILS OR LOC RWY 9R, Amdt 1B.
26–Mar–20	GA	Atlanta	Hartsfield—Jackson Atlanta Intl.	0/6301	1/27/20	ILS OR LOC RWY 9L, Amdt 10B.
26–Mar–20	GA	Atlanta	Hartsfield—Jackson Atlanta Intl.	0/6306	1/27/20	RNAV (GPS) PRM RWY 9L (SIMULTANEOUS CLOSE PARALLEL), Orig-D.
26–Mar–20	GA	Atlanta	Hartsfield—Jackson Atlanta Intl.	0/6315	1/27/20	RNAV (GPS) RWY 09L, Amdt 4C.
26–Mar–20	GA	Atlanta	Hartsfield—Jackson Atlanta Intl.	0/6317	1/27/20	ILS PRM RWY 9L (SIMULTANEOUS CLOSE PARALLEL), Amdt 2.
26–Mar–20	WA	Seattle	Boeing Field/King County Intl.	0/6509	2/3/20	ILS OR LOC RWY 14R, Amdt 31.
26–Mar–20	MA	Worcester	Worcester Rgnl	0/6960	2/7/20	VOR/DME RWY 33, Amdt 1B.
26–Mar–20	CA	Ontario	Ontario Intl	0/7324	2/3/20	ILS OR LOC RWY 26L, ILS RWY 26L (CAT II), ILS RWY 26L (CAT III), Amdt 8B.
26–Mar–20	OH	Youngstown/Warren	Youngstown-Warren Rgnl	0/8835	2/6/20	ILS OR LOC RWY 14, Amdt 8C.
26–Mar–20	OH	Youngstown/Warren	Youngstown-Warren Rgnl	0/8836	2/6/20	ILS OR LOC RWY 32, Amdt 27C.
26–Mar–20	OH	Youngstown/Warren	Youngstown-Warren Rgnl	0/8837	2/6/20	NDB RWY 32, Amdt 20C.
26–Mar–20	OH	Youngstown/Warren	Youngstown-Warren Rgnl	0/8838	2/6/20	RNAV (GPS) RWY 14, Orig-B.
26–Mar–20	OH	Youngstown/Warren	Youngstown-Warren Rgnl	0/8839	2/6/20	RNAV (GPS) RWY 32, Orig-D.
26–Mar–20	AL	Brewton	Brewton Muni	0/8854	2/10/20	RNAV (GPS) RWY 12, Orig-A.
26–Mar–20	AL	Brewton	Brewton Muni	0/8855	2/10/20	RNAV (GPS) RWY 30, Orig-A.
26–Mar–20	AL	Brewton	Brewton Muni	0/8856	2/10/20	VOR/DME RWY 30, Amdt 8.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
26–Mar–20	FL	Titusville	Arthur Dunn Air Park	0/8867	2/6/20	RNAV (GPS)-A, Orig-A.
26–Mar–20	FL	Titusville	Arthur Dunn Air Park	0/8868	2/6/20	RNAV (GPS)-B, Orig-A.
26–Mar–20	NY	New York	John F Kennedy Intl	0/8874	2/7/20	RNAV (RNP) Z RWY 31R, Amdt 1A.
26–Mar–20	FL	Bonifay	Tri-County	0/8877	2/6/20	RNAV (GPS) RWY 19, Orig-B.
26–Mar–20	TX	Denton	Denton Enterprise	0/8892	2/6/20	RNAV (GPS) RWY 36, Amdt 2B.
26–Mar–20	AZ	Tucson	Tucson Intl	0/8926	2/3/20	RNAV (GPS) RWY 11R, Orig-C.
26–Mar–20	AZ	Tucson	Tucson Intl	0/9081	2/3/20	ILS OR LOC RWY 11L, Amdt 14B.
26–Mar–20	OR	Grants Pass	Grants Pass	0/9185	2/7/20	RNAV (GPS)-A, Orig.
26–Mar–20	ND	Grand Forks	Grand Forks Intl	0/9985	2/11/20	VOR RWY 17R, Amdt 6A.
26–Mar–20	CA	Sacramento	Sacramento Mather	9/4931	2/6/20	ILS OR LOC RWY 22L (SA CAT I), ILS RWY 22L (SA CAT II), Amdt 7.
26–Mar–20	IN	Indianapolis	Indianapolis Intl	9/4955	1/28/20	ILS OR LOC RWY 5R, ILS RWY 5R (SA CAT I), ILS RWY 5R (CAT II), ILS RWY 5R (CAT III), Amdt 7.
26–Mar–20	IN	Indianapolis	Indianapolis Intl	9/4956	1/28/20	RNAV (RNP) Z RWY 23L, Amdt 2.
26–Mar–20	IN	Columbus	Columbus Muni	9/9469	1/21/20	ILS OR LOC RWY 23, Amdt 8.

[FR Doc. 2020–04175 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–13–P

POSTAL SERVICE

39 CFR Part 501

Authorization To Manufacture and Distribute Postage Evidencing Systems

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending its Postage Evidencing Systems regulations. These changes put the financial responsibility for returned checks and returned Automated Clearinghouse (ACH) debit payments on the applicable resetting company (RC) and PC Postage provider. These responsibilities include providing reimbursement for any penalties or fines imposed on the Postal Service for returned checks or ACH debit payments, and remitting the amount of the returned check or ACH debit payment, as applicable, plus the reimbursement to the Postal Service within 10 federal banking days of the date the invoice is mailed. These changes also update the Statement on Standards for Attestation Engagements (SSAE) 18 requirements and add the requirement for System and Organization Control (SOC) 2 reporting.

DATES: Effective March 5, 2020.

FOR FURTHER INFORMATION CONTACT: Lisa H Arcari, Director, Commercial Payment, *lisa.h.arcari@usps.gov,* 202–268–4270.

SUPPLEMENTARY INFORMATION: The Postal Service issued proposed revisions to 39 CFR part 501, set forth in the **Federal Register** on October 7, 2019 (84 FR 53353). The proposal made several major changes: (1) Imposing the financial responsibility for returned checks and returned Automated Clearinghouse (ACH) debit payments on the resetting companies (Postage Meter Manufacturers) and on the PC Postage Providers, as applicable (collectively ''Providers''), (2) imposing a $30 return fee on the Providers for returned checks and ACH debits, and (3) requiring the Providers to submit System and Organization Control (SOC) 2, Type II reports to the Postal Service as a requirement for continued operations as a Provider.

Five sets of comments were received in response to the **Federal Register** Notice, from FP USA (Francotyp Postalia), Pitney Bowes Inc., *Stamps.com/Endicia* (PSI Systems, Inc.), Neopost USA (soon to be Quadient), and PostCom. There are four common themes throughout these comments; as such they can be broken down as follows:

ACH Returns

Industry Comments

The proposal to impose financial responsibility for returned checks and returned ACH debit payments received several comments. Some commenters opined that the proposed rule unfairly makes providers liable for ACH returns and will lead to a reduction of ACH use by customers at a time when the Postal Service is trying to increase its use. Although Providers bear this financial responsibility for credit cards, the credit card real-time validation process is much more robust, and ACH returns are not revealed until several days after the transaction occurs. This risk continues with each ACH debit transaction, unlike for credit cards. While acknowledging that Providers are and should be responsible for helping the Postal Service to try to collect ACH return funds on the Postal Service's behalf, many commenters believe it is unreasonable for the Providers to take on this financial burden.

One commenter believes the proposed rule offered little explanation as to why the changes are necessary or whether there will be any benefits. Instead of changing its regulations, this commenter suggests that the Postal Service should work with the small pool of Providers to come up with a solution for ACH debit returns. Another commenter contends that shifting liability for ACH returns is a customer unfriendly unlawful taking, and that it violates Executive Order 13771 relating to economically significant regulatory actions that impose costs on industry.

Some commenters also argued that automatically locking customer accounts would cause significant service interruptions to large customers in connection with routine business activities, resulting in customers switching to a non-Postal service

provider or to non-ACH payment methods. If the risk of ACH returns is now shifted to the Providers, these commenters argue that they should have the discretion to decide whether or not to lock the account since they will be bearing the risk of non-payment. Another commenter added that, if the Postal Service intends to impose the risk of a failed payment on the Providers, then the Providers should have the discretion to delay refilling meters and PC Postage accounts until check payments clear and ACH transactions are proven effective. Along these same lines, another commenter requested that, since the checks and ACH debit transactions are made payable to the Postal Service, the Postal Service should assign the Providers the legal right to pursue customers for returned checks and ACH debits.

With respect to the processing of ACH payments, one commenter suggested that the Postal Service should work with Citibank to implement same-day ACH as an option to allow providers the ability to reduce the delay in disabling customers for returned ACH debits. According to this commenter, the current ACH process can take up to 10 days to receive a return transaction, and the Postal Service and Citibank should work on a plan to implement a 'Real Time' ACH validation. This commenter also suggested that Providers should be given 45 days to collect returned postage download amounts from customers, noting its position that 10 days does not give the customer sufficient time to work with internal accounts payable departments to process replacement payments.

Finally, one commenter expressed the view that the change is directed at PC Postage vendors, who caused this issue by not addressing it long ago. This commenter believes the Postal Service is placing an undue burden on meter manufacturers for a problem caused by PC Postage vendors.

USPS Response

The Postal Service agrees with some of these comments and proposals, while disagreeing with others, as described below.

As an initial matter, the Postal Service notes that the National Automated Clearing House Association (NACHA) manages the development, administration, and governance of the ACH Network. The NACHA Rules, which the Postal Service is obliged to follow, provide the legal and operational foundation of the ACH network, and are meant to safeguard customers' sensitive data. Imposing responsibility for returned checks and returned ACH debit payments on Providers encourages the Providers to take adequate measures to authenticate the identity of their customers through account validation and to ensure that each account that is debited is authorized. Providers have direct relationships with the shippers and mailers who are their customers, and they are in the best position to authenticate the customers and their accounts. This requirement also aligns with NACHA Know Your Customer guidance and best practices. The Provider must adhere to the ACH returns to ACH volume thresholds as outlined in the NACHA operating rules and guidelines. The Postal Service intends to work with Providers to offer its expertise and guidance on these rules.

With respect to the locking of customer accounts, the Postal Service notes that this is not a new requirement; the wording was updated from the original regulation for clarity. The Providers should not have discretion on whether or not to lock the account, as continuing to allow ACH debit returns violates NACHA rules, to which the Postal Service is subject.

The Postal Service agrees with the suggestion that Providers should have the discretion to delay refilling meters and PC Postage accounts until check payments clear and ACH transactions are proven effective. Providers currently have this discretion, and will continue to have it under the final rule.

The Postal Service also agrees with the proposal that it assign Providers the legal right to pursue customers for returned checks and ACH debits. Discussions concerning the implementation of this proposal will occur after the rule is published.

The Postal Service disagrees that imposing responsibility on Providers for ACH returns involves a taking of property under the Fifth Amendment or a violation of any applicable Executive order. Remitting payment via ACH is the customer's choice, not a regulatory requirement that is imposed by the Postal Service. Moreover, requiring Providers to cover the cost of ACH returns is consistent with industry practice, as explained above.

As for the suggestion that the Postal Service work with Citibank to implement same-day ACH or ''Real Time'' ACH validation, based on our experience, ACH debit returns that take 10 days are not the norm. The Postal Service would need more information on returns past the two-day window to research. In any event, the Postal Service is in the process of evaluating the impacts to the Postal Service of same-day ACH and the effectiveness of these products to Providers. After the Postal Service's positive review of the feasibility of same-day ACH transactions in this context, meter manufacturers and PC Postage providers interested in any of these products should inform the Postal Service, and the Postal Service will review these requests on a case-by-case basis.

In addition, to clarify the proposed timeline in response to the suggestion that Providers be given 45 days to collect returned postage amounts from customers, the Postal Service notes that invoices will be generated on a monthly basis for returns incurred for the previous month. The 10-day period will start once the invoice for returns from the previous month is mailed. In other words, the 10-day window does not begin on the day the ACH debit return occurs, but rather on the day the Postal Service invoice is mailed.

The financial responsibility for ACH debit returns will be shifted to the providers beginning April 1, 2020. The first invoice will be sent in early May 2020 for the debit returns that occurred in April.

Finally, the Postal Service disagrees with the assessment that the proposed rule places an undue burden on meter manufacturers for a problem caused by PC Postage vendors. The Postal Service already holds and is continuing to hold PC Postage Providers and meter manufacturers to the same standards.

$30 Return Fee

Industry Comments

Several commenters expressed concerns that the proposed $30 ACH return fee would have negative processing and customer service implications, which would discourage customers' continued use of ACH. They believe many customers would object to paying the fee, and may leave the Postal Service if the fee cannot be waived, particularly if service cannot be immediately restored. If the Postal Service wants to collect this fee, they argue, then the Postal Service should do so itself so that it can exercise discretion on whether the fee should be waived. These commenters also noted that the proposed fee would add cost to the Providers without providing any benefit to them. Updates to systems and to Postal Service reporting for these fees, including daily balance accounting reconciliation (DBAR) updates, would require definition before an estimated implementation timeline could be provided. In addition, because changes to these systems could affect the SOC reports, SOC control objectives would

need to be updated for this change. These commenters also suggested that the ACH fee should be able to be deducted from customers' prepaid funds (if available), and the DBAR should be updated to reflect this option.

One commenter suggested that the Postal Service should provide the industry with updated Postal Service terms and conditions to support the fees for returned ACH debits and checks. Because new terms would apply to the fees, the commenter noted its expectation that the fee would only apply to new and renewal customers. The commenter suggested further that the Postal Service should clarify that individual Providers are only responsible for charging for returned checks and ACH credits for the Providers' active customers.

USPS Response

Charging the customer a fee for a returned ACH transaction is a common practice, and the $30 amount of the fee is consistent with the existing charge for bounced checks. Nevertheless, upon further consideration and in response to the commenters' concerns, the Postal Service has decided to eliminate the $30 fee in the final rule. The fee was intended to reimburse the Postal Service for costs it may incur in connection with returned checks or ACH debit payments. As an alternative to an automatic $30 fee for every returned item, the final rule reserves the Postal Service's right to seek reimbursement from a Provider for any penalties or fines that are imposed on the Postal Service (for example, by a bank) occasioned by repeated returned checks or ACH debit payments from that Provider's customer. This would be in accord with current practice and would encourage the Providers to review and vet their customers and their behavior, to avoid being assessed penalties or fines. If the Postal Service does not incur any such penalties or fines, then the Provider will only be responsible for the amount of the returned check or ACH debit payment, as applicable, without any additional fees imposed. Under the final rule, the Provider may choose whether to pass any such reimbursement costs (of penalties or fines) on to its customer.

The comments relating to applicability of the $30 fee to new and renewal customers and/or active customers are largely moot, in light of the Postal Service's decision to eliminate the $30 fee. However, it should be noted that Providers will be responsible for reimbursement of fines and penalties incurred by the Postal Service, regardless of whether the customers that caused those issues are new, renewal, active, or other customers of the Provider.

SOC 2, Type II Report

Industry Comments

Several commenters addressed the proposal to require SOC 2, Type II reporting. For example, they stated that the scope of the SOC 2 Type II mandate should be relevant to the information exchanged, and should be narrowly drawn to those applications, reports, and technology relevant to the Postal Service's controls. Commenters also argued that the report should address privacy.

Other commenters stated that the changes required to support a SOC 2 Type II report will take considerable effort to scope, develop, test and implement, and that this is an unreasonable expense and burden on the industry.

Finally, the commenters noted that the Postal Service needs to provide the industry with the SOC 2 Control objectives. Control objectives provided by February 28 of each year should be required to be implemented in the next audit period.

USPS Response

The Postal Service disagrees with limiting the scope to only those applications mentioned by the commenters and privacy. The purpose of the SOC 2 reporting is to meet the needs of a broad range of users that need detailed information and assurance about the controls at a service organization relevant to security, availability, and processing integrity of the systems the service organization uses to process users' data and the confidentiality and privacy of the information processed by these systems. The goal is to understand the security posture of the entire organization.

As for the commenters' concerns about expense and burden, SOC 2 reporting is an industry standard, and has been for many years. There is an expense, but it is to the industry's benefit too. The Postal Service will give the industry reasonable time to adopt these changes.

The Postal Service agrees that it should provide the industry with SOC 2 control objectives, and will provide these by March 18, 2020 for the Type I report and by January 31 of each year to be implemented in the appropriate audit period for Type II reports. The Postal Service will strive to give the industry ample time to implement any changes to control objectives from one year to the next.

General Comments

Industry comment: The implementation timeframes in the proposal need to be clarified for both items.

USPS response: The Postal Service will require a SOC 2 Type I report by July 1, 2020, the Postal Service will provide the initial control objectives by March 18, 2020. The first SOC 2 Type II report will be due August 15, 2021, and the subsequent Type II reports will be due on August 15 each year going forward. For future years, the Postal Service will provide the SOC 2 control objectives by January 31.

Industry comment: The Postal Service teams should have raised the proposed rules as an issue during the Industry meetings. Discussion at industry meetings would have allowed the industry to educate the Postal Service on each provider's processes and discuss a phased plan to achieve the Postal Service objectives.

USPS response: NACHA's upcoming rule changes and customer validation were discussed at the July 25, 2019 Industry Working meeting. The NACHA webinars were made available to the industry. It is within the Postal Service's discretion whether and how much to discuss a proposed rule with the industry before publishing.

List of Subjects in 39 CFR Part 501

Administrative practice and procedure, Postal Service.

For the reasons stated in the preamble, the Postal Service amends 39 CFR part 501 as follows:

PART 501—[AMENDED]

■ 1. The authority citation for part 501 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 410, 2601, 2605; Inspector General Act of 1978, as amended (Pub. L. 95–452, as amended); 5 U.S.C. App. 3.

■ 2. Amend § 501.15 by revising paragraphs (g), (i), and (j) to read as follows:

§ 501.15 Computerized Meter Resetting System.

* * * * *

(g) *Financial responsibility for returned payments.* The RC is required to reimburse the Postal Service upon request for any returned checks or ACH debits for postage payments. The RC must, upon first becoming aware of a returned check or ACH debit, immediately lock the customer's CMRS account to prevent a meter reset until the RC receives confirmation of payment for the returned item. If a

penalty or fine is assessed against the Postal Service for returned checks or ACH debit payments from an RC's customer, the Postal Service may request reimbursement for such penalty or fine from the RC. The RC is required to remit the amount of the returned item to the Postal Service plus the reimbursement request, to the extent applicable, within ten (10) banking days. Invoices will be created monthly for returns and/or applicable penalties or fines incurred for the previous month. The 10 banking days will start once the invoice is mailed. The RC has discretion to decide whether to charge its customer for any such reimbursement costs (of penalties or fines) the RC pays to the Postal Service in connection with the customer's returned check or ACH debit.

* * * * *

(i) *Security and revenue protection.* To receive Postal *Service* approval to continue to operate systems in the postage meters environment, the RC must submit to a periodic examination and provide a System and Organization Control (SOC) 1 Type II Report of its meter system and any other applications and technology infrastructure that may have a material impact on Postal Service revenues, as determined by the Postal Service. Additionally, RC must submit to a periodic examination and provide a SOC 2 Type II Report of its meter system data security, accuracy, processing integrity and data integrity for any applications, reports, and technology infrastructure that may have a material impact on the RC's reports, which the Postal Service relies upon. For the initial SOC 2 Type I report, the Postal Service will provide the control objectives by March 18, 2020. The due date for the initial SOC 2 Type I is July 1, 2020, with the SOC 2 Type II due on August 15, 2021. Both the SOC 1 and SOC 2 examinations shall be performed by a qualified, independent audit firm and shall be conducted in accordance with the Statements on Standards for Attestation Engagements (SSAEs) No. 18, Service Organizations, developed by the American Institute of Certified Public Accountants (AICPA), as amended or superseded. Expenses associated with such examination shall be incurred by the RC. The examination shall include testing of the operating effectiveness of relevant RC internal controls (SOC 1 Type II SSAE 18 & SOC 2 Type II SSAE 18 Reports). If the service organization uses another service organization (sub-service provider), the RC should consider the nature and materiality of the transactions and data processed by the sub-service organization and the contribution of the sub-service organization's processes and controls in the achievement of the Postal Service's control objectives. Resetting companies are expected to submit any request for changes to control objectives by December 31 of each year, which will be taken under consideration by the Postal Service for review and approval. The Postal Service will provide common control objectives to be covered by the SOC 1 Type II SSAE 18 by January 31 each year. As a result of the examination, the service auditor shall provide the RC and the Postal Service with an opinion on the design and operating effectiveness of the RC's internal controls related to the meter system and any other applications and technology infrastructure considered material to the services provided to the Postal Service by the RC. SOC 1 and SOC 2 examinations are to be conducted on no less than an annual basis, and are to be as of and for the 12 months ended June 30 of each year (except for new contracts for which the examination period will be no less than the period from the contract date to the following June 30, unless otherwise agreed to by the Postal Service). The SOC 1 and SOC 2 examination reports are to be provided to the Postal Service by August 15 of each year. To the extent that internal control weaknesses are identified in a SOC report, the Postal Service requires prompt communication and remediation of such weaknesses and shall have the right to review working papers and engage in discussions about the work performed with the service auditor. The Postal Service requires that all remediation efforts (if applicable) are completed and reported by the RC prior to the Postal Service's fiscal year end (September 30). In addition, the RC will be responsible for evaluating its internal control environment related to the meter system and any other applications and technology infrastructure considered material to the services provided to the Postal Service by the RC, in particular, disclosing changes to internal controls for the period of July 1 to September 30. This evaluation should be documented and submitted to the Postal Service by October 15 of each year. The RC will be responsible for all costs related to the examinations conducted by the service auditor and the RC.

(j) *Inspection of records and facilities.* The RC must make its facilities that handle the operation of the computerized resetting system and all records about the operation of the system available for inspection by representatives of the Postal Service at all reasonable times. At its discretion, the Postal Service may continue to fund inspections as it has in the past, provided the costs are not associated with a particular security issue related to the RC's meter systems and supporting infrastructure.

* * * * *

■ 3. Amend § 501.16 by revising paragraph (d) and (f) to read as follows:

§ 501.16 PC postage payment methodology.

* * * * *

(d) *Financial responsibility for returned payments.* The provider must reimburse the Postal Service upon request for any returned checks or ACH debits for postage payments. The provider must, upon first becoming aware of a returned check or ACH debit, immediately lock the customer account to prevent resetting the account until the provider receives confirmation of payment for the returned item. If a penalty or fine is assessed against the Postal Service for returned checks or ACH debit payments from a provider's customer, the Postal Service may request reimbursement for such penalty or fine from the provider. The provider is required to remit the amount of the returned item plus the amount of the reimbursement request, to the extent applicable, to the Postal Service within ten (10) banking days. Invoices will be created monthly for returns and/or applicable penalties or fines incurred for the previous month. The 10 banking days will start once the invoice is mailed. The provider has discretion to decide whether to charge its customer for any such reimbursement costs (of penalties or fines) the provider pays to the Postal Service in connection with the customer's returned check or ACH debit.

* * * * *

(f) *Security and revenue protection.* To receive Postal Service approval to continue to operate PC Postage systems, the provider must submit to a periodic examination and provide a SOC 1 Type II Report of its PC Postage system and any other applications and technology infrastructure that may have a material impact on Postal Service revenues, as determined by the Postal Service. Additionally, provider must submit to a periodic examination and provide a SOC 2 Type II Report of its meter system data security, accuracy, processing integrity and data integrity for any applications, reports, and technology infrastructure that may have a material impact on the provider's reports, which the Postal Service relies upon. The examination shall be performed by a

qualified, independent audit firm and shall be conducted in accordance with the Statements on Standards for Attestation Engagements (SSAEs) No. 18, Service Organizations, developed by the American Institute of Certified Public Accountants (AICPA), as amended or superseded. Expenses associated with such examination shall be incurred by the provider. The examination shall include testing of the operating effectiveness of relevant provider internal controls (SOC 1 Type II SSAE 18 Report). If the service organization uses another service organization (sub-service provider), the provider should consider the nature and materiality of the transactions processed by the sub-service organization and the contribution of the sub-service organization's processes and controls in the achievement of the Postal Service's control objectives. The control objectives to be covered by the SOC 1 Type II SSAE 18 report are subject to Postal Service review and approval, and are to be provided to the Postal Service 30 days prior to the initiation of each examination period. Resetting companies are expected to submit any request for changes to control objectives by December 31 of each year, which will be taken under consideration by the Postal Service for review and approval. The Postal Service will provide common control objectives to be covered by the SOC 1 Type II SSAE 18 by January 31 each year. As a result of the examination, the service auditor shall provide the provider and the Postal Service with an opinion on the design and operating effectiveness of the provider's internal controls related to the meter system, and any other applications and technology infrastructure considered material to the services provided to the Postal Service by the RC. SOC 1 and SOC 2 examinations are to be conducted on no less than an annual basis, and are to be as of and for the 12 months ended June 30 of each year (except for new contracts for which the examination period will be no less than the period from the contract date to the following June 30, unless otherwise agreed to by the Postal Service). The SOC 1 and SOC 2 examination reports are to be provided to the Postal Service by August 15 of each year. To the extent that internal control weaknesses are identified in a SOC 1 Type II SSAE 18 report, the Postal Service requires prompt communication and remediation of such weaknesses and will review working papers and engage in discussions about the work performed with the service auditor. The Postal Service requires that all remediation efforts (if applicable) are completed and reported by the provider to the Postal Service's fiscal year end (September 30). In addition, the provider will be responsible evaluating its internal control environment related to the meter system and any other applications and technology infrastructure considered material to the services provided to the Postal Service by the provider, in particular, disclosing changes to internal controls for the period of July 1 to September 30. This evaluation should be documented and submitted to the Postal Service by October 15 each year. The provider will be responsible for all costs related to the examinations conducted by the service auditor and the RC.

* * * * *

Brittany M. Johnson,

Attorney, Federal Compliance.

[FR Doc. 2020–03562 Filed 3–4–20; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2019–0439; FRL–10005–31–Region 9]

Air Plan Approval; California; Mojave Desert Air Quality Management District

Correction

In Rule document 2020–03251, appearing on pages 11812–11814, in the issue of Thursday, February 27, 2020, make the following correction:

On page 11812, in the first column, the subject-line is corrected to read as set forth above.

[FR Doc. C1–2020–03251 Filed 3–4–20; 8:45 am]

BILLING CODE 1301–00–D

Proposed Rules

Federal Register
Vol. 85, No. 44
Thursday, March 5, 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.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 109

RIN 3245–AH15

Regulatory Reform Initiative: Intermediary Lending Pilot Program

AGENCY: U.S. Small Business Administration.

ACTION: Proposed rule.

SUMMARY: The U.S. Small Business Administration (SBA) is proposing to remove three regulations governing the application and selection process for Intermediary Lending Pilot (ILP) program Intermediaries. These regulations are no longer necessary because SBA is no longer authorized to select new ILP Intermediaries. The removal of these regulations will assist the public by simplifying SBA's regulations. SBA is also proposing to make two conforming amendments to avoid confusion.

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

ADDRESSES: You may submit comments, identified by RIN: 3245–AH15, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Mail or Hand Delivery/Courier:* Daniel Upham, Chief, Microenterprise Development Division, Office of Financial Assistance, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

SBA will post all comments on *http://www.regulations.gov*. If you wish to submit confidential business information (CBI), as defined in the User Notice at *http://www.regulations.gov,* please submit the information to Daniel Upham, Chief, Microenterprise Development Division, Office of Financial Assistance, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416, or send an email to *daniel.upham@sba.gov*. Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review the information and make the final determination on whether it will publish the information.

FOR FURTHER INFORMATION CONTACT: Daniel Upham, Chief, Microenterprise Development Division, Office of Financial Assistance, (202) 205–7001 or *daniel.upham@sba.gov*.

SUPPLEMENTARY INFORMATION:

I. Background Information

A. Part 109, Intermediary Lending Pilot Program

The Intermediary Lending Pilot (ILP) program was authorized by Congress as a 3-year pilot program in the Small Business Jobs Act of 2010, Public Law 111–240, enacted September 27, 2010. Under the ILP program, SBA provided loans to selected nonprofit intermediaries (ILP Intermediaries) for the purpose of providing loans to small businesses. Currently, there are 33 lenders participating in the ILP program. SBA was authorized to make loans to ILP Intermediaries in fiscal years 2011, 2012, and 2013. This rule proposes to remove three regulations from the Code of Federal Regulations (CFR) that are no longer necessary because SBA is no longer authorized to select new ILP Intermediaries.

B. Executive Order 13771

On January 30, 2017, President Trump signed Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs, which, among other objectives, is intended to ensure that an agency's regulatory costs are prudently managed and controlled so as to minimize the compliance burden imposed on the public. For every new regulation an agency proposes to implement, unless prohibited by law, this Executive Order requires the agency to (i) identify at least two existing regulations that the agency can cancel; and (ii) use the cost savings from the cancelled regulations to offset the cost of the new regulation.

C. Executive Order 13777

On February 24, 2017, the President issued Executive Order 13777, Enforcing the Regulatory Reform Agenda, which further emphasized the goal of the Administration to alleviate the regulatory burdens placed on the public. Under Executive Order 13777, agencies must evaluate their existing regulations to determine which ones should be repealed, replaced, or modified. In doing so, agencies should focus on identifying regulations that, among other things: Eliminate jobs or inhibit job creation; are outdated, unnecessary, or ineffective; impose costs that exceed benefits; create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies; or are associated with Executive Orders or other Presidential directives that have been rescinded or substantially modified. SBA has engaged in this process and has identified the regulations in this rulemaking as appropriate for removal in accordance with Executive Order 13777.

II. Section by Section Analysis

A. Section 109.200, Application To Become an ILP Intermediary.

This section describes the application process to become an ILP Intermediary, including publication of a Notice of Funds Availability (NOFA) in the **Federal Register** to announce the availability of funds for the program and specify any special rules, procedures, and restrictions for a particular funding round. This section also includes the requirements for an ILP Intermediary application.

B. Section 109.210, Evaluation and Selection of ILP Intermediaries.

This section describes the process by which SBA evaluates ILP Intermediary applications. The rule specifies that SBA will make loans to not more than 20 selected ILP Intermediaries in each fiscal year for which funding was available, and that applications will be evaluated and scored based on the criteria specified in the NOFA.

C. Section 109.220, Loan Limits—Loans to ILP Intermediaries.

Section 109.220 states that no ILP Intermediary may receive more than $1 million in ILP Loans.

SBA's authority to make loans to ILP Intermediaries has expired; therefore, SBA is not accepting any new ILP Intermediary applications. Since the program no longer allows for new ILP Intermediaries, the removal of these three regulations will reduce confusion and regulatory burden. Requirements for current ILP Intermediaries are found in the remaining provisions of part 109.

D. Conforming Amendments

In addition to removing the three regulations described above, SBA also proposes to make two conforming amendments. First, SBA proposes to revise the definition of ILP Intermediary in Section 109.20 to remove reference to the competitive application process. Because the regulations describing the application process (Sections 109.200 and 109.210) are proposed for removal, this revision is necessary to avoid confusion. Second, SBA proposes to remove the cross-reference to section 120.173, Lead-based paint, in Section 109.440. Section 109.440 states that loans made by an ILP Intermediary must comply with all applicable laws, including SBA's Lead-based paint regulation in Section 120.173. In a separate rulemaking, SBA is proposing to remove Section 120.173 because it is no longer necessary—16 CFR part 1303 already bans paint containing a concentration of lead in excess of 0.009% (90 parts per million) for use in residences, schools, hospitals, parks, playgrounds, and public buildings or other areas where consumers will have direct access to the painted surface. Therefore, SBA proposes to remove the cross-reference in part 109 as well.

III. Compliance With Executive Orders 12866, 13771, 12988, and 13132, the Paperwork Reduction Act (44 U.S.C., Ch. 35), and the Regulatory Flexibility Act (5 U.S.C. 601–612)

A. Executive Order 12866

The Office of Management and Budget has determined that this proposed rule does not constitute a significant regulatory action for purposes of Executive Order 12866 and is not a major rule under the Congressional Review Act, 5 U.S.C. 801, *et seq.*

B. Executive Order 13771

This proposed rule is expected to be an Executive Order 13771 deregulatory action with an annualized net savings of $7,677 and a net present value of $109,667 in savings, both in 2016 dollars. This rule would remove information about applying to the ILP program which would save potential applicants time in reading and researching/inquiring about this obsolete program and reduce confusion around whether applications are being accepted.

SBA is aware of approximately 500 nonprofit lenders that could potentially research the ILP program application process. Assuming that, each year, 20 percent of these nonprofit lenders would review SBA's ILP program regulations and that each would save 1 hour of review time due to removal of the regulations discussed in this rule, these non-profits would be relieved of 100 burden hours. Valuing this time at $79.99 per hour—the wage of a financial manager based on 2018 U.S. Bureau of Labor Statistics (BLS) data and adding 30 percent more for benefits—this produces total savings per year of $7,999 in current dollars.

C. Executive Order 12988

This action meets applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have retroactive or preemptive effect.

D. Executive Order 13132

This rule does not have federalism implications as defined in Executive Order 13132. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in the Executive Order. As such it does not warrant the preparation of a Federalism Assessment.

E. Paperwork Reduction Act

The SBA has determined that this proposed rule does not affect any existing collection of information.

F. Regulatory Flexibility Act

When an agency issues a rulemaking proposal, the Regulatory Flexibility Act (RFA) requires the agency to ''prepare and make available for public comment an initial regulatory flexibility analysis'' which will ''describe the impact of the proposed rule on small entities.'' (5 U.S.C. 603(a)). Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the proposed rulemaking is not expected to have a significant economic impact on a substantial number of small entities.

SBA is aware of approximately 500 nonprofit lenders that could potentially search for and read about applying to the ILP program. The removal of obsolete regulations related to the ILP program would reduce confusion for these lenders and the time required to read and/or inquire about obsolete regulations. The total annual savings to these nonprofit lenders is estimated at $7,999 in current dollars, or about $16 per nonprofit lender. More information on this estimate can be found in the Executive Order 13771 discussion above.

Therefore, SBA hereby certifies that this proposed rule would not have a significant economic impact on a substantial number of small entities. The SBA invites comments from the public on this certification.

List of Subjects in 13 CFR Part 109

Community development, Loan program—business, Reporting and recordkeeping requirements, Small businesses.

Accordingly, for the reasons stated in the preamble, SBA proposes to amend 13 CFR part 109 as follows:

PART 109—INTERMEDIARY LENDING PILOT PROGRAM

■ 1. The authority citation for part 109 continues to read as follows:

Authority: 15 U.S.C. 634(b)(6), (b)(7), and 636(l).

§ 109.20 [Amended]

■ 2. Amend § 109.20 by revising the definition of ''ILP Intermediary'' as follows:

* * * * *

ILP Intermediary means a private, nonprofit entity that has received an ILP Loan.

* * * * *

§§ 109.200, 109.210, and 109.220 [Removed and Reserved]

■ 3. Remove and reserve §§ 109.200, 109.210, and 109.220.

§ 109.440 [Amended]

■ 4. Amend § 109.440 by removing the words ''120.173 (Lead-based paint),''.

Dated: February 18, 2020.

Jovita Carranza,

Administrator.

[FR Doc. 2020–04465 Filed 3–4–20; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2019–0666; FRL–10005–91–Region 7]

Air Plan Approval; Nebraska; Lincoln-Lancaster County Health Department (LLCHD); Reopening of the Comment Period and Availability of Supplemental Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening of the comment period and availability of supplemental information.

SUMMARY: The Environmental Protection Agency (EPA) is announcing a reopening of the comment period for the proposed rule ''Air Plan Approval; Nebraska; Lincoln-Lancaster County Health Department (LLCHD)'' to provide an additional 30 days for public comment. This additional opportunity to submit comments is provided due to two comments the EPA received including one noting that the State submission was not provided in the docket to allow the reviewer the ability to fully evaluate EPA's proposed action. As a result, we are providing the State's submission in the docket and reopening the public comment period to afford stakeholders an opportunity to comment on the proposed SIP revision.

DATES: The comment period for the proposed rule, published on January 3, 2020 (85 FR 274), is reopened. Written comments must be received on or before April 6, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2019–0666, at *https://www.regulations.gov.* Once submitted, comments cannot be edited or removed from *Regulations.gov.* The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: William Stone, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7714; email address: *stone.william@epa.gov.*

SUPPLEMENTARY INFORMATION: On January 3, 2020 (85 FR 274), the EPA published a notice of proposed rulemaking to approve a revision to the SIP submitted by the State of Nebraska that addresses the authority of the LLCHD in the **Federal Register**. The EPA received two comments including one noting that the State submission was not provided in the docket to allow the reviewer the ability to fully evaluate EPA's proposed action. As a result, we are providing the State's submission in the docket and reopening the public comment period to afford stakeholders an opportunity to comment on the proposed SIP revision. The EPA will address all comments received on the original proposal and on this supplemental action in our final action.

Dated: February 27, 2020.

James Gulliford,

Regional Administrator, Region 7.

[FR Doc. 2020–04431 Filed 3–4–20; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2019–0562; FRL–10006–12–Region 3]

Air Plan Approval; Pennsylvania; Reasonably Available Control Technology (RACT) for Volatile Organic Compounds (VOC) Under the 2008 Ozone National Ambient Air Quality Standards (NAAQS)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve two state implementation plan (SIP) revisions submitted by the Commonwealth of Pennsylvania. These revisions address certain reasonably available control technology (RACT) requirements, including those related to Control Technique Guidelines (CTGs) for volatile organic compounds (VOC) and the addition of regulations controlling VOC emissions from industrial cleaning solvents. These submissions are part of Pennsylvania's efforts to implement RACT for the 2008 ozone national ambient air quality standard (NAAQS). This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before April 6, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2019–0562 at *https://www.regulations.gov,* or via email to *spielberger.susan@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* For either manner of submission, 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. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: David Talley, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2117. Mr. Talley can also be reached via electronic mail at *talley.david@epa.gov.*

SUPPLEMENTARY INFORMATION: On August 13, 2018, the Pennsylvania Department of Environmental Protection (PADEP) submitted to EPA two SIP revisions which were intended to satisfy some of the RACT requirements for sources of VOC emissions required by sections 172(c)(l), 182(b)(2) and 184(b)(l)(B) of the CAA and the implementing regulations for the 2008 ozone NAAQS (80 FR 12264, March 6, 2015; 40 CFR part 51, subpart AA). In addition, the submittals were intended to address certain parts of EPA's ''Findings of Failure to Submit State Implementation Plan Submittals for the 2008 Ozone National Ambient Air Quality Standards,'' (82 FR 9158; February 3, 2017). Additionally, these two submittals are related to another Pennsylvania SIP submission addressing RACT for major stationary sources of VOC and oxides of nitrogen (NO_X) that was conditionally approved by EPA on May 9, 2019. See section I.C. of this notice.

I. Background

A. Ozone NAAQS and RACT Requirements

On July 18, 1997 (62 FR 38856), EPA promulgated a revised standard for ground level ozone based on 8-hour

average concentrations. The 8-hour averaging period replaced the previous 1-hour averaging period adopted in 1979, and the level of the NAAQS was changed from 0.12 parts per million (ppm) to 0.08 ppm. On April 30, 2004, EPA designated two moderate nonattainment areas in Pennsylvania under the 1997 8-hour ozone NAAQS, namely Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE (the Philadelphia Area) and Pittsburgh-Beaver Valley (the Pittsburgh Area). The other 14 nonattainment areas in Pennsylvania were designated marginal nonattainment. See 69 FR 23858 and 23931; see also 40 CFR 81.339. On March 27, 2008, EPA strengthened the 8-hour ozone standards by revising its level to 0.075 ppm averaged over an 8-hour period (2008 8-hour ozone NAAQS). 73 FR 16436. On May 21, 2012, EPA designated five marginal nonattainment areas in Pennsylvania for the 2008 8-hour ozone NAAQS: Allentown-Bethlehem-Easton, Lancaster, Reading, the Philadelphia Area, and the Pittsburgh Area. See 77 FR 30088.

In a March 6, 2015 rulemaking entitled ''Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements'' (2008 Ozone Implementation Rule (80 FR 12264)), EPA announced its revocation of the 1997 8-hour ozone NAAQS for all purposes and for all areas in the country, effective on April 6, 2015. However, EPA determined that certain nonattainment planning requirements continue to be in effect as anti-backsliding measures for the revoked 1997 8-hour ozone NAAQS for areas designated nonattainment under the 1997 8-hour ozone NAAQS, including RACT. See 80 FR 12264, 12296.

The CAA regulates emissions of NO_X and VOC to prevent photochemical reactions that result in ozone formation. RACT is an important strategy for reducing NO_X and VOC emissions from stationary sources within areas not meeting the ozone NAAQS. Since the 1970's, EPA has consistently defined ''RACT'' as the lowest emission limit that a particular source is capable of meeting by the application of the control technology that is reasonably available considering technological and economic feasibility. See December 9, 1976 memorandum from Roger Strelow, Assistant Administrator for Air and Waste Management, to Regional Administrators, ''Guidance for Determining Acceptability of SIP Regulations in Non-Attainment Areas,'' and 44 FR 53762 (September 17, 1979).

Section 172(c)(1) of the CAA provides that SIPs for nonattainment areas must provide for implementation of all reasonably available control measures (RACM) as expeditiously as possible, including emissions reductions from existing sources through adoption of RACT.

Further, section 182(b)(2) of the CAA requires states with ozone nonattainment areas classified as moderate or higher to submit a SIP revision requiring implementation of RACT for three specific categories of sources. First, section 182(b)(2)(A) requires RACT for each category of VOC sources in the nonattainment area covered by a CTG document issued by EPA between November 15, 1990 and the date of attainment. These CTG-related SIP revisions shall be submitted within the period set forth by EPA in issuing the relevant CTG document. Second, section 182(b)(2)(B) requires RACT for all VOC sources in the area covered by any CTG issued before November 15, 1990. Third, section 182(b)(2)(C) requires RACT for all other major stationary sources of VOC located in the nonattainment area. In addition, section 182(f) subjects major stationary sources of NO_X to the same RACT requirements applicable to major stationary sources of VOC. EPA has not issued any CTGs for categories of NO_X sources, so the effect of section 182(f) is to require that SIPs also require RACT for major stationary sources of NO_X in accordance with section 182(b)(2)(C). The ozone RACT requirements under section 182(b)(2) are usually referred to as VOC CTG RACT, non-CTG VOC RACT, and major NO_X RACT.

A ''major source'' is defined based on the source's potential to emit (PTE) NO_X or VOC, and the applicable ton per year emission thresholds defining a ''major'' source differ based on the classification of the nonattainment area in which the source is located. See sections 182(c)–(f) and 302 of the CAA. In addition, section 184(a) of the CAA established an Ozone Transport Region (OTR) comprised of 12 eastern states, including all of Pennsylvania. Pursuant to section 184(b), the RACT requirements of section 182(b)(2) which would be applicable if an area were classified as a moderate nonattainment area apply to all areas within the OTR. This requirement is referred to as OTR RACT.

EPA's CTGs establish presumptive RACT level control requirements for various VOC source categories; that is, they identify a level of control which EPA recommends as RACT for the affected source category. In some cases, EPA has issued Alternative Control Techniques guidelines (ACTs) for source categories, which in contrast to the CTGs, only present a range for possible control options but do not identify any particular option as the presumptive norm for what is RACT. EPA has elaborated upon the RACT requirements through implementation rules for each ozone NAAQS (40 CFR part 51, subparts X and AA), as well as in guidance. See also the preamble to the 2008 Ozone Implementation Rule, 80 FR 12264, 12278 (March 6, 2015).

In the 2008 Ozone Implementation Rule, EPA finalized an approach that allowed states, in some cases, to certify that sources addressed by prior RACT determinations for the 1-hour (1979) and/or 1997 ozone standard do not need to implement additional controls to meet the 2008 RACT requirements. EPA's rationale was that a new RACT determination for some already controlled sources would either lead to the same or similar control technology, or that any incremental reductions from an additional round of RACT would be so small as to render the cost of achieving such reductions unreasonable. See 80 FR 12264, 12279. RACT SIPs, therefore, must contain adopted RACT regulations, a certification that some or all existing RACT provisions are still RACT, and/or negative declarations that there are no affected sources in the nonattainment area to which certain CTGs would apply. *Id.* at 12278. EPA directed that as part of their RACT SIP submissions, states should provide adequate documentation that they have considered control technology that is economically and technically feasible, and that input arising from public comment periods should be considered as well. *Id.* States were required to submit RACT SIP revisions within 24 months of the July 20, 2012 effective date of designation [1] for moderate nonattainment areas. *Id.* at 12266.

B. Ozone RACT Applicability in Pennsylvania

As described previously, because all of Pennsylvania is in the OTR, RACT in Pennsylvania under each ozone NAAQS applies to all major stationary sources of NO_X and VOC, and must be evaluated and satisfied separately for each ozone NAAQS. At the time of revocation of the 1997 8-hour ozone NAAQS (effective April 6, 2015), only two moderate nonattainment areas remained in the Commonwealth of Pennsylvania for the 1997 standard: The Philadelphia and the Pittsburgh Areas. As required under EPA's anti-backsliding provisions, these two moderate nonattainment areas

[1] *i.e.,* by July 20, 2014.

continue to be subject to RACT under the 1997 8-hour ozone NAAQS.

RACT applies to major stationary sources of NO_X and VOC under each ozone NAAQS and to any VOC sources subject to CTG RACT. The definition of a ''major source'' of NO_X or VOC differs depending the nonattainment classification of the area in which the source is located. Sources located in ozone nonattainment areas are subject to the ''major source'' definitions established under the CAA. See CAA sections 182(c)–(e) and section 302(j).

In addition, because all of Pennsylvania is part of the OTR established by section 184 of the CAA, marginal ozone nonattainment areas and ozone attainment areas in Pennsylvania are treated as moderate nonattainment areas under the 1997 8-hour ozone NAAQS for any planning requirements under the revoked standard, including RACT. The OTR RACT requirements applicable to moderate nonattainment areas are also in effect under the 2008 8-hour ozone NAAQS throughout Pennsylvania even though there are no nonattainment areas designated above the marginal classification for the 2008 ozone NAAQS. Thus, in effect, the same RACT requirements for moderate nonattainment areas continue to be applicable statewide in Pennsylvania under both the 1997 and 2008 8-hour ozone NAAQS.[2]

In Pennsylvania, the SIP program is implemented primarily by PADEP, but also by local air agencies in Philadelphia County (the City of Philadelphia Air Management Services (AMS)) and Allegheny County, (Allegheny County Health Department (ACHD)). These agencies have implemented numerous RACT regulations and source-specific measures in Pennsylvania to meet the applicable ozone RACT requirements. Statewide RACT controls have been promulgated by PADEP in Pennsylvania Code Title 25-Environmental Resources, Part I–Department of Environmental Protection, Subpart C–Protection of Natural Resources, Article III–Air Resources, (25 Pa. Code) Chapter 129. AMS and ACHD incorporate by reference some Pennsylvania regulations, but have also promulgated a number of regulations adopting RACT controls within their own jurisdictions. In addition, AMS and ACHD have submitted separate source-specific RACT determinations as SIP revisions, which have been approved by EPA. See 40 CFR 52.2020(d)(1).

States were required to make RACT SIP submissions for the 1997 8-hour ozone NAAQS by September 15, 2006. PADEP submitted a SIP revision on September 25, 2006, addressing certain requirements of RACT under the 1997 ozone NAAQS. On June 27, 2016, PADEP withdrew certain portions of this SIP prior to EPA approval, related to RACT for major stationary sources of VOC and NO_X. 82 FR 31464 (July 7, 2017). The remaining portions of this SIP covered CTG source categories for which Pennsylvania had adopted regulations, as well as negative declarations for CTG source categories with no such sources located in Pennsylvania. *Id.* at 31465. The remaining SIP also certified that three previously-adopted Pennsylvania regulations covering three non-CTG source categories continued to constitute RACT for the 1997 ozone NAAQS. *Id.* at 31466. EPA found that this 2006 RACT SIP met the requirements for RACT in CAA section 182(b) and 184(b) for the 1997 NAAQS with respect to these CTG categories, to the negative declarations, and to these three specific non-CTG VOC source categories. *Id.* at 31467. RACT control measures addressing all applicable CAA RACT requirements under the 1997 8-hour ozone NAAQS have also been implemented and fully approved in the jurisdictions of Allegheny County and Philadelphia County. See 78 FR 34584 (June 10, 2013) and 81 FR 69687 (October 7, 2016).

C. RACT II

On May 9, 2019, EPA took final action on a Pennsylvania SIP submittal to satisfy certain CAA RACT requirements under both the 1997 and 2008 8-hour ozone NAAQS for specific source categories. 84 FR 20274. EPA fully approved amendments to 25 Pa. Code section 121.1 and new provisions identified as 25 Pa. Code sections 129.96, 129.97, and 129.100 as meeting certain aspects of major stationary source RACT in CAA sections 172, 182, and 184 for the 1997 and 2008 ozone NAAQS. *Id.* at 20290. EPA conditionally approved 25 Pa. Code sections 129.98 and 129.99 based on PADEP's commitment to submit additional SIP revisions to address the deficiencies identified by EPA in the May 16, 2016 SIP revision. *Id.* Upon submission of all elements intended to meet the conditions identified in Section IV of that rulemaking action, Pennsylvania must submit a SIP revision certifying that it has met all conditions. If EPA determines that Pennsylvania has satisfied these conditions, EPA will remove the conditional nature of the approval and Pennsylvania's 1997 and 2008 8-hour ozone RACT SIP revision will, at that time, receive a full approval status. If Pennsylvania fails to meet the conditions specified in the final conditional approval action, the conditional approval of 25 Pa. Code sections 129.98 and 129.99 shall be treated as a disapproval.

II. Summary of SIP Revisions and EPA Analysis

In the preamble of EPA's final rulemaking for the 2008 ozone NAAQS implementation plan, EPA indicated that RACT SIPs must contain adopted RACT regulations, certifications where appropriate that existing provisions are RACT, and/or negative declarations that there are no sources in the nonattainment area covered by a specific CTG source category. 80 FR 12264, 12278, March 6, 2015.

PADEP's August 13, 2018 SIP submissions are intended to meet the RACT requirements for VOC under sections 172(c)(1), 182(b)(2) and 184(b)(1)(B) of the CAA and the implementing regulations for the 2008 ozone NAAQS. 40 CFR part 51, subpart XX. These submittals are discussed in detail in sections II.A. and II.B of this preamble. Additional information can be found in EPA's Technical Support Document (TSD) in the docket for this action.

A. Pennsylvania's RACT Certification of CTGs and Request To Incorporate New Source Performance Standards Into the SIP

The first submittal is entitled: ''Certification of Reasonably Available Control Technology for Control Techniques Guidelines Under the 2008 Ozone National Ambient Air Quality Standards and Incorporation of 25 Pa Code Chapter 122 (Relating to National Standards of Performance for New Stationary Sources) into the Commonwealth's State Implementation Plan.'' This submittal: (1) Certifies that PADEP's adoption and implementation of regulations to control VOC emissions is consistent with EPA's CTGs and therefore represents RACT for these covered CTG sources for the 2008 ozone standard; (2) Incorporates 25 Pa. Code Chapter 122 (relating to national standards of performance for new stationary sources) into the Pennsylvania SIP and certifies that those provisions continue to represent RACT for facilities subject to such standards of performance; and (3) Incorporates specific permit conditions from certain facilities for the purpose of establishing source-specific RACT-level controls for those facilities.

[2] See implementing regulations for the 1997 and 2008 ozone NAAQS, at 40 CFR part 51, subparts X and AA, respectively.

1. CTGs

PADEP developed regulations consistent with each CTG addressed by the submittal and has determined that each continues to represent RACT for the 2008 ozone NAAQS. A list of the CTGs adopted by Pennsylvania that PADEP considered in making this determination is found in Table 1 beginning on page 12 of this submittal. PADEP based this certification on the following: (1) Certification that Pennsylvania's regulations meet the CAA RACT requirements, are based on the most currently available technically and economically feasible controls, and represent RACT for implementation purposes pertaining to the 2008 8-hour ozone NAAQS; (2) Certification that PADEP has adopted and implemented SIP approved provisions or regulations addressing applicable EPA CTG source categories and that these provisions or regulations represent RACT control levels or control levels more stringent than RACT under the 2008 ozone NAAQS; (3) Certification that PADEP has implemented all CTG RACT controls indicated in this SIP revision, based on the EPA's guidance and standards, and that they represent current RACT control levels under the 2008 8-hour ozone NAAQS; and (4) Certification that PADEP has determined that there is a CTG source category for which it has made a negative declaration because there are no existing sources for RACT purposes in Pennsylvania.

PADEP has determined that there are no sources in Pennsylvania (excluding Philadelphia County and Allegheny County) covered by EPA's CTG ''Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners,'' (EPA–450/3–82–009; September 1982) and therefore submitted a negative declaration for that CTG source type.

2. Incorporation by Reference of New Source Performance Standards (NSPS)

Pennsylvania has incorporated by reference and therefore adopted all of the New Source Performance Standards (NSPS) promulgated by EPA under section 111 of the CAA and found at 40 CFR part 60. 25 Pa. Code 122. PADEP determined that for certain source categories, the Federal requirements of 40 CFR part 60—Standards of Performance for New Stationary Sources, provide RACT level control. PADEP has submitted 25 Pa. Code 122 for inclusion into the SIP, consistent with CAA section 182(b)(2). PADEP's August 13, 2018 submittal specifically cites the requirements of 40 CFR part 60, subparts NNN (relating to synthetic organic chemical manufacturing industry (''SOCMI'') distillation operations), RRR (relating to SOCMI reactor processes), and subparts KKK, OOOO, and OOOOa (relating to natural gas processing facilities), and certifies that the requirements of these NSPS constitute VOC RACT under the 2008 ozone NAAQS for the affected source categories.

EPA's CTG entitled ''Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry, EPA–450/4/–91–031, August 1993'' provides that the NSPS requirements of subparts NNN and RRR meet the RACT level controls recommended by the CTG. The required control efficiency of the CTG (98% destruction by weight, or 20 parts per million by volume (ppmv) dry basis, corrected to 3% oxygen) is the same as required by the NSPS.[3] Essentially, any process vent that is controlled with a combustion device to meet the requirements of the NSPS would meet the RACT recommendations of the CTG. PADEP identified five facilities subject to subparts NNN and RRR. Four of these are subject to control requirements, while one is subject only to record keeping requirements based on a de minimis emissions exemption, consistent with the CTG.

25 Pa. Code 122 also incorporates the Federal NSPS requirements of 40 CFR part 60 subparts KKK, OOOO, OOOOa and the cross-referenced equipment leak detection and repair (LDAR) requirements of subparts VV and VVa. The NSPS requirements from subpart KKK are equivalent to the 1983 CTG for the oil and natural gas industry.[4] Subpart OOOO and OOOOa incorporated the requirements of subpart KKK. PADEP provided a comparison between the applicable provisions of the NSPS and EPA's 1983 CTG.[5] Based on this comparison, PADEP has determined that the NSPS rules in 40 CFR part 60, subparts KKK, OOOO, and OOOOa, with cross references to subparts VV and VVa, are at least as stringent as the requirements in the 1983 CTG for this source category. Therefore, the Federal NSPS provisions applicable to all of Pennsylvania's current natural gas processing facility sources are sufficient to implement RACT for the 2008 ozone NAAQS and meet the requirements of the 1983 Natural Gas Processing Plants CTG. EPA notes that PADEP's August 13, 2018 submittal did not address EPA's ''Control Techniques Guidelines for the Oil and Natural Gas Industry, EPA–453/B–16–001, October 2016,'' (2016 Oil and Gas CTG). EPA is, therefore, not proposing action on the submittal in relation to the 2016 Oil and Gas CTG.

3. Incorporation of Source Specific Permit Limits

PADEP found only two sources covered by the ''Shipbuilding/Repair ACT (EPA 453/R–94–032, April 1994) and the EPA's CTG for Shipbuilding and Ship Repair Operations (Surface Coating) (61 FR 44050, August 27, 1996)'' and one source subject to ''Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry, EPA–450/3–84–015, December 1984.'' Rather than promulgate a rule to address the RACT requirements of those two CTGs for only three affected sources, PADEP has incorporated the requirements of the CTGs into Federally enforceable permits and submitted the applicable permit limits for incorporation into the SIP.

Redacted versions of Permit Nos. 25–00930 (Donjon Shipbuilding) and 26–00545 (Heartland Fabrication) were submitted for incorporation into the Commonwealth's SIP. Generally, the control strategy is to limit the VOC content of the coatings and materials used. The relevant portions of the permits are consistent with the Shipbuilding and Ship Repair Operations (Surface coating) CTG and satisfy the RACT requirements for these sources.

A redacted version of Permit No. 39–00024 (Geo. Specialty Chem. Trimet Div.) was also submitted for incorporation into the SIP. PADEP certified that this is the only source to which the SOCMI Air Oxidation Process CTG applies. Pursuant to the CTG, ''It is recommended that air oxidation facilities for which an existing combustion device is employed to control process VOC emissions should not be required to meet the 98 percent emissions limit until the combustion

[3] See 40 CFR 60.662 and 60.702.

[4] See Control Techniques Guidelines for the Oil and Natural Gas Industry, EPA–453/B–16–001, October 2016, Section 8.3.2.1. pp. 8–12, available at: *https://www.epa.gov/sites/production/files/2016-10/documents/2016-ctg-oil-and-gas.pdf.*

[5] See Appendix F of PADEP's August 13, 2018 submittal.

device is replaced for other reasons. In other words, no facility would be required to upgrade or replace an existing control device.'' [6] PADEP determined that the facility's formaldehyde process and catalytic incinerator were installed in 1980, before the December 1984 applicability date of the CTG. PADEP further determined that neither the process nor the control device have been modified since the 1980 installation date. PADEP therefore certified that the existing control strategy and emission limitations in the permit constitute RACT for this particular source.

B. Regulatory Revisions Related to VOC and NO_X RACT

The changes proposed by PADEP in this second submittal, entitled ''Control of Volatile Organic Compound Emissions from Industrial Cleaning Solvents; General Provisions; Aerospace Manufacturing and Rework; Additional RACT Requirements for Major Sources of NO_X and VOCs,'' include: (1) The addition of 25 Pa. Code 129.63a (relating to the control of VOC from industrial cleaning solvents (ICS)); (2) Amendments to sections 121.1 and 129.51 (definitions and ''general'' provisions, respectively) in order to support the addition and implementation of section 129.63a; (3) A correction to the VOC emission limit table in section 129.73 (relating to aerospace manufacturing and re-work); and (4) Amendments to sections 129.96, 129.97, 129.99, and 129.100 to clarify certain requirements and to update the list of exemptions under RACT II because of previously adopted presumptive VOC RACT regulations.

PADEP determined that the recommendations in EPA's 2006 ICS CTG are technically and economically feasible for sources in this source category, and developed section 129.63a for the purpose of implementing VOC RACT for affected sources in Pennsylvania. PADEP adopted the relevant limits of the CTG in section 129.63a. Pursuant to section 129.63a(a), the regulation applies to owners/operators of facilities in which industrial cleaning solvents are ''used or applied in a cleaning activity at a cleaning unit operation, a work production-related work area, or a part, product, tool, machinery, equipment, vessel, floor or wall.'' Facilities are subject to section 129.63a if the combined actual emissions of VOC from all subject cleaning operations exceed 2.7 tons in any 12-month rolling period, before consideration of controls. Consistent with EPA's CTG, section 129.63a requires one of the following emissions controls: Solvents with a VOC content of less than or equal to 0.42 pounds of VOC per gallon (lb/VOC/gal) (or 50 grams of VOC per liter (50 g/L)), work practice standards (the use of closed vessels/containers, minimization of air circulation around cleaning unit operations), or add on capture/control systems with a minimum efficiency of 85% reduction.

Section 129.63a(c) exempts certain otherwise applicable sources from the rule, including: Sources subject to section 129.63 (relating to degreasing operations) or 40 CFR part 63, subpart T (relating to national emission standards for halogenated solvent cleaning); sources where the use or application of the industrial cleaning solvent is subject to a standard or specification required by the United States Department of Defense, Federal Aviation Administration or other Federal government entity; and a number of specific processes, generally consistent with the exemptions recommended by the CTG.

In section 129.73, Table II (relating to allowable content of VOC in aerospace coatings) was revised to correct a numbering error. The coating type ''High-Temperature Coating'' was numbered incorrectly as (20)(a) and was renumbered as (21). The succeeding coating types were renumbered accordingly. The title of Table II was amended to delete the redundant phrase ''allowable VOC content.''

As previously discussed, EPA recently approved sections 129.96, 129.97, and 129.100, and conditionally approved sections 129.98 and 129.99 as part of the May 9, 2019 final rulemaking action related to Pennsylvania's RACT II regulations.[7] The RACT II Rule applies statewide to existing major NO_X and/or VOC sources in Pennsylvania, except those subject to other Pennsylvania regulations, as specified in 25 Pa. Code 129.96(a)–(b). PADEP's August 13, 2018 submittal amends section 129.96(a) and (b) (relating to applicability) to revise the list of sources exempt from RACT II because a presumptive RACT requirement or presumptive RACT emission limitation, or both, has been established elsewhere. The applicability criteria in section 129.96(a) and (b) are revised in order to add reference to sections 129.52d, 129.52e and 129.74 (relating to control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings; control of VOC emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations; and control of VOC emissions from fiberglass boat manufacturing materials). Additionally, sections 129.97(k)(1)(ii) and 129.99(i)(1)(ii) (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule; and alternative RACT proposal and petition for alternative compliance schedule) were amended by adding the text ''or major VOC emitting facility'' for clarity. Section 129.100(a) (relating to compliance demonstration and recordkeeping requirements) was amended to add ''RACT'' in two places for clarity. The emission limits and substantive requirements of sections 129.96, 129.97, 129.99, and 129.100 were not amended.

III. Proposed Action

EPA's review of this material indicates that PADEP's submittals are adequate to meet the ozone-specific RACT requirements for VOC of CAA sections 172, 182(b)(2)(A) and (B), 182(f), and 184 of the CAA, for the 2008 8-hour ozone NAAQS and are in accordance with CAA section 110. Therefore, EPA is proposing to approve the two Pennsylvania SIP revisions relating to VOC RACT for the 2008 ozone NAAQS, which were submitted on August 13, 2018. EPA is soliciting public comments on this proposed approval. These comments will be considered before taking final action.

IV. Incorporation by Reference

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

[6] See ''Control of Volatile Organic Compound Emissions from Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry, EPA, 450/3–84–015, December 1984,'' Page 4–1, available at: *https://www3.epa.gov/airquality/ctgact/198412vocepa4503-84-015airoxidationprocesses.pdf.*

[7] See 84 FR 20274.

V. Statutory and Executive Order Reviews

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

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, pertaining to RACT requirements under the 2008 ozone NAAQS, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Volatile organic compounds.

Dated: February 24, 2020.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2020–04453 Filed 3–4–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2019–0469; FRL–10005–95–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regulatory Updates to Allegheny County Nonattainment New Source Review (NNSR) Permitting Requirements for 2012 $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania, on behalf of the Allegheny County Health Department (ACHD), on May 23, 2019. This revision pertains to ACHD's amendments of the ACHD Rules and Regulations, Article XXI (Air Pollution Control) to implement Federal nonattainment new source review (NNSR) provisions for the 2012 annual fine particulate matter ($PM_{2.5}$) national ambient air quality standard (NAAQS). This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before April 6, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2019–0469 at *https://www.regulations.gov,* or via email to *opila.marycate@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, 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. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Amy Johansen, Permits Branch (3AD10), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2156. Ms. Johansen can also be reached via electronic mail at *johnasen.amy@epa.gov.*

SUPPLEMENTARY INFORMATION: On May 23, 2019, the Commonwealth of Pennsylvania formally submitted, on behalf of ACHD, a SIP revision to the Pennsylvania SIP. This SIP revision amends ACHD Rules and Regulations, Article XXI (Air Pollution Control), sections 2102.06 (Major Sources Locating in or Impacting a Nonattainment Area), and 2101.20 (Definitions), herein referred to as Revision 90A. This proposed SIP revision establishes that emissions of volatile organic compounds (VOC) and ammonia are precursors to $PM_{2.5}$ for new and modified major sources emitting $PM_{2.5}$ in Allegheny County, Pennsylvania; establishes a significant impact level for $PM_{2.5}$; proposes emission offset ratios for emissions of VOC and ammonia as $PM_{2.5}$ precursors; and amends relevant definitions. Revision 90A was adopted by ACHD and became effective March 3, 2019.[1]

[1] On April 22, 2019, ACHD submitted a ''revised'' requested revision to the Pennsylvania Department of Environment Protection (PADEP). This revised submittal was necessary due to its initial submittal to EPA, on March 6, 2019, having a typographical error. The offset ratio for VOC in Article XXI, section 2102.06.3.B.4 was printed as ''1.1'' when, instead, it should have been printed as ''1:1.'' ACHD corrected the typographical error and published a new Notice of Amendment in the local

For more information related to EPA's proposed approval of SIP Revision 90A, please refer to EPA's Technical Support Document (TSD), located in Docket ID No. EPA–R03–OAR–2019–0469 at *https://www.regulations.gov.*

I. Background

A. 2012 $PM_{2.5}$ NAAQS

Airborne particulate matter with a nominal aerodynamic diameter of 2.5 micrometers or less are considered to be ''fine particles,'' and are also known as $PM_{2.5}$. Fine particles in the atmosphere are made up of a complex mixture of components, including sulfate, nitrate, ammonium, elemental carbon, organic compounds, and inorganic material. There are substantial health effects associated with exposure to $PM_{2.5}$ emissions. Epidemiological studies have shown a significant correlation between elevated $PM_{2.5}$ levels and premature mortality. Other important health effects associated with $PM_{2.5}$ exposure include aggravation of respiratory and cardiovascular disease, lung disease, decreased lung function, asthma attacks, and certain cardiovascular problems. Individuals particularly sensitive to $PM_{2.5}$ exposure include older adults, people with heart and lung disease, and children.

EPA has revised the NAAQS for $PM_{2.5}$ on multiple occasions, most recently in 2012. On December 14, 2012, the annual primary standard for $PM_{2.5}$ was lowered from 15 micrograms per meter cubed ($\mu g/m^3$) to 12 $\mu g/m^3$. See 78 FR 3087 (January 15, 2013). The existing 24-hour standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. Upon promulgation of the 2012 $PM_{2.5}$ NAAQS, EPA formally classified all of Allegheny County, Pennsylvania as moderate nonattainment for the 2012 annual $PM_{2.5}$ standard. See 80 FR 2206 (January 15, 2015).

B. Purpose of SIP Revision 90A

For areas designated as nonattainment for one or more NAAQS, the SIP must include preconstruction permit requirements for new or modified major stationary sources of such nonattainment pollutant(s), commonly referred to as ''Nonattainment New Source Review.'' See CAA section 172(c)(5).

ACHD's Revision 90A revises NNSR permit requirements for major sources of $PM_{2.5}$. Specifically, ACHD's Article XXI has been amended to implement additional provisions pertaining to $PM_{2.5}$ precursors, as promulgated in EPA's rule entitled Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements (2016 Implementation Rule). See 81 FR 58010 (August 24, 2016).

As required by EPA's 2016 Implementation Rule, which implements the D.C. Circuit court's January 2013 decision in *NRDC* v. *EPA,*[2] areas classified as nonattainment for any $PM_{2.5}$ NAAQS are required to comply with the parts of CAA subpart 4 section 189(e)[3] that require the control of major sources of PM_{10} precursors (and hence under the court decision, $PM_{2.5}$ precursors) ''except where the Administrator determines that such sources do not contribute significantly to PM_{10} levels which exceed the standard in the area.'' The 2016 Implementation Rule amended the definitions of (1) regulated NSR pollutant with regard to $PM_{2.5}$ precursors; (2) major stationary source with regard to major sources locating in $PM_{2.5}$ nonattainment areas classified as moderate and serious; and (3) significant with regard to emissions of $PM_{2.5}$ precursors.

C. EPA's Findings of Failure To Submit

On April 6, 2018, EPA issued its final Findings of Failure to Submit (Findings) to three states, which included Allegheny County, Pennsylvania. See 83 FR 14759. In its Findings, EPA found that Allegheny County failed to submit a timely revision to their SIP as required to satisfy CAA requirements for implementation of the 2012 $PM_{2.5}$ NAAQS. EPA's Findings apply to states with overdue SIP revisions for areas initially designated as nonattainment and classified as moderate for the 2012 $PM_{2.5}$ NAAQS on April 15, 2015.

Specific to this rulemaking action is ACHD's failure to submit revisions to its NNSR requirements. ACHD was required to submit its NNSR SIP revision to EPA for approval by October 15, 2016. See 83 FR 14759 (April 6, 2018). ACHD did not meet this deadline, hence EPA's issuance of its April 6, 2018 Findings, which became effective as of May 7, 2018. As a result of EPA's Findings, ACHD was given 18 months after the effective date of EPA's Findings to submit all applicable moderate area requirements or the imposition of sanctions would occur for the affected moderate nonattainment area, the Allegheny County, Pennsylvania nonattainment area.[4]

ACHD's Article XXI, section 2102.06 incorporates by reference the NNSR requirements of 25 Pa. Code Chapter 127, subchapter E. However, because Pennsylvania's regulations (25 Pa. Code Chapter 127, subchapter E) do not contain the necessary 2012 $PM_{2.5}$ NAAQS precursor specific provisions, ACHD cannot simply rely on them via incorporation by reference. Therefore, proposed SIP Revision 90A updates ACHD's regulations to include the required $PM_{2.5}$ NNSR provisions in response to EPA's 2016 Implementation Rule requirements. See 81 FR 58010 (August 24, 2016) and 40 CFR 51.165.

With this proposed rulemaking action, ACHD has met its obligation under EPA's April 6, 2018 Findings to submit a NNSR SIP revision prior to November 7, 2019. See 83 FR 14759. On July 24, 2019, via letter, EPA deemed ACHD's May 23, 2019 SIP submittal administratively and technically complete, in accordance with the requirements of 40 CFR part 51, Appendix V, which in turn stopped the sanctions clock.[5]

II. Summary of SIP Revision and EPA Analysis

A. Summary of SIP Revision

ACHD's Board of Health adopted changes to sections 2102.06 and 2101.20 of Article XXI on January 9, 2019, which subsequently became effective on March 3, 2019. PADEP submitted SIP Revision 90A to EPA for inclusion in the Allegheny County portion of the Pennsylvania SIP on May 23, 2019, via the EPA State Planning electronic Collaboration System (SPeCS).

PADEP is the Governor's designee for submitting official revisions of the Allegheny County portion of the Pennsylvania SIP to EPA, and ACHD is the local agency responsible for regulating and permitting the construction and modification of stationary sources within Allegheny County, Pennsylvania. Article XXI contains Allegheny County's NNSR permit program applicable to new and modified major sources emitting $PM_{2.5}$ and $PM_{2.5}$ precursors.

The Allegheny County portion of the Pennsylvania SIP currently contains a version of Article XXI (Air Pollution

newspaper describing the error, prior to formally resubmitting it to PADEP on April 22, 2019 and to EPA on May 23, 2019.

[2] 706 F.3d 428 (D.C. Cir. 2013).

[3] This requirement was codified in 40 CFR 51.165(a)(13). See 81 FR 58010 (August 24, 2016).

[4] EPA's April 6, 2018 Findings became effective on May 7, 2018, therefore, the 18-month sanctions clock for ACHD to submit its NNSR SIP revision ended on November 7, 2019.

[5] A copy of the completeness letter can be found in the Docket for this rulemaking action. Please see Docket ID No. EPA–R03–OAR–2019–0469 at *https://www.regulations.gov.*

Control) that was approved into the SIP on March 30, 2015. See 80 FR 16570.

For areas designated as nonattainment for one or more NAAQS, the SIP must include preconstruction permit requirements for new or modified major stationary sources of such nonattainment pollutant(s), commonly referred to as NNSR. CAA 172(c)(5). Article XXI addresses NNSR permit requirements for major sources of $PM_{2.5}$. ACHD's Revision 90A has been amended to implement additional provisions pertaining to precursors, as promulgated in EPA's final 2016 Implementation Rule.[6]

B. EPA's Analysis

Under EPA's 2016 Implementation Rule, which implements the D.C. Circuit court's January 2013 decision in *NRDC* v. *EPA*,[7] areas classified as nonattainment for any $PM_{2.5}$ NAAQS are required to comply with the parts of CAA subpart 4 section 189(e)[8] that require the control of major stationary sources of PM_{10} precursors (and hence under the court decision, $PM_{2.5}$ precursors) ''except where the Administrator determines that such sources do not contribute significantly to PM_{10} levels which exceed the standard in the area.'' As mentioned previously, the 2016 Implementation Rule amended the definitions of (1) regulated NSR pollutant with regard to $PM_{2.5}$ precursors; (2) major stationary source with regard to major sources locating in $PM_{2.5}$ nonattainment areas classified as moderate and serious; and (3) significant with regard to emissions of $PM_{2.5}$ precursors. Article XXI is subject to these new regulatory requirements. Allegheny County is classified as a moderate nonattainment area for the 2012 $PM_{2.5}$ NAAQS.[9] The major source permitting threshold for a moderate $PM_{2.5}$ nonattainment area is 100 tons per year (tpy) of direct $PM_{2.5}$ or any $PM_{2.5}$ precursor, and 70 tpy for a serious $PM_{2.5}$ nonattainment area.[10]

EPA evaluated the revised portions of Article XXI to determine if the revisions meet current applicable requirements for a $PM_{2.5}$ NNSR permit program. Section 2102.06—(1) contains revisions to clarify that Article XXI applies to major polluting facilities that will emit $PM_{2.5}$ or its precursors in areas designated as nonattainment for $PM_{2.5}$; (2) the definition of ''major facility'' has been updated to include a 70 tpy emissions threshold for $PM_{2.5}$ and all precursors to $PM_{2.5}$; (3) the definition of ''regulated NSR pollutant'' has been updated to include SO_2, VOC, and ammonia in all $PM_{2.5}$ nonattainment areas; (4) revisions were made to the definition of ''significant'' to include emission rates for $PM_{2.5}$ at 10 tpy and emission rates for $PM_{2.5}$ precursors as follows: 40 tpy of SO_2, 40 tpy of VOC, 40 tpy of ammonia, and 40 tpy of NO_X; and (5) revisions were made to clarify that under Article XXI, ''significance level(s) shall mean ''significant air quality impact'' as defined under Article XXI. EPA finds these revisions approvable. Section 2102.06(b)(3)—Emission Offsets, establishes offset ratios for VOC and ammonia at a ratio of 1:1 for flue emissions and fugitive emissions in Allegheny County. EPA finds the addition of offset ratios to be approvable, as they match what is already in Article XXI for $PM_{2.5}$ and NO_X and SO_2. Section 2101.20—Definitions, was amended to add ''significant air quality impact'' levels for $PM_{2.5}$ at 0.2 $\mu g/m^3$ for the annual averaging time and 1.2 $\mu g/m^3$ for the 24 hour averaging time. ACHD's annual averaging time is more stringent than what EPA requires in 40 CFR 51.165(b)(2), therefore, EPA finds this more stringent requirement approvable.

III. Proposed Action

EPA's review of this material indicates that ACHD's May 23, 2019 SIP submittal is approvable and meets the requirements of 40 CFR 51.165 and are in accordance with CAA section 110. EPA is proposing to approve the May 23, 2019 submittal, which included revisions to ACHD Rules and Regulations, Article XXI (Air Pollution Control), sections 2102.06 (Major Sources Locating in or Impacting a Nonattainment Area), and 2101.20 (Definitions), as a revision to the Allegheny County portion of the Pennsylvania SIP. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Incorporation by Reference

In this document, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference the ACHD Rules and Regulations, Article XXI (Air Pollution Control), sections 2102.06 (Major Sources Locating in or Impacting a Nonattainment Area), and 2101.20 (Definitions) discussed in Section II of this preamble.

EPA has made, and will continue to make, these materials generally available through *https://www.regulations.gov* and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

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

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

[6] See 81 FR 58010 (August 24, 2016).

[7] 706 F.3d 428 (D.C. Cir. 2013).

[8] This requirement was codified in 40 CFR 51.165(a)(13). See 81 FR 58010 (August 24, 2016).

[9] On January 15, 2015, EPA designated all of Allegheny County as moderate nonattainment for the 2012 annual $PM_{2.5}$ standard. See 80 FR 2206.

[10] While Allegheny County has never been classified as a serious nonattainment area for any $PM_{2.5}$ NAAQS, ACHD has revised Article XXI to include the lower emissions threshold of 70 tpy for direct $PM_{2.5}$ and all four $PM_{2.5}$ precursors.

application of those requirements would be inconsistent with the CAA; and

• Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, pertaining to NNSR requirements under the 2012 $PM_{2.5}$ NAAQS, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

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

Dated: February 21, 2020.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2020–04456 Filed 3–4–20; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register

Vol. 85, No. 44

Thursday, March 5, 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.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

March 2, 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 requested 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 April 6, 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.

Food Safety and Inspection Service

Title: Small Meat Processor Survey.

OMB Control Number: 0583–NEW.

Summary of Collection: The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*). This statute mandates that FSIS protect the public by verifying that meat products are safe, wholesome, unadulterated, and properly labeled and packaged.

Need and Use of the Information: FSIS will collect information using a survey on small and very small meat processing plants about a draft report concerning FSIS resources available to help them achieve and maintain regulatory compliance. FSIS has entered into a Cooperative Agreement with the College of Agriculture at Oregon State University, to conduct this review for small and very small establishments. Oregon State will develop a draft report based on multiple data sources. This draft report will then be distributed to a wider audience of key stakeholders that are small plant operators. Oregon will ask those stakeholders to read the draft report and fill out a short survey to gather their feedback.

Description of Respondent: Business or other for-profit.

Number of Respondents: 300.

Frequency of Responses: On occasion.

Total Burden Hours: 98.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2020–04507 Filed 3–4–20; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request; Correction

March 2, 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 requested 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 April 6, 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.

Foreign Agricultural Service

Title: USDA Local and Regional Food Aid Procurement Program.

OMB Control Number: 0551–0046.

Summary: The Department of Agriculture published a document in the **Federal Register** of February 28, 2020, pg. 11332, concerning a request for comments on the information collection ''USDA Local and Regional Food Aid Procurement Program'' OMB control number 0551–0046. The document contained incorrect number of respondents and burden hours. The number of respondents should be 8 and

the burden hours 31,372 not 22 respondents and 29,172 as published.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2020–04522 Filed 3–4–20; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF AGRICULTURE

U.S. Codex Office

Codex Alimentarius Commission: Meeting of the Codex Committee on Food Import and Export Inspection and Certification Systems

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 March 25, 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 25th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) of the Codex Alimentarius Commission, in Hobart, Tasmania, Australia, April 27–May 1, 2020. The U.S. Manager for Codex Alimentarius and the Under Secretary, Office of Trade and Foreign Agricultural Affairs, recognize the importance of providing interested parties the opportunity to obtain background information on the 25th Session of the CCFICS and to address items on the agenda.

DATES: The public meeting is scheduled for March 25, 2020, from 1:00 p.m. to 4:00 p.m. EST.

ADDRESSES: The public meeting will take place in the United States Department of Agriculture (USDA), South Building, Room 104–A, 1400 Independence Avenue SW, Washington, DC 20250. Documents related to the 25th Session of the CCFICS will be accessible via the internet at the following address: *http://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CCFICS&session=25.* Mary Stanley, U.S. Delegate to the 25th Session of the CCFICS, invites U.S. interested parties to submit their comments electronically to the following email address: *mary.stanley@usda.gov*.

Call in number: If you wish to participate in the public meeting for the 25th Session of the CCFICS by conference call, please register by March 18, 2020 by emailing *kristen.hendricks@usda.gov*.

Registration: Attendees can register to attend the public meeting in person by emailing *kristen.hendricks@usda.gov* by March 18, 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 CONTACT: For further information about the public meeting please contact Kristen Hendricks, U.S. Codex Office, 1400 Independence Avenue SW, Room 4865, South Building, Washington, DC 20250. Phone: (202) 720–2137, Fax: (202) 720–3157, Email: *Kristen.Hendricks@usda.gov*.

For specific questions about the 25th session of CCFICS, contact Mary Stanley, Senior Advisor, Office of International Coordination, Food Safety and Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue SW, Room 3151, South Agriculture Building, Washington, DC 20250, Phone: (202) 720–0287, Fax: (202) 690–3856, Email: *Mary.Stanley@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 CCFICS is responsible for:

(a) Developing principles and guidelines for food import and export inspection and certification systems, with a view to harmonizing methods and procedures that protect the health of consumers, ensure fair trading practices, and facilitate international trade in foodstuffs;

(b) Developing principles and guidelines for the application of measures by the competent authorities of exporting and importing countries to provide assurance, where necessary, that foodstuffs comply with requirements, especially statutory health requirements;

(c) Developing guidelines for the utilization, as and when appropriate, of quality assurance systems to ensure that foodstuffs conform with requirements and to promote the recognition of these systems in facilitating trade in food products under bilateral/multilateral arrangements by countries;

(d) Developing guidelines and criteria with respect to format, declarations and language of such official certificates as countries may require with a view towards international harmonization;

(e) Making recommendations for information exchange in relation to food import/export control;

(f) Consulting as necessary with other international groups working on matters related to food inspection and certification systems; and

(g) Considering other matters assigned to it by the Commission in relation to food inspection and certification systems.

The CCFICS is hosted by Australia, and the meeting is attended by the United States as a member country of the Codex Alimentarius.

Issues To Be Discussed at the Public Meeting

The following items on the Agenda for the 25th Session of the CCFICS will be discussed during the public meeting:

- Adoption of the Agenda
- Matters arising from the Codex Alimentarius Commission and its subsidiary bodies
- Information on activities of FAO and WHO and other International Organizations relevant to the work of CCFICS
- Draft Principles and guidelines for the assessment and use of voluntary Third Party Assurance (vTPA) programmes
- Proposed draft Guidance on paperless use of electronic certificates (revision of the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates—CXG 38–2001)
- Proposed draft guidelines on recognition and maintenance of equivalence of National Food Control Systems (NFCS)
- Proposed draft consolidated Codex Guidelines related to equivalence
- Discussion paper on role of CCFICS with respect to tackling food fraud in the context of food safety and fair practices in food trade
- Review and update of Appendix A—the list of emerging global emerging issues
- Other Business
- Date and Place of Next Session
- Adoption of the Report

Each issue listed will be fully described in documents distributed, or to be distributed by the Codex Secretariat before the Committee

meeting. Members of the public may access or request copies of these documents from the U.S. Codex Office or on the internet (see **ADDRESSES**).

Public Meeting

At the March 25, 2020 public meeting, the 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 Mary Stanley. Written comments should state that they relate to activities of the 25th Session of the CCFICS.

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 Codex 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 subscriptions themselves and have the option to password protect their accounts.

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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.

Mary Lowe,

U.S. Manager for Codex Alimentarius.

[FR Doc. 2020–04483 Filed 3–4–20; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the District of Columbia Advisory Committee

AGENCY: Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a meeting of the District of Columbia Advisory Committee to the Commission will convene by conference call, at 11:30 a.m. (EDT) Thursday, April 2, 2020. The purpose of the planning meeting is to discuss the draft report of the Committee's civil rights project on the DC Mental Health Court.

DATES: Thursday, April 2, 2020 at 11:30 a.m. (EDT).

Public Call-In Information: Conference call number: 1–877–260–1479 and conference call ID number: 1929821.

FOR FURTHER INFORMATION CONTACT: Ivy L. Davis, at *ero@usccr.gov* or by phone at 202–376–7533.

SUPPLEMENTARY INFORMATION: Interested members of the public may listen to the discussion by calling the following toll-free conference call number: 1–877–260–1479 and conference call ID number: 1929821. Please be advised that before placing them into the conference call, the conference call operator may ask callers to provide their names, their organizational affiliations (if any), and email addresses (so that callers may be notified of future meetings). 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 herein.

Persons with hearing impairments may also follow the discussion by first calling the Federal Relay Service at 1–800–877–8339 and providing the operator with the toll-free conference call number: 1–877–260–1479 and conference call ID number: 1929821.

Members of the public are invited to make statements during the Public Comments section of the meeting or to submit written comments. The comments must be received in the regional office by Monday, May 4, 2020. Comments may be mailed to the Eastern Regional Office, U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425 or emailed to Evelyn Bohor at *ero@usccr.gov.* Persons who desire additional information may contact the Eastern Regional Office at 202–376–7533.

Records and documents discussed during the meeting will be available for public viewing as they become available at: *https://gsageo.force.com/FACA/FACAPublicViewCommitteeDetails?id=a10t0000001gzlKAAQ.* Please click the ''Meeting Details'' and ''Documents'' links. Records generated from this meeting may also be inspected and reproduced at the Eastern Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's website, *www.usccr.gov,* or to contact the Eastern Regional Office at the above phone numbers, email or street address.

Agenda

Thursday, April 2, 2020, at 11:30 a.m. (EDT)

Rollcall
Welcome and
Planning Meeting
—discuss proposed report draft
Other Business
Next Planning Meeting
Public Comments
Adjourn

Dated: February 28, 2020.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2020–04482 Filed 3–4–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of the Census

Request for Nominations of Members To Serve on the Census Scientific Advisory Committee

AGENCY: Bureau of the Census, Department of Commerce.

ACTION: Notice of request for nominations.

SUMMARY: The Director of the Bureau of the Census (Director) (Census Bureau) is seeking nominations for the Census Scientific Advisory Committee (CSAC). The purpose of the CSAC is to provide advice to the Director of the Census Bureau on the full range of Census

Bureau programs and activities including communications, decennial, demographic, economic, field operations, geographic, information technology, and statistics. The Director has determined that the work of the CSAC is in the public interest and relevant to the duties of the Census Bureau. Therefore, the Director is seeking nominations to fill vacancies on the CSAC. Additional information concerning the CSAC can be found by visiting the CSAC's website at: *https://www.census.gov/about/cac/sac.html*.

DATES: Nominations must be received on or before August 1, 2020. Nominations must contain a completed resume. The Census Bureau will retain nominations received after the August 1, 2020 date for consideration should additional vacancies occur. The resume must be sent to the address below.

ADDRESSES: Please submit nominations to the *census.scientific.advisory.committee@census.gov* (subject line 2020 CSAC Nominations''), or by letter submission to Kimberly L. Leonard, External Stakeholder Program Manager, Office of Program, Performance and Stakeholder Integration (PPSI), 2020 CSAC Nominations, Department of Commerce, U.S. Census Bureau, Room 2K137, 4600 Silver Hill Road, Washington, DC 20233.

FOR FURTHER INFORMATION CONTACT: Kimberly L. Leonard, External Stakeholder Program Manager, Office of Program, Performance and Stakeholder Integration (PPSI), Room 2K137, U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233, by telephone at 301–763–7281 or by email at *Kimberly.L.Leonard@census.gov.* Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Background

In accordance with the Federal Advisory Committee Act (FACA), Title 5, United States Code, Appendix 2, Section 10, the Director of the Census Bureau is seeking nominations for the CSAC. The CSAC will operate under the provisions of the FACA and will report to the Secretary of the Department of Commerce through the Director of the Census Bureau.

The Census Bureau's Census Scientific Advisory Committee will advise the Director of the Census Bureau on the full range of Census Bureau programs and activities. The Advisory Committee will provide scientific and technical expertise from the following disciplines: demographics, economics, geography, psychology, statistics, survey methodology, social and behavioral sciences, information technology and computing, marketing and other fields of expertise, as appropriate, to address Census Bureau program needs and objectives.

Objectives and Duties

1. The CSAC advises the Director of the Census Bureau (Director) on the full range of Census Bureau programs and activities including communications, decennial, demographic, economic, field operations, geographic, information technology, and statisics.

2. The CSAC will address census policies, research and methodology, tests, operations, communications/messaging, and other activities to ascertain needs and best practices to improve censuses, surveys, operations, and programs.

3. The CSAC will provide formal review and feedback on internal and external working papers, reports, and other documents related to the design and implementation of census programs and surveys.

4. The CSAC will function solely as an advisory body and shall comply fully with the provisions of the FACA.

Membership

1. The CSAC consists of up to 21 members who serve at the discretion of the Director. The Census Bureau is seeking four qualified candidates to be considered for appointment.

2. The CSAC aims to have a balanced representation among its members, considering such factors as geography, age, sex, race, ethnicity, technical expertise, community involvement, and knowledge of census programs and/or activities. Individuals will be selected based on their expertise in or represenation of specific areas as needed by the Census Bureau.

3. The CSAC members will serve for a three-year term. All members will be reevaluated at the conclusion of each term with the prospect of renewal, pending the committee needs. Active attendance and participation in meetings and activities (*e.g.,* conference calls and assignments) will be factors considered when determining term renewal or membership continuance. Members may be appointed for a second three-year term at the discretion of the Director.

4. Membership is open to persons who are not seated on other Census Bureau stakeholder entities (*i.e.,* State Data Centers, Census Information Centers, Federal State Cooperative on Populations Estimates Program, other advisory committees, etc.). Members who have served on one Census Bureau Advisory committee may not be reappointed or serve on the CSAC until at least three years have passed from the termination of previous service.

5. Members will serve as ''Special Government Employees (SGEs). SGEs will be subject to the ethics rules applicable to SGEs. Members will be individually advised of the capacity in which they will serve through their appointment letters. Committee members are selected from academia, public and private enterprise, and nonprofit organizations, which are further diversified by business type or industry, geography, and other factors.

Miscellaneous

1. Members of the CSAC serve without compensation, but receive reimbursement for committee-related travel and lodging expenses.

2. The CSAC meets at least twice a year, budget permitting, but additional meetings may be held as deemed necessary by the Census Bureau Director or Designated Federal Officer. All CSAC meetings are open to the public in accordance with the FACA.

Nomination Process

1. Nominations should satisfy the requirements described in the Membership section above.

2. Individuals, groups, and/or organizations may submit nominations on behalf of candidates. A summary of the candidate's qualifications (resume´ or curriculum vitae) must be included along with the nomination letter. Nominees must be able to actively participate in the tasks of the committee, including, but not limited to, regular meeting attendance, committee meeting discussant responsibilities, review of materials, as well as participation in conference calls, webinars, working groups, and/or special committee activities.

3. The Department of Commerce is committed to equal opportunity in the workplace and seeks diverse CSAC membership.

Dated: February 28, 2020.

Steven D. Dillingham,

Director, Bureau of the Census.

[FR Doc. 2020–04552 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of the Census

Request for Nominations of Members To Serve on the National Advisory Committee on Racial, Ethnic, and Other Populations

AGENCY: Bureau of the Census, Commerce.

ACTION: Notice of request for nominations.

SUMMARY: The Director of the Bureau of the Census (Director) (Census Bureau) is seeking nominations for the National Advisory Committee on Racial, Ethnic and Other Populations (NAC). The purpose of the NAC is to provide advice to the Director of the Census Bureau on the full range of economic, housing, demographic, socioeconomic, linguistic, technological, methodological, geographic, behaviorial and operational variables affecting the cost, accuracy and implementation of Census Bureau programs and surveys, including the decennial census. The Director has determined that the work of the NAC is in the public interest and relevant to the duties of the Census Bureau. Therefore, the Director is seeking nominations to fill vacancies on the NAC. Additional information concerning the NAC can be found by visiting the NAC's website at: *https://www.census.gov/about/cac/nac.html*.

DATES: Nominations must be received on or before August 1, 2020. Nominations must contain a completed résumé. Those nominees that have applied for positions in 2019 will be included in the nomination pool and considered for a NAC position. The Census Bureau will retain nominations received after the August 1, 2020 date for consideration should additional vacancies occur. The résumé must be sent to the address below.

ADDRESSES: Please submit nominations to the *census.national.advisory.committee@census.gov* (subject line 2020 NAC Nominations''), or by letter submission to Kimberly L. Leonard, External Stakeholder Program Manager, Office of Program, Performance and Stakeholder Integration (PPSI), 2020 NAC Nominations, Department of Commerce, U.S. Census Bureau, Room 2K137, 4600 Silver Hill Road, Washington, DC 20233.

FOR FURTHER INFORMATION CONTACT: Kimberly L. Leonard, External Stakeholder Program Manager, Office of Program, Performance and Stakeholder Integration (PPSI), Room 2K137, U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233, by telephone at 301–763–7281 or by email at *Kimberly.L.Leonard@census.gov*. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Background

In accordance with the Federal Advisory Committee Act (FACA), Title 5, United States Code, Appendix 2, Section 10, the Director of the Census Bureau is seeking nominations for the NAC. The NAC will operate under the provisions of FACA and will report to the Secretary of the Department of Commerce through the Director of the Census Bureau.

The Census Bureau's National Advisory Committee on Racial, Ethnic, and Other Populations will advise the Director of the Census Bureau on the full range of Census Bureau programs and activities. The Advisory Committee will provide race, ethnic, and other population expertise from the following disciplines: Economic, housing, demographic, socioeconomic, linguistic, technological, methodological, geographic, and behavioral and operational variables affecting the cost, accuracy, and implementation of Census Bureau programs and surveys, including the decennial census.

Objectives and Duties

1. The NAC advises the Director of the Census Bureau (the Director) on the full range of economic, housing, demographic, socioeconomic, linguistic, technological, methodological, geographic, behavioral, and operational variables affecting the cost, accuracy, and implementation of Census Bureau programs and surveys, including the decennial census.

2. The NAC advises the Census Bureau on the identification of new strategies for improved census operations, and survey and data collection methods, including identifying cost efficient ways to increase response rates.

3. The NAC provides guidance on census policies, research and methodology, tests, operations, communications/messaging, and other activities to ascertain needs and best practices to improve censuses, surveys, operations, and programs.

4. The NAC reviews and provides formal recommendations and feedback on working papers, reports, and other documents related to the design and implementation of Census Bureau programs and surveys.

5. In providing insight, perspectives, and expertise on the full spectrum of Census Bureau surveys and programs, the NAC examines such areas as hidden households, language barriers, students and youth, aging populations, American Indian and Alaska Native tribal considerations, new immigrant populations, populations affected by natural disasters, highly mobile and migrant populations, complex households, poverty, race/ethnic distribution, privacy and confidentiality, rural populations and businesses, individuals and households with limited access to information and communications technologies, the dynamic nature of new businesses, minority ownership of businesses, as well as other concerns impacting Census Bureau survey design and implementation.

6. The NAC uses formal advisory committee meetings, webinars, web conferences, working groups, and other methods to accomplish its goals, consistent with the requirements of the FACA. The NAC will consult with regional office staff to help identify regional, local, tribal and grass roots issues, trends and perspectives related to Census Bureau surveys and programs.

7. The NAC functions solely as an advisory body under the FACA.

Membership

1. The NAC consists of up to 32 members who serve at the discretion of the Director. The Census Bureau is seeking eight qualified candidates to be considered for appointment.

2. The NAC aims to have a balanced representation among its members, considering such factors as geography, age, sex, race, ethnicity, technical expertise, community involvement, and knowledge of census programs and/or activities.

3. The NAC aims to include members from diverse backgrounds, including state, local and tribal governments; academia; research, national and community-based organizations; and, the private sector.

4. Members will be selected from the public and private sectors. Members may serve as Special Government Employees (SGEs) or representatives who are selected to represent specific organizations.

5. SGEs and representatives will be selected based on their expertise in or representation of specific areas to include: Diverse populations (including race and ethnic populations); national, state, local, and tribal interest organizations serving hard-to-count populations; researchers; community-based organizations; academia; business

interests; marketing and media professionals; researchers; and, members of professional associations. Members will be individually advised of the capacity in which they will serve through their appointment letters.

6. Membership is open to persons who are not seated on other Census Bureau stakeholder entities (*i.e.,* State Data Centers, Census Information Centers, Federal State Cooperative on Populations Estimates Program, other Census Advisory Committees, etc.). People who have already served one full-term on a Census Bureau Advisory Committee may not serve on any other Census Bureau Advisory Committee for three years from the termination of previous service. No employee of the federal government can serve as a member of the NAC.

7. Members will serve for a three-year term. All members will be reevaluated at the conclusion of each term with the prospect of renewal, pending the committee needs. Active attendance and participation in meetings and activities (*e.g.,* conference calls and assignments) will be factors considered when determining term renewal or membership continuance. Members may be appointed for a second three-year term at the discretion of the Director.

8. Members will be selected on a standardized basis, in accordance with applicable Department of Commerce guidance.

Miscellaneous

1. Members of the NAC serve without compensation, but receive reimbursement for committee-related travel and lodging expenses.

2. The NAC meets at least twice a year, budget permitting, but additional meetings may be held as deemed necessary by the Census Bureau Director or Designated Federal Officer. All NAC meetings are open to the public in accordance with the FACA.

Nomination Process

1. Nominations should satisfy the requirements described in the Membership section above.

2. Individuals, groups, and/or organizations may submit nominations on behalf of candidates. A summary of the candidate's qualifications (resume´ or curriculum vitae) must be included along with the nomination letter. Nominees must be able to actively participate in the tasks of the committee, including, but not limited to, regular meeting attendance, committee meeting discussant responsibilities, review of materials, as well as participation in conference calls, webinars, working groups, and/or special committee activities.

3. The Department of Commerce is committed to equal opportunity in the workplace and seeks diverse NAC membership.

Dated: February 28, 2020.

Steven D. Dillingham,

Director, Bureau of the Census.

[FR Doc. 2020–04556 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of the Census

Census Scientific Advisory Committee

AGENCY: Bureau of the Census, Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: The U.S. Bureau of the Census (Census Bureau) is giving notice of a meeting of the Census Scientific Advisory Committee (CSAC). The Committee will address policy, research, and technical issues relating to a full range of Census Bureau programs and activities, including communications, decennial, demographic, economic, field operations, geographic, information technology, and statistics. CSAC information, including the agenda topics, can be found at the following website: *https://www.census.gov/about/cac/sac.html.*

DATES: The meeting will be held on the following dates:

- Thursday, March 26, 2020, from 8:30 a.m. to 5:00 p.m. EDT; and
- Friday, March 27, 2020, from 8:30 a.m. to 2:00 p.m. EDT.

ADDRESSES: The meeting will be held at the Census Bureau Auditorium, 4600 Silver Hill Road, Suitland, Maryland 20746. The meeting also will be available via webcast at: *https://www.census.gov/newsroom/census-live.html.* For the status of the meeting prior to attendance, please contact Tommy Wright, Designated Federal Officer, at 301–763–1702 or via email at *tommy.wright@census.gov.*

FOR FURTHER INFORMATION CONTACT: Kimberly Leonard, External Stakeholder Program Manager, Office of Program, Performance and Stakeholder Integrations, by mail at Department of Commerce, U.S. Census Bureau, Room 2K137, 4600 Silver Hill Road, Washington, DC 20233 or at 301–763–7281, or via email at: *census.scientific.advisory.committee@census.gov.* Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Daylight Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The members of the CSAC are appointed by the Director, Census Bureau. The Committee provides scientific and technical expertise, as appropriate, to address Census Bureau program needs and objectives. The Committee has been established in accordance with the Federal Advisory Committee Act (Title 5, United States Code, Appendix 2, Section 10).

The purpose of the meeting is to:

1. Provide and update members on scientific and technical activities; and

2. address Census Bureau program needs and objectives.

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 oral statements should request in writing by Wednesday, March 18, 2020, to be scheduled on the agenda. Requests for time to make oral comments must be sent to: *census.scientific.advisory.committee@census.gov.* Please place in the subject line ''March 2020 CSAC Meeting Public Comment.'' Anyone who would like to bring extensive related matters to the attention of the Committee may file written statements with the Committee staff before or after the meeting. Written comments must be sent to: Kimberly Leonard, External Stakeholder Program Manager, Office of Program, Performance and Stakeholder Integrations, Department of Commerce, U.S. Census Bureau, Room 2K137, 4600 Silver Hill Road, Washington, DC 20233 or or by phone at 301–763–7281, or via email at: *census.scientific.advisory.committee@census.gov.*

If you are a person requiring reasonable accommodation, please make requests two weeks in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation by contacting 301–763–7281. All reasonable accommodation requests are managed on a case-by-case basis.

For access to the facility or proceedings, please contact 301–763–9906 on the day of the meeting. A photo ID must be presented in order to receive your visitor's badge. Visitors are not allowed beyond the first floor.

Dated: February 28, 2020.

Steven D. Dillingham,

Director, Bureau of the Census.

[FR Doc. 2020–04551 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–11–2020]

Foreign-Trade Zone (FTZ) 119, Minneapolis, Minnesota; Notification of Proposed Production Activity; SICK Product & Competence Center Americas, LLC (Safety and Tracking Systems, Safety Light Curtains, and Connector Assemblies), Savage, Minnesota

The Greater Metropolitan Area FTZ Commission, grantee of FTZ 119, submitted a notification of proposed production activity to the FTZ Board on behalf of SICK Product & Competence Center Americas, LLC (SICK Product), located in Savage, Minnesota. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on February 20, 2020.

Sick Product already has authority (approved as SICK, Inc.) to produce photo-electronic industrial sensors, encoders, optical readers, and monitoring systems within FTZ 119. The current request would add four finished products and additional foreign status materials/components to the scope of authority. Pursuant to 15 CFR 400.14(b), additional FTZ authority would be limited to the specific foreign-status materials/components and specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt SICK Product from customs duty payments on the foreign-status materials/components used in export production. On its domestic sales, for the foreign-status materials/components noted below and in the existing scope of authority, SICK Product would be able to choose the duty rates during customs entry procedures that apply to: Track and trace, safety monitoring, and quality control systems; system connector assemblies; safety light curtains; and, safety light curtain connector assemblies (duty-free). SICK Product would be able to avoid duty on foreign-status components which become scrap/waste. Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

The materials/components sourced from abroad include steel brackets, aluminum housings, aluminum shafts, safety relays, safety controllers, cables and connectors, and image capturing systems (duty rate ranges from 2.5 to 5.0%). The request indicates that certain materials/components are subject to special duties under Section 232 of the Trade Expansion Act of 1962 (Section 232) or Section 301 of the Trade Act of 1974 (Section 301), depending on the country of origin. The applicable Section 232 and Section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov*. The closing period for their receipt is April 14, 2020.

A copy of the notification will be available for public inspection in the ''Reading Room'' section of the Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Juanita Chen at *juanita.chen@trade.gov* or 202–482–1378.

Dated: February 27, 2020.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2020–04509 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–002–2020]

Approval of Subzone Status; Fisher Footwear, LLC; Cranbury, New Jersey

On January 7, 2020, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the State of New Jersey Department of State, grantee of FTZ 44, requesting subzone status subject to the existing activation limit of FTZ 44, on behalf of Fisher Footwear, LLC, in Cranbury, New Jersey.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (85 FR 2108–2109, January 14, 2020). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR Sec. 400.36(f)), the application to establish Subzone 44L was approved on March 2, 2020, subject to the FTZ Act and the Board's regulations, including Section 400.13, and further subject to FTZ 44's 407.5-acre activation limit.

Dated: March 2, 2020.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2020–04514 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–235–2019]

Approval of Expansion of Subzone 7F; Puma Energy Caribe, LLC; Guaynabo, Puerto Rico

On November 19, 2019, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Puerto Rico Industrial Development Company, grantee of FTZ 7, requesting an expansion of Subzone 7F subject to the existing activation limit of FTZ 7, on behalf of Puma Energy Caribe, LLC, in Guaynabo, Puerto Rico.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (84 FR 64830, November 25, 2019). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval.

Pursuant to the authority delegated to the FTZ Board's Executive Secretary (15 CFR Sec. 400.36(f)), the application to expand Subzone 7F was approved on February 27, 2020, subject to the FTZ Act and the Board's regulations, including Section 400.13, and further subject to FTZ 7's 2,000-acre activation limit.

Dated: February 27, 2020.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2020–04510 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–70–2019]

Foreign-Trade Zone (FTZ) 183—Austin, Texas; Authorization of Production Activity, Flextronics America, LLC (Automated Data Processing Machines), Austin, Texas

On November 3, 2019, Flextronics America, LLC submitted a notification of proposed production activity to the

FTZ Board for its facility within FTZ 183, in Austin, Texas.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (84 FR 61595–61596, November 13, 2019). On March 2, 2020, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: March 2, 2020.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2020–04508 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–501]

Circular Welded Carbon Steel Standard Pipe and Tube Products From Turkey: Amended Final Results of Antidumping Duty Administrative Review; 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) is amending its final results of the administrative review of the antidumping duty order on circular welded carbon steel standard pipe and tube products (pipes and tubes) from Turkey. The period of review (POR) is May 1, 2017 through April 30, 2018. The amended final weighted-average dumping margins are listed below in the section entitled ''Amended Final Results.''

DATES: Applicable March 5, 2020.

FOR FURTHER INFORMATION CONTACT: Magd Zalok, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4162.

SUPPLEMENTARY INFORMATION:

Background

On January 22, 2020, Commerce published the *Final Results* of the 2017–2018 administrative review in the **Federal Register**.[1] Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (Borusan), a mandatory respondent in this administrative review, timely filed a ministerial error allegation concerning the *Final Results* and requested, pursuant to 19 CFR 351.224, that Commerce correct the alleged ministerial error.[2] On January 22, 2020, Borusan filed a complaint with the U.S. Court of International Trade (CIT) challenging the *Final Results.* On February 3, 2020, Commerce sought leave from the CIT to address the ministerial error allegation involving the *Final Results.* On February 4, 2020, the CIT granted Commerce's request.

Scope of the Order

The products covered by this order are welded carbon steel standard pipe and tube products with an outside diameter of 0.375 inch or more but not over 16 inches of any wall thickness, and are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive. These products, commonly referred to in the industry as standard pipe or tube, are produced to various ASTM specifications, most notably A–120, A–53 or A–135.

Legal Framework

Section 751(h) of the Tariff Act of 1930, as amended (the Act), defines ''ministerial errors'' as including ''errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial.''[3] With respect to final results of an administrative review, 19 CFR 351.224(e) provides that Commerce ''will analyze any comments received and, if appropriate, correct any ministerial error by amending . . . the final results of review . . . .''

Ministerial Error Allegation

In its ministerial error allegation, Borusan argues that Commerce set the incorrect beginning window period for matching home market and U.S. sales in Commerce's margin program.[4] Accordingly, Borusan argues Commerce should correct the beginning window period date to three months preceding the earliest U.S. date of sale for merchandise entering the United States during the POR, consistent with 19 CFR 351.414(f).[5]

We agree with Borusan that Commerce committed an inadvertent error within the meaning of section 735(e) of the Act and 19 CFR 351.224(f) when setting the beginning window period date for U.S. sales in our margin program. Consistent with 19 CFR 351.414(f), we intended to set the beginning window period date to three months preceding the earliest U.S. date of sale for merchandise entering the United States during the POR.

Amended Final Results

After analyzing Borusan's comments, we have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224(f), that we made a ministerial error in the *Final Results* with respect to Borusan's margin programming.[6] For a detailed discussion of this ministerial error, as well as Commerce's analysis of this error, *see* the Ministerial Error Memorandum.

In accordance with section 751(h) of the Act and 19 CFR 351.224(e), we are amending the *Final Results* of this administrative review of pipes and tubes from Turkey. As a result of correcting the ministerial error, we determined that the dumping margin calculated for Borusan and the non-selected companies[7] in these amended final results is as follows:

Exporter or producer	Weighted-average dumping margin (percent)
Borusan Mannesmann Boru Sanayi ve Ticaret A.S	8.48

[1] *See Circular Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2017–2018,* 85 FR 3616 (January 22, 2020) (*Final Results*), and accompanying Issues and Decision Memorandum.

[2] *See* Borusan's Letter, ''Circular Welded Carbon Steel Pipes and Tubes from Turkey, Case No. A–489–501: Borusan's Ministerial Error Comments,'' dated January 21, 2020 (Borusan's Ministerial Error Comments).

[3] *See* 19 CFR 351.224(f).

[4] *See* Borusan's Ministerial Error Comments.

[5] *Id.*

[6] *See* Memorandum, ''2017–2018 Administrative Review of the Antidumping Duty Order on Circular Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Allegation of Ministerial Errors in the Final Results,'' dated concurrently with this **Federal Register** notice (Ministerial Error Memorandum).

[7] Consistent with the *Final Results,* Commerce assigns to the companies not individually examined (*i.e.,* Kale Baglanti Teknolojileri San. ve Tic.; Noksel Selik Boru Sanayi A.S.; and Cinar Boru Profil San. ve Tic. As) the weighted average dumping margin calculated for Borusan in these amended final results, because it is the only calculated weighted-average dumping margin that is not zero, *de minimis,* or determined entirely on the basis of facts available.

Exporter or producer	Weighted-average dumping margin (percent)
Kale Baglanti Teknolojileri San. ve Tic	8.48
Noksel Selik Boru Sanayi A.S	8.48
Cinar Boru Profil San. ve Tic. As	8.48

Disclosure

Commerce intends to disclose the calculations performed for these amended final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. The ministerial error corrections resulted in an 8.48 percent margin for the companies not individually examined: Kale Baglanti Teknolojileri San. ve Tic., Noksel Selik Boru Sanayi A.S., and Cinar Boru Profil San. ve Tic. As. Accordingly, we will instruct CBP to liquidate the appropriate entries at the non-individually examined rate, *i.e.,* 8.48 percent.

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by each respondent for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate, *i.e.,* 14.74 percent, from the less-than-fair-value (LTFV) investigation as modified by the section 129 determination,[8] if there is no rate for the intermediate company(ies) involved in the transaction.[9]

On January 23, 2020, the CIT issued a preliminary injunction prohibiting the assessment of duties on entries of subject merchandise produced and/or exported by Borusan starting January 23, 2020. Accordingly, Commerce will not order CBP to assess antidumping duties on entries of that merchandise while the preliminary injunction is in place.

Cash Deposit Requirements

The following cash deposit requirements will be effective retroactively for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the January 22, 2020, the date of publication of the *Final Results* of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the company under review will be equal to the weighted-average dumping margin established in the amended final results of this review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or another completed segment of this proceeding, but the manufacturer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previously completed segment of this proceeding, then the cash deposit rate will be the all-others rate of 14.74 percent established in the LTFV investigation.[10]

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

These amended final results and notice are issued and published in accordance with sections 751(h) and 777(i) of the Act, and 19 CFR 351.224(e).

Dated: February 28, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2020–04512 Filed 3–4–20; 8:45 am]

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[8] *See Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders,* 72 FR 25261 (May 4, 2007).

[9] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[10] *See Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products from Turkey,* 51 FR 17784 (May 15, 1986).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–893]

Certain Frozen Warmwater Shrimp From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2018–2019

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

SUMMARY: The Department of Commerce (Commerce) preliminarily finds that exporters of certain frozen warmwater shrimp (shrimp) from the People's Republic of China (China) sold subject merchandise in the United States at prices below normal value during the period of review (POR) February 1, 2018 through January 31, 2019. We invite all interested parties to comment on these preliminary results.

DATES: Applicable March 5, 2020.

FOR FURTHER INFORMATION CONTACT: Jasun Moy or Kabir Archuletta, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–8194, or (202) 482–2593, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce initiated an administrative review of the antidumping duty order on shrimp from China, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).[1] The administrative review covers one mandatory respondent, Shantou Red Garden Food

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 84 FR 18777 (May 2, 2019).

Processing Co., Ltd. (Shantou RGFP),[2] and 87 other companies that were not selected for individual examination. For details regarding the events that occurred subsequent to the initiation of the review, *see* the Preliminary Decision Memorandum.[3]

Pursuant to section 751(a)(3)(A) of the Act, Commerce determined that it was not practicable to complete the preliminary results of this review within the 245 days and postponed the preliminary results by 120 days.[4] The revised deadline for the preliminary results in this review is February 28, 2020.

Scope of the Order

The scope of the order includes certain frozen warmwater shrimp and prawns, whether wild caught (ocean harvested) or farm raised (produced by aquaculture), head on or head off, shell on or peeled, tail on or tail off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. The products are currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. Although the HTSUS subheadings are provided for convenience and for customs purposes; the written product description of the scope of the order remains dispositive. For a full description of the scope, *see* the Preliminary Decision Memorandum.[5]

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Act. We calculated export prices in accordance with section 772 of the Act. Because China is a non-market economy (NME) within the meaning of section 771(18) of the Act, normal value has been calculated in accordance with section 773(c) of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of the topics included in the Preliminary Decision Memorandum is included in Appendix I to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov,* and to all parties in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum is available at *http://enforcement.trade.gov/frn/.* The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

Separate Rates

Commerce preliminarily determines that information placed on the record by Shantou RGFP demonstrates that this entity is entitled to separate rate status.[6] For additional information, *see* the Preliminary Decision Memorandum.

Preliminary Determination of No Shipments

Three companies that received a separate rate in previous segments of this proceeding and are subject to this review reported that they did not have any exports of subject merchandise during the POR.[7] To date, we have not received any contrary information from either U.S. Customs and Border Protection (CBP) in response to our inquiry or any other sources that these companies had any shipments of the subject merchandise sold to the United States during the POR.[8] Further, consistent with our practice in NME cases, we find that it is not appropriate to rescind the review with respect to these companies but, rather, to complete the review and issue appropriate instructions to CBP based on the final results of review.[9]

China-Wide Entity

Commerce's policy regarding conditional review of the China-wide entity applies to this administrative review.[10] Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review and the entity's rate is not subject to change (*i.e.,* 112.81 percent).[11] Aside from the no-shipment and separate rate companies discussed above, Commerce considers all other companies for which a review was requested (none of which filed a separate rate application) to be part of the China-wide entity.[12] This includes Shantou Yuexing Enterprise Company (SYEC), a company that is under review that had previously been granted a separate rate[13] but that failed to submit either a no-shipment certification or a separate rate certification in this review. Accordingly, we preliminarily find that SYEC, as well as the additional companies identified in Appendix II, should be treated as part of the China-wide entity.

Preliminary Results of the Review

Commerce preliminarily determines that the following weighted-average dumping margin exists for the period February 1, 2018 through January 31, 2019:

[2] On February 28, 2020, we preliminary found that Shantou RGFP, as it currently exists, is not the successor-in-interest to Red Garden Food Processing Co., Ltd.; *see* Memorandum, ''Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from the People's Republic of China: Preliminary Successor-In-Interest Determination,'' dated February 28, 2020.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from the People's Republic of China; 2018–2019,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See* Memorandum, ''Frozen Warmwater Shrimp from the People's Republic of China: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated September 24, 2019; *see also* Memorandum, ''Frozen Warmwater Shrimp from the People's Republic of China: Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated December 16, 2019.

[5] *See* Preliminary Decision Memorandum at 3–5.

[6] *See* Shantou RGFP's November 12, 2019 Section A Questionnaire Response at 2–10; *see also* Shantou RGFP's December 23, 2019 Supplemental Questionnaire Response at 3–14.

[7] *See* Allied Pacific's Letter, ''Certain Frozen Warmwater Shrimp from the People's Republic of China: Notice of No Shipments,'' dated May 10, 2019 (submitted on behalf of Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd., Allied Pacific Food (Dalian) Co., Ltd., and Allied Pacific (HK) Co., Ltd.).

[8] *See* Memorandum, ''No Shipment Inquiry with Respect to the Companies Below During the Period 02/01/2018 through 01/31/2019,'' dated July 15, 2019.

[9] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694, 65694–95 (October 24, 2011).

[10] *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).

[11] *See Certain Frozen Warmwater Shrimp from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012–2013,* 79 FR 57872 (September 26, 2014).

[12] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 84 FR 18777, 18777–78, (May 2, 2019) (''All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below.''). Companies that are subject to this administrative review that are considered to be part of the China-wide entity are identified in Appendix II.

[13] *See, e.g., Certain Frozen Warmwater Shrimp from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2013–2014,* 79 FR 75533 (December 18, 2014).

Exporter	Weighted-average dumping margin (percent)
Shantou Red Garden Food Processing Co., Ltd	58.61

Verification

As provided in section 782(i)(3)(B) of the Act, if possible, Commerce intends to verify certain information relied upon in making its final results, because we find that good cause exists to verify the questionnaire responses of Shantou RGFP.[14]

Disclosure and Public Comment

Commerce intends to disclose the calculations performed for these preliminary results to the parties within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b). Commerce will establish a deadline for interested parties to submit case briefs and rebuttal briefs at a later date.[15] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.[16] If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a date and time to be determined.[17] Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon issuance of the final results, Commerce shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review. If Shantou RGFP's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce will calculate importer-specific assessment rates, in accordance with 19 CFR 351.212(b)(1).[18] For Shantou RGFP, Commerce intends to calculate an importer-specific per-unit assessment rate by dividing the amount of dumping for reviewed sales to the importer by the total sales quantity associated with those transactions. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is not zero or *de minimis.* If Shantou RGFP's weighted-average dumping margin is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review where applicable.

For entries that were not reported in the U.S. sales data submitted by companies individually examined during this review, Commerce will instruct CBP to liquidate such entries at the rate for the China-wide entity.[19] Additionally, if Commerce determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's cash deposit rate) will be liquidated at the rate for the China-wide entity.[20] We intend to issue instructions to CBP 15 days after the publication date of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the finals results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Shantou RGFP will be the rate established in the final results of this review (except, if the *ad valorem* rate is *de minimis,* then the cash deposit rate will be zero); (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific cash deposit rate published for the most recently completed period; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity; and (4) for all non-Chinese exporters of subject merchandise which have not received their own separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 351.221(b)(4).

Dated: February 28, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary

[14] *See* Preliminary Decision Memorandum. In addition, the Ad Hoc Shrimp Trade Action Committee (the petitioner) requested verification of Shantou RGFP's questionnaire responses under section 782(i)(3)(A) and (B) of the Act. *See* Petitioner's Letter, ''Request for Verification and Comments on Shantou RGFP's Supplemental Section A Response,'' dated December 31, 2019, at 2–3.

[15] *See* 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

[16] *See* 19 CFR 351.310(c).

[17] *See* 19 CFR 351.310(d).

[18] *See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012).

[19] *Id.*

[20] *Id.*

II. Background
III. Scope of the Order
IV. Preliminary Determination of No Shipments
V. Discussion of the Methodology
VI. Recommendation

Appendix II

Companies Preliminarily Receiving the China-Wide Rate [21]

Asian Seafoods (Zhanjiang) Co., Ltd.
Beihai Anbang Seafood Co., Ltd.
Beihai Boston Frozen Food Co., Ltd.
Beihai Tianwei Aquatic Food Co. Ltd.
Changli Luquan Aquatic Products Co., Ltd.
Dalian Beauty Seafood Company Ltd.
Dalian Haiqing Food Co., Ltd.
Dalian Home Sea International Trading Co., Ltd.
Dalian Rich Enterprise Group Co., Ltd.
Dalian Shanhai Seafood Co., Ltd.
Dalian Taiyang Aquatic Products Co., Ltd.
Dandong Taihong Foodstuff Co., Ltd.
Food Processing Co., Ltd.
Fujian Chaohui Aquatic Food Co., Ltd.
Fujian Chaohui Group
Fujian Chaohui International Trading Co., Ltd.
Fujian Dongshan County Shunfa Aquatic Product Co., Ltd.
Fujian Dongya Aquatic Products Co., Ltd.
Fujian Fuding Seagull Fishing Food Co., Ltd.
Fujian Hainason Trading Co., Ltd.
Fujian Haohui Import & Export Co., Ltd.
Fujian Rongjiang Import and Export Co., Ltd.
Fujian Zhaoan Haili Aquatic Co., Ltd.
Fuqing Chaohui Aquatic Food Co., Ltd.
Fuqing Dongwei Aquatic Products Ind.
Fuqing Dongwei Aquatic Products Industry Co., Ltd.
Fuqing Longhua Aquatic Food Co., Ltd.
Fuqing Minhua Trade Co., Ltd.
Fuqing Yihua Aquatic Food Co., Ltd.
Guangdong Foodstuffs Import & Export (Group) Corporation.
Guangdong Gourmet Aquatic Products Co., Ltd.
Guangdong Jinhang Food Co., Ltd.
Guangdong Universal Aquatic Food Co. Ltd.
Guangdong Wanshida Holding Corp.
Guangdong Wanya Foods Fty. Co., Ltd.
HaiLi Aquatic Product Co., Ltd. Zhaoan Fujian.
Hainan Brich Aquatic Products Co., Ltd.
Hainan Golden Spring Foods Co., Ltd.
Huazhou Xinhai Aquatic Products Co. Ltd.
Leizhou Bei Bu Wan Sea Products Co., Ltd.
Longhai Gelin Foods Co., Ltd.
Maoming Xinzhou Seafood Co., Ltd.
New Continent Foods Co., Ltd.
North Seafood Group Co.
Penglai Huiyang Foodstuff Co., Ltd.
Qingdao Fusheng Foodstuffs Co., Ltd.
Qingdao Yihexing Foods Co., Ltd.
Qinhuangdao Gangwan Aquatic Products Co., Ltd.
Rizhao Rongxing Co. Ltd.
Rizhao Smart Foods Company Limited.
Rongcheng Yinhai Aquatic Product Co., Ltd.
Rushan Chunjiangyuan Foodstuffs Co.
Rushan Chunjiangyuan Foodstuffs Co., Ltd.
Savvy Seafood Inc.
Shanghai Zhoulian Foods Co., Ltd.
Shantou Freezing Aquatic Product Foodstuffs Co.
Shantou Jiazhou Food Industrial Co., Ltd.
Shantou Jintai Aquatic Product Industrial Co., Ltd.
Shantou Longsheng Aquatic Product Foodstuff Co., Ltd.
Shantou Ocean Best Seafood Corporation.
Shantou Ruiyuan Industry Co., Ltd.
Shantou Wanya Foods Fty. Co., Ltd.
Shantou Yuexing Enterprise Company.
Thai Royal Frozen Food Zhanjiang Co., Ltd.
Xiamen Granda Import and Export Co., Ltd.
Yangjiang Dawu Aquatic Products Co., Ltd.
Yangjiang Haina Datong Trading Co.
Yantai Wei Cheng Food Co., Ltd.
Yantai Wei-Cheng Food Co., Ltd.
Zhangzhou Donghao Seafoods Co., Ltd.
Zhangzhou Xinwanya Aquatic Product Co., Ltd.
Zhangzhou Yanfeng Aquatic Product & Foodstuff Co., Ltd.
Zhanjiang Evergreen Aquatic Product Science and Technology Co., Ltd.
Zhanjiang Fuchang Aquatic Products Freezing Plant.
Zhanjiang Longwei Aquatic Products Industry Co., Ltd.
Zhanjiang Newpro Foods Co., Ltd.
Zhanjiang Universal Seafood Corp.
Zhaoan Yangli Aquatic Co., Ltd.
Zhejiang Xinwang Foodstuffs Co., Ltd.
Zhoushan Genho Food Co., Ltd.
Zhoushan Green Food Co., Ltd.

[21] We removed all companies that are excluded from the order even though entries that are not exporter-producer specific to the exclusion language would fall under the China-wide entity.

[FR Doc. 2020–04513 Filed 3–4–20; 8:45 am]
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DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–874]

Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From India: Preliminary Results of Countervailing Duty Administrative Review, 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that Goodluck India Limited (Goodluck) and Tube Investments of India Ltd. (TII) received countervailable subsidies during the period of review (POR), September 25, 2017 through December 31, 2018. Interested parties are invited to comment on these preliminary results.

DATES: Applicable March 5, 2020.

FOR FURTHER INFORMATION CONTACT: Hannah Falvey or Genevieve Coen, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4889 and (202) 482–3251, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce published a notice of initiation of an administrative review of the countervailing duty (CVD) order on certain cold-drawn mechanical tubing (CDMT) from India.[1] On October 8, 2019, Commerce extended the deadline for issuing the preliminary results of this review.[2] The revised deadline for these preliminary results is now February 28, 2020.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included at the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov,* and to all parties in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Order

The merchandise covered by the order is certain cold-drawn mechanical tubing. For a complete description of the scope of the order, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(l)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.,* a government-provided

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 84 FR 18777, 18792 (May 2, 2019).

[2] *See* Memorandum, ''Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India: Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated October 8, 2019.

[3] *See* Memorandum, ''Preliminary Results of Antidumping Duty Administrative Review: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India, 2017–2018,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.[4] For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

In accordance with 19 CFR 351.525, we calculated individual subsidy rates for Goodluck and TII. For the period September 25, 2017 through December 31, 2018, we preliminarily determine that the following net subsidy rates exist:

Company	2017 subsidy rate (percent *ad valorem*)	2018 subsidy rate (percent *ad valorem*)
Goodluck India Limited	5.86	5.21
Tube Investments of India Ltd	4.27	5.17

Assessment Rate

Consistent with section 751(a)(2)(C) of the Act, upon issuance of the final results, Commerce shall determine, and Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Rate

Pursuant to section 751(a)(1) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount indicated above with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. These cash deposit instructions, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.[5] Interested parties may submit written comments (case briefs) within 30 days of publication of the preliminary results and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs.[6] Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[7]

Interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary for Enforcement and Compliance using Enforcement and Compliance's ACCESS system.[8] Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce will inform parties of the scheduled date of the hearing which will be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined.[9] Issues addressed during the hearing will be limited to those raised in the briefs.[10] Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act, Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, within 120 days after publication of these preliminary results.

Notification to Interested Parties

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: February 28, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Period of Review
V. Use of Facts Otherwise Available and Application of Adverse Inferences
VI. Subsidies Valuation Information
VII. Benchmarks and Discount Rates
VIII. Analysis of Programs
IX. Recommendation

[FR Doc. 2020–04511 Filed 3–4–20; 8:45 am]

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[4] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[5] *See* 19 CFR 351.224(b).

[6] *See* 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

[7] *See* 19 CFR 351.309(c)(2) and 351.309(d)(2).

[8] *See* 19 CFR 351.310(c).

[9] *See* 19 CFR 351.310.

[10] *See* 19 CFR 351.310(c).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 200226–0065; RTID 0648–XR088]

Endangered and Threatened Species; Determination on the Designation of Critical Habitat for Oceanic Whitetip Shark

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

ACTION: Notice.

SUMMARY: We, NMFS, have determined that a designation of critical habitat under the Endangered Species Act (ESA) for the oceanic whitetip shark (*Carcharhinus longimanus*) is not prudent at this time. Based on a comprehensive review of the best scientific data available, we find there are no identifiable physical or biological features that are essential to the conservation of the oceanic whitetip shark within areas under U.S. jurisdiction. We also find that there are no areas outside of the geographical area occupied by the species under U.S. jurisdiction that are essential to its conservation. As such, we find there are no areas within the jurisdiction of the United States that meet the definition of critical habitat for the oceanic whitetip shark.

DATES: This finding is made on March 5, 2020.

ADDRESSES: Electronic copies of the determination, list of references, and supporting documents prepared for this action are available from the NMFS Office of Protected Resources website at *https://www.fisheries.noaa.gov/species/oceanic-whitetip-shark.*

FOR FURTHER INFORMATION CONTACT: Adrienne Lohe, NMFS, Office of Protected Resources, (301) 427–8403.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 2018, we published a final rule to list the oceanic whitetip shark (*Carcharhinus longimanus*) as a threatened species under the ESA (83 FR 4153). Section 4(b)(6)(C) of the ESA requires the Secretary of Commerce

(Secretary) to designate critical habitat concurrently with making a determination to list a species as threatened or endangered unless it is not determinable at that time, in which case the Secretary may extend the deadline for this designation by 1 year. In our proposal to list the species as threatened (81 FR 96304, Dec. 29, 2016), we requested relevant information from interested persons to help us identify and describe the physical and biological features essential to the conservation of the oceanic whitetip shark, and assess the economic impacts of designating critical habitat for the species. We solicited input from the public, other governmental agencies, the scientific community, industry, environmental groups, and any other interested parties on features and areas that may meet the definition of critical habitat for the oceanic whitetip shark within U.S. waters. However, at the time of listing, and based on comments provided and the best available scientific information, we concluded that critical habitat was not determinable because: (1) Sufficient information was not available to assess the impacts of designation; and (2) sufficient information was not available regarding the physical and biological features essential to conservation. We again requested interested persons to submit relevant information related to the identification of critical habitat and essential physical or biological features for this species, as well as economic or other relevant impacts of designation of critical habitat for the oceanic whitetip shark. Though we did not receive any information relevant to the designation of critical habitat in response to this request, we used the best available scientific data to evaluate whether critical habitat could be identified for the oceanic whitetip shark. As discussed below, we still find that there are no identifiable physical or biological features that are essential to the conservation of the oceanic whitetip shark within areas under U.S. jurisdiction, or unoccupied areas under U.S. jurisdiction that are essential to the conservation of the species. Therefore, at this time we find no areas within U.S. jurisdiction that meet the definition of critical habitat for the oceanic whitetip shark.

This finding describes information on the biology, distribution, and habitat use of the oceanic whitetip shark and the methods used to identify areas that may meet the definition of critical habitat. In this determination, we focus on information directly relevant to the designation of critical habitat for oceanic whitetip sharks.

Oceanic Whitetip Shark Biology and Status

The following discussion of the life history and status of the oceanic whitetip shark is based on the best scientific data available, including the ''Endangered Species Act Status Review Report: Oceanic Whitetip Shark (*Carcharhinus longimanus*)'' (Young *et al.* 2017).

The oceanic whitetip shark is a large, pelagic species of shark, described historically as one of the most abundant shark species in tropical waters worldwide (Mather and Day 1954; Backus *et al.* 1956; Compagno 1984). The oceanic whitetip shark belongs to the family Carcharhinidae and is a member of the genus *Carcharhinus,* which includes other pelagic species of sharks, such as the silky shark (*C. falciformis*) and dusky shark (*C. obscuras*).

The oceanic whitetip shark is globally distributed and can be found in all ocean basins in epipelagic tropical and subtropical waters. The species can be found offshore, along the edges of continental shelves, or around oceanic islands in deep water (Backus *et al.* 1956; Strasburg 1958; Compagno 1984; Bonfil *et al.* 2008) and appears to be thermally sensitive, exhibiting a strong preference for the surface mixed layer in warm waters above 20 °C (Bass *et al.* 1973; Bonfil *et al.* 2008). Several archival satellite tagging studies from various regions of the species' range indicate that oceanic whitetip sharks spend most of their time at depths of less than 200 m (above the thermocline) (Musyl *et al.* 2011; Carlson and Gulak 2012; Howey-Jordan *et al.* 2013; Tolotti *et al.* 2017). The oceanic whitetip is generally thought to be a long-lived species, ranging from 12 to 18 years in the North Pacific and Western and Central Pacific, respectively (Joung *et al.* 2016; D'Alberto *et al.* 2017), and 13 to 19 years in the South Atlantic (Seki *et al.* 1998; Lessa *et al.* 1999; Rodrigues *et al.* 2015), with relatively low reproductive output.

Similar to other carcharhinid species, the oceanic whitetip shark is viviparous (*i.e.,* gives birth to live young) with placental embryonic development. Reproductive periodicity is thought to be biennial, with individuals giving birth on alternate years after a 10–12 month gestation period (Backus *et al.* 1956; Seki *et al.* 1998; Tambourgi *et al.* 2013). However, recent unpublished data obtained via ultrasonography of pregnant females over multiple years suggests that at least for a proportion of the population, reproduction could be annual (James Gelsleichter, University of North Florida, unpublished data). Litter sizes range from 1 to 14 (average of 6), and there is a positive correlation between female size and number of pups per litter, with larger sharks producing more offspring (Backus *et al.* 1956; Strasburg 1958; Bass *et al.* 1973).

In terms of movement, the oceanic whitetip shark is considered to be a highly migratory species, with several satellite tracking studies measuring long distance movements of up to 4,285 km (Musyl *et al.* 2011) and over 6,000 km in the open ocean (Filmalter *et al.* 2012). Although the species is considered highly migratory and capable of making long distance movements, data from pop-off satellite archival tags provides evidence that this species also exhibits a high degree of philopatry in some locations (*e.g.,* Cat Island, Bahamas and Northeast Brazil) (Howey-Jordan *et al.* 2013; Tolotti *et al.* 2015). Overall, oceanic whitetip sharks are highly mobile and can travel great distances in the open ocean (Filmalter *et al.* 2012), with excursion estimates of several thousand kilometers demonstrated in multiple studies. However, information on potential migratory corridors and seasonality is lacking.

As discussed in the proposed rule (81 FR 96304, December 29, 2016) and final rule (83 FR 4153, January 30, 2018) to list the oceanic whitetip shark, the most significant threat to the species is overutilization for commercial purposes. Although oceanic whitetip sharks are not necessarily a targeted species, they are caught as bycatch in a number of fisheries throughout their range, and are most susceptible to industrial longline fisheries. Oceanic whitetip shark fins are also prevalent in the international fin trade, which has likely contributed to the significant declines of the species throughout its range. Given the relatively low reproductive output and overall productivity of the oceanic whitetip shark, it is inherently vulnerable to threats that would deplete its abundance, with a low likelihood of recovery. Therefore, while there is considerable uncertainty regarding the current abundance of oceanic whitetip sharks throughout its entire range, the best available information indicates that the species is likely to become an endangered species within the foreseeable future due to overutilization.

Critical Habitat Identification and Designation

Critical habitat is defined by section 3 of the ESA as (i) the specific areas within the geographical area occupied by the species, at the time it is listed, on which are found those physical or

biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed upon a determination by the Secretary that such areas are essential for the conservation of the species. This definition provides a step-wise approach to identifying areas that may qualify as critical habitat for the oceanic whitetip shark: (1) Determine the geographical area occupied by the species at the time of listing; (2) identify physical or biological habitat features essential to the conservation of the species; (3) delineate specific areas within the geographical area occupied by the species on which are found the physical or biological features; (4) determine whether the features in a specific area may require special management considerations or protection; and (5) determine whether any unoccupied areas are essential for conservation. Our evaluation and conclusions as we worked through this step-wise process are described in detail in the following sections.

Geographical Area Occupied by the Species

The ''geographical area occupied by the species'' is defined in our regulations as an area that may generally be delineated around species' occurrences, as determined by the Secretary (*i.e.,* range). Such areas may include those areas used throughout all or part of the species' life cycle, even if not used on a regular basis (*e.g.,* migratory corridors, seasonal habitats, and habitats used periodically, but not solely by vagrant individuals). (50 CFR 424.02). Further, our regulations at 50 CFR 424.12(g) state that the Secretary will not designate critical habitat within foreign countries or in other areas outside of the jurisdiction of the United States. As such, we cannot designate critical habitat for the oceanic whitetip outside of U.S. waters and will focus the following discussion on the U.S. jurisdictions where the oceanic whitetip shark is known to occur.

Northwest Atlantic and Caribbean

The geographic range of the oceanic whitetip shark in the Northwest Atlantic and Caribbean is reportedly very broad, occurring from Maine to Florida on the East Coast, in the Gulf of Mexico and in U.S. Territorial waters within the Caribbean (U.S. Virgin Islands and Puerto Rico) (Compagno 1984). However, the NMFS Northeast Fisheries Science Center (NEFSC) describes this species as ''uncommon'' in the U.S. Atlantic EEZ (NMFS 2017). Essential fish habitat (EFH; defined under the MSA as those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity (16 U.S.C. 1802(10))), has been designated for the oceanic whitetip shark in waters greater than 200 m in depth from offshore of the North Carolina/Virginia border to the Blake Plateau, which is a broad, relatively flat portion of the upper continental slope that extends from the coast of North Carolina to central Florida. Essential fish habitat was not designated north of Virginia (NMFS 2017). Designated EFH in the Gulf of Mexico includes offshore habitats of the northern Gulf of Mexico at the Alabama/Florida border (*e.g.,* the Mississippi plume shows high occurrence of juveniles and adults) to offshore habitats of the western Gulf of Mexico south of eastern Texas. Additionally, the entire U.S. Caribbean (waters of Puerto Rico and the U.S. Virgin Islands) is considered to be EFH for the oceanic whitetip shark (NMFS 2017). These designations were based on high encounters of the species in fisheries observer data from the U.S. pelagic longline fishery as well as recent movement data from archival satellite tags (NMFS 2017), which confirms the historical and current presence of oceanic whitetip sharks in these waters. Areas of high occurrence are also off the east coast of Florida, Charleston Bump off the southeast United States, and between Florida, Cuba and the Yucatan Peninsula (J. Carlson, unpublished analysis, 2019). However, while we can confirm that the geographical areas occupied by the oceanic whitetip include U.S. waters, there is no information regarding the specific habitat use of oceanic whitetip sharks in any of these areas (J. Carlson, NMFS Southeast Fisheries Science Center pers. comm. to C. Young, NMFS OPR, 2017), and nurseries and pupping grounds have not been identified in U.S. waters (NMFS 2017; CITES 2013).

Eastern Pacific

In the eastern Pacific, the oceanic whitetip shark reportedly occurs from southern California to Peru, including the Gulf of California and Clipperton Island (Compagno 1984). While its eastern Pacific range reportedly extends as far north as southern California, this is likely due to warm water incursions that allow the species to venture into waters far beyond its normal range (Compagno 1984). Ebert *et al.* (2017) notes that oceanic whitetip sharks are ''rare'' in southern California waters, usually observed around the Channel Islands during warm water years. Observer data of the West Coast-based U.S. fisheries further confirm this finding, with oceanic whitetip sharks not observed in the catches. For example, in the California/Oregon drift gillnet fishery, which operates off the U.S. Pacific coast from the U.S./Mexican border to waters off of Oregon, observers recorded zero oceanic whitetip sharks in 8,698 sets conducted over the past 25 years (from 1990–2015; Young *et al.* 2017). We have no other information to suggest that oceanic whitetip sharks regularly occupy the waters of southern California or elsewhere along the U.S. West Coast. Based on the best available data, the distribution of the species appears to be concentrated in areas farther south in foreign waters or the high seas. For example, fisheries data from the eastern Pacific tuna purse seine fishery shows catches of oceanic whitetip are concentrated in the area between 10° North and 10° South, despite sets in more northerly waters (Hall and Roman 2013). Other fisheries data confirm the presence of oceanic whitetip sharks in waters off of Costa Rica, Ecuador and Peru (Arauz 2017; Martinez-Ortiz *et al.* 2015; Gonzalez-Pestana *et al.* 2014). Although areas of southern California seem to be outside of the core tropical distribution of oceanic whitetip sharks and are used only during rare weather events that cause warm water incursions, we still consider this area to be part of the species' range. However, given the extremely limited data and seemingly limited use of this part of their range, we are unable to identify any features of the area that are essential to the conservation of the oceanic whitetip shark.

Western and Central Pacific

The range of oceanic whitetip sharks in the Western and Central Pacific is broad, occurring throughout the region between 30° N to 35° S, with catches of the species most frequently occurring in the central North Pacific south of 20° N latitude and some individuals occurring in more northerly locations (Clarke 2011; Clarke *et al.* 2011a). This range encompasses U.S. waters of Hawaii, Guam, American Samoa, Commonwealth of the Northern Mariana Islands (CNMI), and the Pacific Remote Island Areas. Fisheries data from a number of sources confirm the occurrence of the oceanic whitetip shark in all of these waters under U.S. jurisdiction (Brodziak *et al.* 2013; Clarke *et al.* 2011a; Clarke *et al.* 2011b; Lawson 2011; Walsh and Clarke 2011). As such, we conclude that waters under the aforementioned U.S. jurisdictions throughout the Western and Central

Pacific are geographical areas occupied by the species, though we are unable to identify any features of the area that are essential to the conservation of the oceanic whitetip shark.

In summary, based on the information above, we consider the geographical areas occupied by the oceanic whitetip shark in the Atlantic at the time of listing to include waters under U.S. jurisdiction off the U.S. East Coast, Gulf of Mexico, U.S. Virgin Islands, and Puerto Rico. We consider the geographical areas occupied by the oceanic whitetip shark in the Pacific to include waters under U.S. jurisdiction off southern California, Hawaii, American Samoa, Guam, CNMI, and the Pacific Remote Island Areas.

Physical or Biological Features Essential for Conservation

Within the geographical area occupied by an endangered or threatened species at the time of listing, critical habitat consists of specific areas upon which are found those physical or biological features essential to the conservation of the species and that may require special management considerations or protection. The ESA does not specifically define physical or biological features; however, court decisions and joint NMFS–USFWS regulations at 50 CFR 424.02 provide guidance on how physical or biological features are expressed. Specifically, these regulations state that the physical and biological features are those that are essential to support the life-history needs of the species, including but not limited to, water characteristics, soil type, geological features, sites, prey, vegetation, symbiotic species, or other features. A feature may be a single habitat characteristic, or a more complex combination of habitat characteristics. Features may include habitat characteristics that support ephemeral or dynamic habitat conditions. Features may also be expressed in terms relating to principles of conservation biology, such as patch size, distribution distances, and connectivity. (50 CFR 424.02).

Section 3 of the ESA (16 U.S.C. 1532(3)) defines the terms ''conserve,'' ''conserving,'' and ''conservation'' to mean: To use and the use of all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this chapter are no longer necessary. For oceanic whitetip sharks, we consider conservation to include the use of all methods and procedures necessary to bring oceanic whitetip sharks to the point at which factors related to population ecology and vital rates indicate that the species is recovered in accordance with the definition of recovery in 50 CFR 402.02. Important factors related to population ecology and vital rates include population size and trends, range, distribution, age structure, gender ratios, age-specific survival, age-specific reproduction, and lifetime reproductive success. Based on the available knowledge of oceanic whitetip shark population ecology and life history, we have identified four biological behaviors that are critical to the goal of increasing survival and population growth: (1) Foraging, (2) pupping, (3) breeding, and (4) migration. In the following section, we evaluate whether there are physical and biological features of the habitat areas known or thought to be used for these behaviors that are essential to the species' conservation because they facilitate or are intimately tied to these behaviors and, hence, support the life-history needs of the species. Because these behaviors are essential to the species' conservation, facilitating or protecting each one is considered a key conservation objective for any critical habitat designation for this species.

Physical and Biological Features of Foraging Habitat That Are Essential to the Conservation of the Species

Oceanic whitetip sharks are top-level predators in pelagic ecosystems and feed primarily on pelagic teleosts (bony fish) and cephalopods (mostly squids), but are also known to consume sea birds, marine mammals, other sharks and rays, molluscs, crustaceans, large sportfish, and even garbage (Madigan *et al.* 2015; Bonfil *et al.* 2008; Cortés 1999; Backus *et al.* 1956). Based on the species' diet, the oceanic whitetip shark has a high trophic level, scoring 4.2 out of a maximum 5.0 (Cortés 1999). Although typically solitary, oceanic whitetip sharks have been observed aggregating around food sources (Bonfil *et al.* 2008). Historically, oceanic whitetip sharks were described as pests to pelagic longline fisheries for tuna, as the sharks would persistently follow boats and cause significant damage to the catches (Compagno 1984). Oceanic whitetips have also been observed scavenging off dead marine mammal carcasses off South Africa (Bass *et al.* 1973) and feeding opportunistically on recreationally caught sportfish in the Bahamas (Madigan *et al.* 2015). In fact, Madigan *et al.* (2015) suggested that abundance and availability of large pelagic teleosts in waters off Cat Island, Bahamas might be a possible mechanism driving site-fidelity and aggregation of oceanic whitetip sharks in the region. Additionally, results showed spatiotemporal variation in feeding habits of the species, with short-term (*i.e.,* near Cat Island) diets comprised mostly of larger pelagic teleosts, and long-term diets (>1 year) comprised mostly of squid, teleosts, and small foraging fish (Madigan *et al.* 2015). However, although site fidelity to Cat Island has been demonstrated via satellite tracking data (Howey-Jordan *et al.* 2013) the reasons driving this site fidelity (*e.g.,* foraging, navigation, pupping, mating, etc.) are unknown at this time. See *The Physical and Biological Features of Migratory Habitat That Are Essential to the Conservation of the Species* section below for more information. Based on the foregoing information, the oceanic whitetip shark appears to be an opportunistic predator that is not limited in its foraging habitats and feeds on whatever prey is available.

Aside from the observations described above, there is no information regarding established foraging grounds for the oceanic whitetip shark. Recent tracking studies from the Bahamas, Brazil, and the Indian Ocean have revealed complex vertical movements in the species and diel behavior changes (Papastamatiou *et al.* 2018; Tolotti *et al.* 2017; Howey *et al.* 2016). Based on tracking data from the Bahamas, oceanic whitetip sharks regularly exhibit mesopelagic excursions (defined as ≥5 consecutive depth records below the 200 m isobaths), particularly during dusk periods that may be related to foraging (Howey *et al.* 2016). Tolotti *et al.* (2017) noted that deep dives below 150 m were rare, but the variation seen in the shark's vertical movement patterns could be linked to prey distribution as well. Papastamatiou *et al.* (2018) further reaffirms this possibility with evidence from oceanic whitetip sharks outfitted with cameras. Potential prey (mackerel, scad and squid) were observed during dives (as opposed to when individuals were in shallow water) and at the apex of the dive when bursts of speed were common (Papastamatiou *et al.* 2018). Squid and other cephalopods are likely an important prey species for the oceanic whitetip shark; Cortes (1999) and Madigan *et al.* (2015) both reported that cephalopods comprise approximately 44 percent of the oceanic whitetip shark's regular diet. Additionally, oceanic whitetip sharks have been associated with short-finned pilot whales (*Globicephala macrorhynchus*) of which squid is a main prey source (Bester, n.d.). Although the reason for this behavior is

unknown, it is thought to be prey-related, as pilot whales are extremely efficient at locating food sources (Migura and Meadows 2002). The diel vertical migrations of oceanic whitetip sharks are similar to and may overlap with the diel vertical migrations and/or distribution of many species of mesopelagic and bathypelagic squids (see original reference in Howey *et al.* 2016). As such, it is possible these mesopelagic excursions represent a foraging strategy for seeking out prey, such as squid. Although the species of squid consumed by oceanic whitetips are unknown, many species have a wide geographic distribution, moving throughout the deep waters of the ocean, and, therefore, it is difficult to link these prey species to any ''specific'' areas within the oceanic geographic areas occupied. Additionally, there was no site-specific correlation with the mesopelagic dives undertaken by oceanic whitetips tagged in the Bahamas. Individuals not only made consistent dives year-round near the aggregation site in the Bahamas, but also during migrations (Howey *et al.* 2016). Clear temporal or spatial patterns of vertical movements could also not be identified in individuals tagged in Brazil or the Indian Ocean, as behaviors alternated regularly and there was no evident pattern across the time series of the study (Tolotti *et al.* 2017). Overall, although it is hypothesized that these mesopelagic excursions are for purposes of foraging, this theory has not been confirmed.

Overall, the best available information indicates that oceanic whitetip sharks are opportunistic feeders and may exhibit behavioral plasticity when encountering different prey types (Papastamatiou *et al.* 2018). The species does not appear to be associated with any specific foraging grounds, adapting to its present habitat by feeding on whatever prey are available and even scavenging on whale carcasses when available. There does not appear to be a specific prey species that is required to be present in a habitat for successful foraging to occur, nor are there any specific habitat characteristics that appear to be intimately tied with feeding behavior. As such, we are unable to identify any particular physical or biological features of areas that facilitate successful foraging. Further, no oceanic whitetip sharks have been observed foraging in the geographic areas under U.S. jurisdiction, aside from opportunistic depredation on the catch of pelagic longline fisheries. For the foregoing reasons, it is not possible to identify any specific areas within waters under U.S. jurisdiction with physical or biological features related to foraging that are essential to the conservation of the species.

Physical and Biological Features of Pupping Habitat That Are Essential to the Conservation of the Species

Because the oceanic whitetip shark is a pelagic species that spends most of its time offshore in the open ocean (Compagno 1984) and is one of the few species that may complete its entire life cycle in open water, there is limited information regarding the species' life history and biology. Studies from the Northwest Atlantic and Indian Ocean estimate that oceanic whitetip sharks give birth from late spring to summer (Backus *et al.* 1956; Bass *et al.* 1973, Compagno 1984; Bonfil *et al.* 2008). Based on ultrasonography, Gelsleichter (unpublished) suggests pupping occurs in the Bahamas in May and June. In contrast, Seki *et al.* (1998) found no apparent parturition period in the North Pacific, as embryos were observed in almost every month in which data was collected. In the Southwest Atlantic, oceanic whitetips likely give birth in the latter half of the year, potentially from September to November (Tambourgi *et al.* 2013) although Amorim (1998) found full-term embryos from July to November, which may indicate a relatively extended pupping period for this species, as was observed in the North Pacific by Seki *et al.* (1998) (Tambourgi *et al.* 2013). Additionally, recent conflicting results regarding the species' reproductive periodicity (*i.e.,* whether oceanic whitetip sharks give birth annually or biannually), may indicate the possibility of non-specific pupping seasons for this species (Clarke *et al.* 2015). Clarke *et al.* (2015) notes that pregnant females are often found close to shore, particularly around oceanic Caribbean Islands, which suggests that females may come close to shore to pup. However, the specific locations of pupping grounds and nurseries have not been identified for the oceanic whitetip shark, and habitat requisites of these areas, such as temperature, depth, and substrate, are unknown.

To date, neither pupping grounds nor nursery areas have been identified definitively in the Atlantic for the oceanic whitetip shark. Only generalized descriptions of ''potential'' pupping and nursery areas are available, based largely on observations of young of the year (YOY) and juvenile sharks in fisheries catch data. For example, observations of YOY oceanic whitetips in fisheries catches off Northwest Cuba (Valdés *et al.* 2016) and observations of very small juveniles in the waters off Haiti (Jamie Aquino, Haiti Ocean Project, pers. comm. to C. Young, NMFS OPR, 2019) may indicate potential pupping/nursery areas in these regions. However, these areas are outside U.S. jurisdiction and cannot be designated as critical habitat for the species. In addition, while the available information suggests that there are several regions outside U.S. jurisdiction with potential pupping grounds, there is insufficient information to identify the essential physical or biological features for pupping grounds. Within U.S. waters, an area of pelagic waters over the continental shelf running along the southeastern coast of the United States has been described as a potential nursery area based solely on observations of young oceanic whitetip sharks offshore in this general area (NMFS 2017). In determining the revised EFH designation for the oceanic whitetip shark, which was based on fisheries observer and archival satellite tagging data (NMFS 2017), high encounters of YOY seem to occur over the continental shelf from North Carolina to Florida, and in other pockets in the central Gulf of Mexico and north of the U.S. Virgin Islands (J. Carlson, NMFS SEFSC, pers. comm. to C. Young, NMFS OPR, 2019). High juvenile encounters seem to occur in similar areas along the U.S. East Coast, with another area of occurrence to the north of Puerto Rico and moderate usage of waters north and south of the U.S. Virgin Islands (J. Carlson, NMFS SEFSC, pers. comm. to C. Young, NMFS OPR, 2019). Although these areas could represent nursery grounds for the oceanic whitetip shark, oceanic whitetip sharks have not been observed pupping in these areas and more importantly, we are unable to determine the physical or biological features that are essential for pupping. Using the nursery area identification criteria proposed by Heupel *et al.* (2007) and validated by Froeschke *et al.* (2010), areas described above meet the first criteria (newborn or YOY sharks are more commonly encountered in the area than in other areas), though data regarding the second two criteria (newborn or YOY sharks have a tendency to remain or return for extended periods; the area or habitat is repeatedly used across years, whereas others are not) are insufficient for a complete analysis. Further, in the EFH designation for oceanic whitetip sharks in the Atlantic, insufficient information prevented any differentiation between EFH areas for neonate/juvenile and adult size classes, resulting in a

combined EFH designation for all size classes (NMFS 2017). This emphasizes the lack of information regarding any potential pupping and nursery habitat for the species in U.S. waters of the Atlantic.

As described previously, oceanic whitetip sharks in the Western and Central Pacific are distributed throughout the region from 30° N and 30° S, but are concentrated in warm equatorial waters between 10° N and 10° S. Although limited information suggests there are some areas that may serve as potential pupping grounds, descriptions are fairly general and whether these areas occur in waters under U.S. jurisdiction is uncertain. Records of pregnant females and newborns are concentrated between the equator and 20° N, and between 170° E to 140° W, with higher concentrations in the central part of this distribution just north of 10° N (Bonfil *et al.* 2008; CITES 2013). This area is a large swath of ocean that partially overlaps the EEZs of Hawaii and several of the U.S. Pacific Remote Island Areas (Johnston Atoll, Palmyra, Jarvis Island, Howland & Baker Islands, and potentially Wake Island). Seki *et al.* (1998) observed small neonates (<60 cm precaudal length) in a narrow band between 10°N and 20° N, including waters south of Hawaii, and concluded that there is an oceanic whitetip nursery ground in the ''oceanic region'' of the North Pacific. Bonfil *et al.* (2008) reaffirmed that newborn oceanic whitetips occur mainly in a narrow strip in the central Pacific slightly north of 10° N. This, coupled with higher concentrations of pregnant females, suggest a pupping ground for oceanic whitetip may exist in the central Pacific between 150° W and 180° W and just above 10° N, but a more refined definition of the area is not possible due to incomplete sampling (Bonfil *et al.* 2008). More recent analyses of fisheries catch data determined that juveniles tend to occur in waters near the equator to the west, just north of the northeastern islands of Papua New Guinea and the Solomon Islands (Clarke 2011; Clarke *et al.* 2011a). As in the Atlantic areas, though YOY oceanic whitetip sharks have been more commonly encountered in these areas, there is insufficient data to apply Heupel *et al.*'s (2007) second and third criteria for identifying pupping areas in the Pacific. Other than generalized descriptions of potential nursery area locations, which are based on fisheries encounters of neonates, juveniles, and pregnant females, there is inadequate information to identify any physical or biological features of these areas that would be necessary to facilitate successful pupping behavior for the species.

Overall, while some waters under U.S. jurisdiction may overlap with general areas identified as potential pupping or nursery grounds for the species, the descriptions of these areas are fairly vague (*e.g.,* pelagic waters over continental shelves, oceanic areas, etc.) and are based solely on high encounters with various size classes of the species. We have no other information to specify the locations of these areas within U.S. waters or identify any physical or biological features within these areas that are essential to support the life-history needs of the oceanic whitetip shark. As such, we cannot identify any specific essential features that define pupping habitat for the oceanic whitetip shark in U.S. waters.

The Physical and Biological Features of Breeding Habitat That Are Essential to the Conservation of the Species

Little information exists on the reproductive ecology of the oceanic whitetip shark, as mating behavior is rarely observed in the wild and has not been formally documented. Important areas for mating are also unknown for oceanic whitetip sharks and information regarding their reproductive periodicity and specific mating seasons is limited. To identify potential sites as mating grounds, we looked for the presence of both mature females and males. Aside from one established aggregation location in foreign waters (Cat Island, Bahamas), which may be due to availability of food as opposed to reproductive purposes (Madigan *et al.* 2015), there are no known aggregation sites of mature oceanic whitetip sharks. In examining fisheries observer data and tagging data for revising the EFH designation for the oceanic whitetip shark (NMFS 2017), high encounters of oceanic whitetip adults have been observed in pockets along the U.S. East Coast from South Carolina to Florida in waters greater than 200 m, with potential hotspots off the eastern central coast of Florida and in the Gulf of Mexico south of Louisiana and Texas (J. Carlson, NMFS SEFSC, pers. comm. to C. Young, NMFS OPR, 2019). Based on this limited information, we can cautiously confirm that male and female adult oceanic whitetip sharks co-occupy waters under U.S. jurisdiction in the Atlantic and Gulf of Mexico. Nonetheless, we have no evidence to confirm that these individuals are mating in these waters, nor can we identify any physical or biological features that would facilitate successful breeding in these geographical areas and thus be essential to the conservation of the species.

In the U.S. western Pacific, including Hawaii, American Samoa, Guam, and CNMI, EFH for adult and juvenile oceanic whitetip sharks is broadly defined as the water column down to a depth of 1,000 m from the shoreline to the outer limit of the EEZ (WPFMC 2009). Thus, similar to EFH in the Atlantic, EFH in the Pacific is designated the same for all size classes in this region. It should also be noted that this is a generic EFH designation for all pelagic species, and not specific to the oceanic whitetip shark.

A tagging study in Hawaiian waters, conducted from March 2001 through November 2006, involved the capture and tagging of both mature males and females in the general vicinity that has been identified as a potential pupping ground (*i.e.,* the area between 150° W and 180° W and just above 10° N; Bonfil *et al.* 2008). However, only 11 of the 16 tagged sharks were measured and only four were likely mature (3 males and 1 female), with the remaining likely immature juveniles. Adults of both sexes have also been caught in the pelagic longline fishery operating in the Hawaiian EEZ and in the Papahanaumokuakea Marine National Monument. Based on an assessment of interactions with the Hawaii pelagic longline fishery from 2004–2018, adults of both sexes occur in Hawaiian waters, and the majority of interactions occur on the north side of the Hawaiian Islands in a linear band stretching southeast to northwest within the limits of the EEZ, both inside and outside of the Papahanaumokuakea Marine National Monument (NMFS 2019). One area of high occurrence of interactions is on the south-westernmost portion of the EEZ, within the limits of the Monument (NMFS 2019). Adults of both sexes have also been caught off Kona, Hawaii (M. Hutchinson, NMFS Pacific Islands Fisheries Science Center, pers. comm. to Chelsey Young, NMFS OPR, 2017). Other analyses of fisheries catch data from across the Western and Central Pacific indicate that adults appear to predominate more to the southwest near the identified center of abundance (10° S, 190° E; refer to Figure 3 in Clarke 2011) and may overlap with waters of American Samoa. However, while adults of both sexes likely co-occur in waters under U.S. jurisdiction in both Hawaii and American Samoa, we have no additional information to confirm that these areas represent mating grounds for the species, or identify the physical and biological features that would be necessary for mating to occur in these areas.

Overall, the areas where oceanic whitetip shark mating occurs remain unknown. Additionally, there has not been any systematic evaluation of the particular physical or biological features that facilitate successful mating behavior. As such, we cannot identify physical or biological features of breeding habitat that are essential to the conservation of the species.

The Physical and Biological Features of Migratory Habitat That Are Essential to the Conservation of the Species

Although small and large-scale migratory movements have been observed for the oceanic whitetip shark, information regarding movement patterns or possible migration paths is fairly limited (Bonfil *et al.* 2008). During longline fishing surveys in the Central Pacific Ocean, Strasburg (1958) noted that oceanic whitetip sharks did not exhibit any specific migratory pattern. Since then, several tagging studies have been conducted on oceanic whitetip sharks to determine horizontal and vertical movement patterns of the species, confirming the species' strong thermal preference for temperatures above 20 °C, highly migratory nature, and site fidelity to certain locations (Tolotti *et al.* 2017; Howey *et al.* 2016; Tolotti *et al.* 2015; Howey-Jordan *et al.* 2013; Carlson and Gulak 2012; Musyl *et al.* 2011).

In the Atlantic, limited tagging data from the NMFS Cooperative Tagging Program (Kohler *et al.* 1998; NMFS unpublished data) from eight oceanic whitetip sharks do not elucidate any migratory paths or corridors for the oceanic whitetip shark. The tagging data largely reveal the movements of some juveniles from the northeastern Gulf of Mexico to the East Coast of Florida, from the Mid-Atlantic Bight to southern Cuba, from the Lesser Antilles west into the central Caribbean Sea, from east to west along the equatorial Atlantic, and from southern Brazil to farther offshore in a northeasterly direction (Bonfil *et al.* 2008). Only one adult of unknown sex was both tagged and recaptured near Cat Island, Bahamas (NMFS unpublished data). In another tagging study at Cat Island, 11 mature oceanic whitetip sharks (10 females, 1 male) were tagged in May of 2011. After remaining within 500 km of the tagging site for approximately 30 days, individuals dispersed across a vast area of the western North Atlantic and to several different locations, with many of the sharks returning to the Bahamas approximately 150 days later (Howey-Jordan *et al.* 2013). However, unlike other pelagic animals in the North Atlantic that exhibit more uniform movement patterns within a single demographic group, mature oceanic whitetip females tagged were not uniform in their movement patterns in the months after they were tagged (Howey-Jordan *et al.* 2013). Some individuals remained within the Bahamas' EEZ for their entire track while others made long-distance movements outside of the EEZ (Howey-Jordan *et al.* 2013). This may be attributed to the oceanic whitetip's presumed biennial reproduction cycle (Backus *et al.* 1956; Seki *et al.* 1998), resulting in differences between individuals in particular stages of the reproductive cycle; thus, variation in individual movements may correspond to migrations by gravid and non-gravid females to disjunct pupping and mating areas (Howey-Jordan *et al.* 2013). However, this has yet to be confirmed, and more information is needed to determine why these sharks are moving to particular locations (*e.g.,* northern Lesser Antilles, northern Bahamas, and north of the Windward Passage). Moreover, none of these locations are within U.S. waters.

In Hawaiian waters, tagging data from 13 oceanic whitetip sharks revealed a complex pattern, where nine individuals showed a meandering swimming behavior and three individuals made more straight-line movements (Musyl *et al.* 2011). The three individuals that made more straight-line movements were all males, whereas the sharks that followed the meandering swimming pattern and remained relatively close to the tagging area were a mix of both males and females (Musyl *et al.* 2011). Aside from confirming the epipelagic niche these sharks occupy and their strong thermal preference of temperatures above 20 °C, there were no obvious reasons underpinning the movements undertaken by the tagged individuals.

Although the available information suggests that these sharks do undergo short and long-distance migrations, the space or migratory corridor used by oceanic whitetip sharks during these migrations remains unknown. In addition, the migratory tracking studies that have been conducted in waters under U.S. jurisdiction have not elucidated any information on any potential migratory corridors or habitats that may exist within waters under U.S. jurisdiction for the oceanic whitetip shark. Until such time that the movements and migrations of the species throughout its life cycle are better understood, the importance of physical features (*e.g.,* salinity and temperature) to the oceanic whitetip shark's distribution cannot be clearly established (Bass *et al.* 1973). As such, we cannot identify any specific essential features that define migratory habitat for oceanic whitetip sharks.

Unoccupied Areas

Section 3(5)(A)(ii) of the ESA defines critical habitat to include specific areas outside the geographical area occupied by a threatened or endangered species at the time it is listed if the areas are determined by the Secretary to be essential for the conservation of the species. Regulations at 50 CFR 424.12(b)(2) address designation of unoccupied area as critical habitat and the regulations at 50 CFR 424.12(g) state that critical habitat shall not be designated within foreign countries or in other areas outside of United States jurisdiction.

Because we are unable to identify any physical or biological features of oceanic whitetip shark habitat that are essential to the conservation of the species, we cannot identify any unoccupied habitat that contains such features. Furthermore, due to the limited understanding of habitat use by the oceanic whitetip shark, we cannot identify any unoccupied areas that have a reasonable certainty of contributing to the conservation of the species or are essential to the conservation of the species.

Critical Habitat Determination

Given the best available information and the above analysis of this information, we find that there are no identifiable occupied areas under the jurisdiction of the United States that contain physical or biological features that are essential to the conservation of the species or unoccupied areas that are essential to the conservation of the species. Thus, we conclude there are no specific areas within the oceanic whitetip shark's respective range and under U.S. jurisdiction that meet the definition of critical habitat; and therefore, we have determined that a critical habitat designation for oceanic whitetip sharks is not prudent.

Although we have made this ''not prudent'' determination, the areas occupied by oceanic whitetip sharks under U.S. jurisdiction will continue to be subject to conservation actions implemented under section 7(a)(1) of the ESA, as well as consultations pursuant to section 7(a)(2) of the ESA for Federal activities that may affect the oceanic whitetip shark, as determined on the basis of the best available information at the time of the action. Through the consultation process, we will continue to assess effects of Federal actions on the species and its habitat.

Additionally, we remain committed to promoting the recovery of the oceanic whitetip shark through both domestic and international efforts. As noted in the proposed and final rules (81 FR 96304, December 29, 2016; 83 FR 4153, January 30, 2018, respectively), the most significant threat to the oceanic whitetip shark is overutilization by commercial fisheries, primarily in areas outside of U.S. jurisdiction. Oceanic whitetip sharks are caught as bycatch in a number of fisheries throughout their range, and they are still a prevalent species in the international fin trade despite retention prohibitions in tuna Regional Fisheries Management Organizations and a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Appendix II listing. Therefore, efforts to address overutilization of the species through regulatory measures appear inadequate (Young *et al.* 2017). Thus, recovery of the oceanic whitetip shark is highly dependent upon international conservation efforts. To address this, we have developed a recovery plan outline that provides our preliminary strategy for the conservation of the oceanic whitetip shark. This outline can be found on our website at: *https://www.fisheries.noaa.gov/species/oceanic-whitetip-shark#resources* and provides an interim recovery action plan as well as preliminary steps we will take towards the development of a full recovery plan. We also conducted two recovery planning workshops: One in Honolulu, Hawaii (April 23–24, 2019) that focused on the Indo-Pacific portion of the species' range, and one in Miami, Florida (November 13–14, 2019) that focused on the Atlantic/Caribbean portion of the species' range. These workshops brought together numerous experts and various stakeholders to collect information, facts, and perspectives on how to recover the oceanic whitetip shark. Input received from these workshops, including ideas and recommendations regarding recovery criteria and actions, will help inform the development of the forthcoming recovery plan for the species.

We will continue to work towards the conservation and recovery of oceanic whitetip sharks, both on a domestic and global level, including with our international partners and within regional fisheries management organizations and other international bodies to promote the adoption of conservation and management measures for the threatened oceanic whitetip shark.

References

A complete list of all references cited herein is available upon request (see **FOR FURTHER INFORMATION CONTACT**).

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: February 28, 2020.

Samuel D. Rauch III,

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

[FR Doc. 2020–04481 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XA049]

Endangered and Threatened Species; Initiation of 5-Year Reviews for Eulachon, Yelloweye Rockfish, Bocaccio, and Green Sturgeon

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

ACTION: Notice of initiation of 5-year reviews; request for information.

SUMMARY: We, NMFS, are announcing 5-year reviews of four species listed under the Endangered Species Act (ESA) of 1973, as amended. The four distinct population segments (DPSs) included in this notice are the southern DPS of eulachon (*Thaleichthys pacificus*), the Puget Sound/Georgia Basin DPSs of yelloweye rockfish (*Sebastes ruberrimus*) and bocaccio (*S. paucispinis*), and the southern DPS of green sturgeon (*Acipenser medirostris*). The purpose of these reviews is to ensure the accuracy of the listing classifications of these threatened and endangered species. The 5-year reviews will be based on the best scientific and commercial data available at the time of the reviews; therefore, we are requesting that interested parties submit any new relevant information on these DPSs that has become available since the original listing determinations or since the species' status was last updated. Based on the results of these 5-year reviews, we will make the requisite determinations under the ESA.

DATES: To allow us adequate time to conduct these reviews, we must receive your information no later than June 3, 2020.

ADDRESSES: You may submit information document, identified by NOAA–NMFS–2020–0022, by any of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal e-Rulemaking Portal *www.regulations.gov.* To submit comments via the e-Rulemaking Portal, first click the ''submit a comment'' icon, then enter NOAA–NMFS–2020–0022 in the keyword search. Locate in the resulting list the document you wish to comment on and click on the ''Submit a Comment'' icon to the right of that line.
- *Mail or Hand-Delivery:* Address comments to Robert Markle, NMFS, West Coast Region, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232.

Instructions: Comments must be submitted by one of the above methods to ensure that we can receive, document, and consider them. Comments sent by any other method, sent to any other address or individual, or received after the end of the comment period may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. We request that all information be accompanied by: (1) Supporting documentation such as maps, bibliographic references, or reprints of pertinent publications; and (2) the submitter's name, address, and any association, institution, or business that the person represents. We will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). Please note that submissions without supporting information—those merely stating support for or opposition to the action under consideration—will be noted but not used in making any listing determinations because such comments do not represent actual scientific or commercial data.

FOR FURTHER INFORMATION CONTACT: Rob Markle at the above address, by phone at (503) 230–5419, or by email at *robert.markle@noaa.gov*.

SUPPLEMENTARY INFORMATION: Section 4(c)(2)(A) of the ESA requires that we conduct a review of listed species at least once every five years. On the basis of such reviews, we determine under section 4(c)(2)(B) whether a species should be delisted or reclassified from endangered to threatened or from threatened to endangered.

We will undertake reviews for the southern DPS of eulachon, the Puget Sound/Georgia Basin DPSs of yelloweye rockfish and bocaccio, and the southern DPS of green sturgeon. Information about these four DPSs can be found at our West Coast regional website: *https://www.fisheries.noaa.gov/region/west-coast*.

Our regulations for periodic reviews at 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species currently under active review. This notice announces our active reviews of the DPSs listed above. Any change in listing classification would require a separate rulemaking process.

Determining if a Species Is Threatened or Endangered

Section 4(a)(1) of the ESA requires that we determine whether a species is endangered or threatened based on one or more of the five following factors: (1) The present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; or (5) other natural or manmade factors affecting its continued existence. Section 4(b) also requires that our determination be made on the basis of the best scientific and commercial data available after taking into account those efforts, if any, being made by any State or foreign nation, to protect such species.

Application of the DPS Policy

NMFS is responsible for determining whether species, subspecies, or DPSs of marine and anadromous species are threatened or endangered under the ESA. For these four species, NMFS applies the joint US Fish and Wildlife Service-NMFS DPS policy (61 FR 4722, February 7, 1996) in identifying the appropriate taxonomic unit for listing consideration. Under this policy, a DPS must be discrete from other conspecific populations, and it must be significant to its taxon. A group of organisms is discrete if it is ''markedly separated from other populations of the same taxon as a consequence of physical, physiological, ecological, and behavioral factors.'' Under the DPS Policy, if a population group is determined to be discrete, the agency must then consider whether it is significant to the taxon to which it belongs. Considerations in evaluating the significance of a discrete population include: (1) Persistence of the discrete population in an unusual or unique ecological setting for the taxon; (2) evidence that the loss of the discrete population segment would cause a significant gap in the taxon's range; (3) evidence that the discrete population segment represents the only surviving natural occurrence of a taxon that may be more abundant elsewhere outside its historical geographic range; or (4) evidence that the discrete population has marked genetic differences from other populations of the species.

Public Solicitation of New Information

The 5-year reviews will consider the best scientific and commercial data available and new information that has become available since the species' previous status review. Our Northwest and Southwest Fisheries Science Centers will assist the West Coast Region in gathering and analyzing this information. To ensure that the 5-year reviews are complete and based on the best available information, we are soliciting new information from the public, concerned governmental agencies, Native American tribes, the scientific community, industry, environmental entities, and any other interested parties regarding the status of the southern DPS of eulachon, the Puget Sound/Georgia Basin DPSs of yelloweye rockfish and bocaccio, and the southern DPS of green sturgeon.

Specifically, we are seeking new information (generated since 2015) on: (1) Population abundance; (2) population productivity; (3) changes in species distribution or population spatial structure; (4) genetics or other measures of diversity; (5) changes in habitat conditions; (6) conservation measures that have been implemented to benefit the species—including monitoring data demonstrating the effectiveness of such measures in addressing identified limiting factors or threats; (7) the status and trends of identified limiting factors or threats; and (8) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes, identification of erroneous information in the previous listing determination, and improved analytical methods.

With respect to the southern DPS of eulachon, we request any new information concerning (1) the species' spatial distribution and abundance in freshwater and marine environments, (2) the species' genetics, (3) the effects of climate variability and how anthropogenic-forced climate drivers affect eulachon and their freshwater and marine habitats, (4) the effects of ocean acidification on eulachon, (5) eulachon bycatch in the ocean shrimp fisheries, (6) predation on eulachon, and (7) the effects of dams and channel-spanning water control structures on estuary-plume environments.

With respect to Puget Sound/Georgia Basin DPSs of yelloweye and bocaccio, we request any new information concerning (1) the species' spatial distribution and habitat associations among larval, young-of-the-year, and adult fish in nearshore and deep-water environments; (2) the effectiveness of regulations in protecting and restoring rockfish habitats; (3) the species' genetics; (4) the effects of contaminants on species productivity, growth, and survival; (5) the effects of climate change and ocean acidification; on these rockfish species; (6) catch or bycatch of these species in specific fisheries, including information on the ability of anglers to properly identify rockfish by species; (7) the effectiveness of fisheries management with respect to reducing impacts on these rockfish species; (8) efforts to remove and prevent derelict fishing gear; (9) enumeration of bycatch by derelict fishing gear; and (10) the use and effectiveness of devices designed to reduce the effects of barotrauma in rockfish bycatch.

With respect to the southern DPS of green sturgeon, we request any new information concerning (1) the species' biology—including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (2) habitat conditions—including, but not limited to, amount, distribution, and suitability; (3) conservation measures that have been implemented to benefit the species; (4) status and trends of threats; (5) other new information, data, or improved analytical methods; and (6) corrections—including but not limited to, taxonomic or nomenclatural changes.

If you wish to provide information for these 5-year reviews, you may submit your information and materials to Rob Markle (see **ADDRESSES**).

Authority: 16 U.S.C. 1531 *et seq.*

Dated: February 28, 2020.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2020–04479 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XW021]

U.S. Stakeholder Call To Discuss Inter-American Tropical Tuna Commission Tropical Tuna Management; Meeting Announcement

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

ACTION: Notice of public meeting.

SUMMARY: NMFS announces a public meeting with U.S. stakeholders to discuss issues related to Inter-American Tropical Tuna Commission (IATTC) tropical tuna management in the eastern Pacific Ocean on May 22, 2020. The meeting topics are described under the **SUPPLEMENTARY INFORMATION** section of this notice. The meeting will be held via conference call.

DATES: The meeting will be held via conference call on May 22, 2020, from 11 a.m. to 1 p.m. PST (or until business is concluded).

ADDRESSES: The public meeting will be conducted via conference call. For details on how to call in to the conference line, please contact William Stahnke (see **FOR FURTHER INFORMATION CONTACT**) by April 27, 2020. Documents to be considered before the call will be sent out via email in advance of the conference call. Please submit contact information to William Stahnke to receive documents in advance of the call.

FOR FURTHER INFORMATION CONTACT: William Stahnke, West Coast Region, NMFS, at *William.Stahnke@noaa.gov,* or at (562) 980–4088.

SUPPLEMENTARY INFORMATION: The current IATTC conservation measures for tropical tuna in the eastern Pacific Ocean in Resolution C–17–02 (''Conservation Measures for Tropical Tunas in the Eastern Pacific Ocean During 2018–2020 and Amendment to Resolution C–17–01'') are set to expire at the end of the 2020 calendar year. Therefore, conservation measures for tropical tuna are expected to be a central issue at the 95th meeting of the IATTC that will be held from August 10 to August 14, 2020, in La Jolla, California. This call will provide NMFS an additional opportunity to hear public input on tropical tuna management in the IATTC after stock assessment information is presented at the IATTC Scientific Advisory Committee (SAC) in May 2020 and in advance of the General Advisory Committee (GAC) meeting on June 18, 2020. In accordance with the Tuna Conventions Act (16 U.S.C. 951 *et seq.*), the GAC advises the U.S. Section with respect to U.S. participation in the work of the IATTC, focusing on the development of U.S. policies, positions, and negotiating tactics. For more information on IATTC meetings, please visit the IATTC's website: *https://www.iattc.org/MeetingsENG.htm.*

Meeting Topics

The agenda for conference call will include, but is not limited to, the topics below:

1. Review results of stock assessments for bigeye, yellowfin, and skipjack tuna in the eastern Pacific Ocean that are presented at the IATTC SAC meeting in May 2020;
2. Review analyses for tropical tuna presented at the IATTC SAC meeting;
3. Review management options for tropical tuna presented at the IATTC SAC meeting;
4. Opportunity for stakeholder input on potential tropical tuna management options; and
5. Next steps and other opportunities for stakeholder input at the GAC meeting.

Special Accommodations

The conference call is accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to William Stahnke (see **FOR FURTHER INFORMATION CONTACT**) by April 27, 2020.

Authority: 16 U.S.C. 951 *et seq.*

Date: March 2, 2020.

Karyl K. Brewster-Geisz,

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

[FR Doc. 2020–04495 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XW020]

General Advisory Committee to the U.S. Section to the Inter-American Tropical Tuna Commission and Scientific Advisory Subcommittee to the General Advisory Committee; Meeting Announcement

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

ACTION: Notice of public meeting.

SUMMARY: NMFS announces a public meeting of the General Advisory Committee (GAC) to the U.S. Section to the Inter-American Tropical Tuna Commission (IATTC) on June 18, 2020, and a public meeting of the Scientific Advisory Subcommittee (SAS) to the GAC on June 17, 2020. The meeting topics are described under the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: The meeting of the SAS will be held on June 17, 2020, from 10 a.m. to 5 p.m. PDT (or until business is concluded). The meeting of the GAC will be held on June 18, 2020, from 8:30 a.m. to 5 p.m. PDT (or until business is concluded).

ADDRESSES: The SAS and GAC meetings will be held in the Pacific Conference Room (Room 300) at NMFS, Southwest Fisheries Science Center, 8901 La Jolla Shores Drive, La Jolla, California 92037–1508. Please notify William Stahnke (see **FOR FURTHER INFORMATION CONTACT**) by May 29, 2020, if you plan to attend either or both meetings in person or remotely. The meetings will be accessible by webinar and instructions will be emailed to meeting participants.

FOR FURTHER INFORMATION CONTACT: William Stahnke, West Coast Region, NMFS, at *William.Stahnke@noaa.gov,* or at (562) 980–4088.

SUPPLEMENTARY INFORMATION: In accordance with the Tuna Conventions Act (16 U.S.C. 951 *et seq.*), the U.S. Department of Commerce, in consultation with the Department of State (the State Department), appoints a GAC to the U.S. Section to the IATTC, and a SAS that advises the GAC. The U.S. Section consists of the four U.S. Commissioners to the IATTC and representatives of the State Department, NOAA, Department of Commerce, other U.S. Government agencies, and stakeholders. The GAC advises the U.S. Section with respect to U.S. participation in the work of the IATTC, focusing on the development of U.S. policies, positions, and negotiating tactics. The purpose of the SAS is to advise the GAC on scientific matters. NMFS West Coast Region staff provide administrative support for the GAC and SAS. The meetings of the GAC and SAS are open to the public, unless in executive session. The time and manner of public comment will be at the discretion of the Chairs for the GAC and SAS.

The 95th meeting of the IATTC, the 41st Meeting of the Parties to the Agreement on the International Dolphin Conservation Program (AIDCP), and IATTC and AIDCP working group meetings are scheduled to be held from

August 3 to August 15, 2020, in La Jolla, California. For more information on these meetings, please visit the IATTC's website: *https://www.iattc.org/MeetingsENG.htm*.

GAC and SAS Meeting Topics

The SAS meeting agenda will include, but is not limited to, the following topics:

(1) Outcomes of the 2020 meeting of the Scientific Advisory Committee (SAC) to the IATTC (*e.g.,* stock status updates for tuna, tuna-like species, and other species caught in association with those fisheries in the eastern Pacific Ocean);

(2) Evaluation of the IATTC staff's recommended conservation measures for 2020;

(3) Issues related to non-target species, such as sharks, seabirds, sea turtles;

(4) Evaluation of U.S. proposals for the 95th meeting of the IATTC and proposals from other IATTC members; and

(5) Other issues as they arise.

The GAC meeting agenda will include, but is not limited to, the following topics:

(1) Outcomes of the 2020 meeting of the SAC to the IATTC (*e.g.,* stock status updates for tuna, tuna-like species, and other species caught in association with those fisheries in the eastern Pacific Ocean);

(2) Issues related to non-target species, such as sharks, seabirds, sea turtles;

(3) Recommendations and evaluations by the SAS;

(4) Recommendations to the U.S. Section on issues that may arise at the 95th meeting of the IATTC, including the IATTC staff's recommended conservation measures, U.S. proposals, and proposals from other IATTC members; and

(5) Other issues as they arise.

Special Accommodations

The meeting location is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to William Stahnke (see **FOR FURTHER INFORMATION CONTACT**) by May 29, 2020.

Authority: 16 U.S.C. 951 *et seq.*

Dated: March 2, 2020.

Karyl K. Brewster-Geisz,

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

[FR Doc. 2020–04492 Filed 3–4–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XV177]

Fishing Capacity Reduction Program for the Bering Sea and Aleutian Islands American Fisheries Act Pollock

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

ACTION: Notice of loan repayment.

SUMMARY: NMFS issues this notice to inform interested parties that the Bering Sea and Aleutian Islands (BSAI) American Fisheries Act (AFA) Pollock loan in the fishing capacity reduction program for the inshore component of the BSAI Pollock Fishery has been repaid. Therefore, buyback fee collections on AFA Pollock will cease for all landings after February 29, 2020.

DATES: Comments must be submitted on or before 5 p.m. EST March 20, 2020.

ADDRESSES: Send comments about this notice to Elaine Saiz, Chief, Financial Services Division, NMFS, Attn: BS/AI AFA Pollock Buyback, 1315 East-West Highway #13100, Silver Spring, MD 20910 (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Michael A. Sturtevant at (301) 427–8782 or *Michael.A.Sturtevant@noaa.gov*.

SUPPLEMENTARY INFORMATION: On December 21, 1999, NMFS published a **Federal Register** document (64 FR 71396) proposing regulations to implement an industry fee system for repaying the reduction loan. The final rule was effective and fees were first due on February 10, 2000 (65 FR 5278, February 3, 2000). Interested persons should review these for further program details.

The BSAI AFA Pollock Capacity Reduction (Buyback) loan in the amount of $75,000,000 will be repaid in full upon receipt of buyback fees on landings through February 29, 2020. Based on buyback fees received to date, landings after February 29, 2020, will not be subject to the buyback fee. Therefore, buyback loan fees will no longer be collected in the BS/AI Pollock Fishery on future landings.

Buyback fees not yet forwarded to NMFS for AFA Pollock landings through February 29, 2020, should be forwarded to NMFS immediately. Any overpayment of buyback fees submitted to NMFS will be refunded on a pro-rata basis based upon best available fish ticket landings data. Any discrepancies in fees owed and fees paid must be resolved immediately. After the sub-loan is closed, no further adjustments to fees paid and fees received can be made.

Dated: February 28, 2020.

Brian Pawlak,

Chief Financial Officer/Chief Administrative Officer, Director, Office of Management and Budget, National Marine Fisheries Service.

[FR Doc. 2020–04473 Filed 3–2–20; 4:15 pm]

BILLING CODE 3510–22–P

CONSUMER PRODUCT SAFETY COMMISSION

Commission Agenda and Priorities; Notice of Hearing

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Notice of public hearing.

SUMMARY: The U.S. Consumer Product Safety Commission (Commission) will conduct a public hearing to receive views from all interested parties about the Commission's agenda and priorities for fiscal year 2021, which begins on October 1, 2020, and for fiscal year 2022, which begins on October 1, 2021. We invite members of the public to participate. Written comments and oral presentations concerning the Commission's agenda and priorities for fiscal years 2021 and 2022 will become part of the public record.

DATES: The hearing will begin at 10 a.m. on April 15, 2020, and will conclude the same day. Requests to make oral presentations and the written text of any oral presentations must be received by the Division of the Secretariat not later than 5 p.m. Eastern Daylight Time (EDT) on April 1, 2020. The Commission will accept written comments as well. These also must be received by the Division of the Secretariat not later than 5 p.m. EDT on April 1, 2020.

ADDRESSES: The hearing will be in the Hearing Room, 4th Floor of the Bethesda Towers Building, 4330 East West Highway, Bethesda, MD 20814. Requests to make oral presentations, and texts of oral presentations and written comments should be captioned, ''Agenda and Priorities FY 2021 and/or 2022,'' and sent by electronic mail (email) to: *cpsc-os@cpsc.gov,* or mailed or delivered to the Division of the Secretariat, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814. Requests and written comments must be received no later than 5 p.m. EDT on April 1, 2020.

FOR FURTHER INFORMATION CONTACT: For information about the hearing, or to

request an opportunity to make an oral presentation, please send an email, call, or write Alberta E. Mills, Division of the Secretariat, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; email: *cpsc-os@cpsc.gov;* telephone: (301) 504–7479; facsimile: (301) 504–0127. An electronic copy of the CPSC's budget request for fiscal year 2020 and the CPSC's 2018–2022 Strategic Plan can be found at: *www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget.*

SUPPLEMENTARY INFORMATION:

I. Background

Section 4(j) of the Consumer Product Safety Act (CPSA) (15 U.S.C. 2053(j)) requires the Commission to establish an agenda for action under the laws the Commission administers, and to the extent feasible, select priorities for action at least 30 days before the beginning of each fiscal year. Section 4(j) of the CPSA provides further that before establishing its agenda and priorities, the Commission shall conduct a public hearing and provide an opportunity for the submission of comments. The CPSC's programs will align with the strategic goals outlined in the CPSC's 2018–2022 Strategic Plan.

The CPSC's fiscal year 2021 Budget Request is based on four agency priorities: (1) Focusing the agency's resources on the highest-priority consumer product safety risks; (2) continuing to support import surveillance by operating, maintaining, and developing the Risk Assessment Methodology (RAM) system to identify and stop noncompliant imported products from entering the U.S. marketplace; (3) emphasizing collaboration, outreach, and education by engaging all stakeholders through forums, advisory groups, seminars, webinars, technical stakeholder-to-government discussions, and workshops; and (4) expanding the utility of the agency's data assets, data analysis tools, sources, and types of data analysis used to identify and assess hazards and inform solutions to address identified hazards. The Commission requests comments on the priorities as presented in the FY 2021 Budget Request. The CPSC's Budget Request for fiscal year 2021 can be found at: *www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget.*

II. Oral Presentations and Submission of Written Comments

The Commission is preparing the agency's fiscal year 2021 Operating Plan and fiscal year 2022 Congressional Budget Request. Fiscal year 2021 begins on October 1, 2020, and fiscal year 2022 begins on October 1, 2021. Through this notice, the Commission invites the public to comment on the following questions:

1. What are the priorities the Commission should consider emphasizing and dedicating resources toward in the fiscal year 2021 Operating Plan and/or the fiscal year 2022 Congressional Budget Request?

2. What activities should the Commission consider deemphasizing in the fiscal year 2021 Operating Plan and/or the fiscal year 2022 Congressional Budget Request?

3. What retrospective review of rules should the Commission consider in the fiscal year 2021 Operating Plan and/or the fiscal year 2022 Congressional Budget Request?

4. Should the Commission consider making any changes or adjustments to the agency's proposed or ongoing safety standards activities, regulation, and enforcement efforts in fiscal years 2021 and 2022? Comments are welcome on whether particular action items should be higher priority than others, should not be included, or should be added to the fiscal year 2021 and/or fiscal year 2022 agendas.

Persons who desire to make oral presentations at the hearing on April 15, 2020, should send an email, call, or write Alberta E. Mills, Division of the Secretariat, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; email: *cpsc-os@cpsc.gov;* telephone: (301) 504–7479; facsimile (301) 504–0127, not later than 5 p.m. EDT on April 1, 2020. Requests to make oral presentations and texts of the presentation must be received not later than 5 p.m. EDT on April 1, 2020. Presentations should be limited to approximately 10 minutes. The Commission reserves the right to impose further time limitations on all presentations and other restrictions to avoid duplication of presentations.

If you do not want to make an oral presentation, but would like to provide written comments, you may do so. Please submit written comments in the manner described in the previous paragraph. Written comments must be received no later than 5 p.m. EDT on April 1, 2020.

Alberta E. Mills,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2020–04476 Filed 3–4–20; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2019–ICCD–0162]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; 2016/20 Baccalaureate and Beyond (B&B:16/20) Full-Scale Study

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 April 6, 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–0162. 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 Carrie Clarady, 202–245–6347 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: 2016/20 Baccalaureate and Beyond (B&B:16/20) Full-Scale Study.

OMB Control Number: 1850–0926.

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

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 34,682.

Total Estimated Number of Annual Burden Hours: 10,435.

Abstract: The National Center for Education Statistics (NCES) conducts the Baccalaureate and Beyond (B&B) studies. The B&B studies of the education, work, financial, and personal experiences of individuals who have completed a bachelor's degree at a given point in time are a series of longitudinal studies. Every 8 years, students are identified as bachelor's degree recipients through the National Postsecondary Student Aid Study (NPSAS). B&B:16/20 is the second follow-up of a panel of baccalaureate degree recipients identified in the 2015–16 NPSAS, and part of the fourth cohort (B&B:16) of the B&B series. NPSAS:16 is the base year for B&B:16 follow-up interviews in 2017, 2020, and 2026 (anticipated). B&B cohorts prior to B&B:16 were approved under OMB# 1850–0729. The B&B:16 cohort is submitted and reviewed under OMB# 1850–0926. The primary purposes of the B&B studies are to describe the post-baccalaureate paths of new college graduates, with a focus on their experiences in the labor market and post-baccalaureate education, and their education-related debt. B&B also focuses on the continuing education paths of science, technology, engineering, and mathematics (STEM) graduates, as well as the experiences of those who have begun careers in education of students through the 12th grade. Since graduating from college in 2014–15 for the field test, and 2015–16 for the full-scale study, members of this B&B:16 cohort will begin moving into and out of the workforce, enrolling in additional undergraduate and graduate education, forming families, and repaying undergraduate education-related debt. Documenting these choices and pathways, along with individual, institutional, and employment characteristics that may be related to those choices, provides critical information on the costs and benefits of a bachelor's degree in today's workforce. B&B studies include both traditional-age and non-traditional-age college graduates, whose education options and choices often diverge considerably, and allow study of the paths taken by these different graduates. B&B:16/20 panel maintenance activities were cleared in July 2019 and are currently scheduled to continue through February 2020. This request is for the full-scale study student interview data collection scheduled to take place from July 2020 through March 2021.

Dated: March 2, 2020.

Stephanie Valentine,

PRA Coordinator, Strategic Collections and Clearance Governance and Strategy Division, Office of Chief Data Officer.

[FR Doc. 2020–04541 Filed 3–4–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board Chairs

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB) Chairs. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Wednesday, April 1, 2020; 8:00 a.m.–5:00 p.m.; Thursday, April 2, 2020; 9:00 a.m.–12:00 p.m.

ADDRESSES: Golden Nugget Las Vegas, Pebble Beach II–III Meeting Room, 129 East Fremont St., Las Vegas, Nevada 89101.

FOR FURTHER INFORMATION CONTACT: David Borak, EM SSAB Designated Federal Officer, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585; Phone: (202) 586–9928; email: *david.borak@em.doe.gov*.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE–EM and site management in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda Topics

Wednesday, April 1, 2020

- EM Program Update
- EM SSAB Chairs' Round Robin
- EM Budget and Planning Presentation
- EM Waste Management and Regulatory Framework Presentation
- EM Workforce Management Presentation
- Public Comment
- Board Business

Thursday, April 2, 2020

- DOE Headquarters News and Views
- Public Comment
- Board Business

Public Participation: The meeting is open to the public. The EM SSAB Chairs welcome the attendance of the public at their advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact David Borak at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed either before or after the meeting with the Designated Federal Officer, David Borak, at the address or telephone listed above. Individuals who wish to make oral statements pertaining to agenda items should also contact David Borak. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comment will be provided a maximum of five minutes to present their comments.

Minutes: Minutes will be available by writing or calling David Borak at the address or phone number listed above. Minutes will also be available at the following website: *https://energy.gov/em/listings/chairs-meetings*.

Signed in Washington, DC, on March 2, 2020.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2020–04548 Filed 3–4–20; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

State Energy Advisory Board

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

ACTION: Notice of open teleconferences.

SUMMARY: This notice announces a teleconference call of the State Energy Advisory Board (STEAB). The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

DATES:

Thursday, March 19, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, May 21, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, June 18, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, July 16, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, August 20, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, September 17, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, October 15, 2020 from 3:00 p.m. to 4:00 p.m. (EDT).

Thursday, November 19, 2020 from 3:00 p.m. to 4:00 p.m. (EST).

Thursday, December 17, 2020 from 3:00 p.m. to 4:00 p.m. (EST).

ADDRESSES: To receive the call-in number and passcode, please contact the Board's Designated Federal Officer at the address or phone number listed below.

FOR FURTHER INFORMATION CONTACT: Jay Nathwani, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Ave. SW, Washington, DC 20585. Phone number (202) 586–9410, and email: *jay.nathwani@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: To make recommendations to the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy regarding goals and objectives, programmatic and administrative policies, and to otherwise carry out the Board's responsibilities as designated in the State Energy Efficiency Programs Improvement Act of 1990 (Pub. L. 101–440).

Tentative Agenda: Receive STEAB Task Force updates on action items and revised objectives for FY 2020, discuss follow-up opportunities and engagement with EERE and other DOE staff as needed to keep Task Force work moving forward, continue engagement with DOE, EERE and EPSA staff regarding energy efficiency and renewable energy projects and initiatives, and receive updates on member activities within their states.

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Jay Nathwani at the address or telephone number listed above. Requests to make oral comments must be received five days prior to the meeting; reasonable provision will be made to include requested topic(s) on the agenda. The Chair of the Board is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: The minutes of the meeting will be available for public review and copying within 60 days on the STEAB website at: *http://www.energy.gov/eere/steab/state-energy-advisory-board.*

Signed in Washington, DC, on March 2, 2020.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2020–04549 Filed 3–4–20; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP20–47–000]

PennEast Pipeline Company, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Penneast 2020 Amendment Project and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the PennEast 2020 Amendment Project involving the construction and operation of facilities by PennEast Pipeline Company, LLC (PennEast). The EA will discuss facilities to be built in Northampton County, Pennsylvania. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies about issues regarding the project. The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires the Commission to discover concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on March 30, 2020.

You can make a difference by submitting your specific comments or concerns regarding the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Commission staff will consider all filed comments during the preparation of the EA.

If you sent comments on this project to the Commission before the opening of this docket on January 30, 2020, you will need to file those comments in Docket No. CP20–47–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law.

PennEast provided landowners with a fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC website (*www.ferc.gov*) at *https://www.ferc.gov/resources/guides/gas/gas.pdf.*

Public Participation

The Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. To sign up go to *www.ferc.gov/docs-filing/esubscription.asp.*

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature, which is located on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature, which is located on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.*'' You will be asked to select the type of filing you are making; a comment on a particular project is considered a ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP20–47–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426

Summary of the Proposed Project

PennEast proposes to amend their Certificate Order that was issued on January 19, 2018 under docket number CP15–558–000. Additionally, PennEast filed a previous amendment application on February 1, 2019, proposing four modifications to the certificated route in Luzerne, Carbon, Monroe, and Northampton Counties, Pennsylvania (the ''2019 Amendment Application''). The Commission has not yet issued an order on the 2019 Amendment Application. The 2019 Amendment Application is under docket number CP19–78–000 and is distinct from the current proposed amendment.

The 2020 Amendment would consist of the following: A new interconnection facilities (Church Road Interconnects) in Bethlehem Township, Northampton County, Pennsylvania; a metering and regulation station at approximate milepost (MP) 68.2 of the certificated route; and two separate interconnection and measurement facilities.

The general location of the project facilities is shown in appendix 1.[1]

Land Requirements for Construction

Construction of the new interconnection facilities would disturb about 2.6 acres of land, including a permanent facility footprint of approximately 2.1 acres and an additional 0.5 acres of temporary workspace. Following construction, the temporary workspace would be restored and revert to former uses.

The EA Process

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- air quality and noise;
- public safety; and
- cumulative impacts.

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present Commission staffs' independent analysis of the issues. The EA will be available in electronic format in the public record through eLibrary[2] and the Commission's website (*https://www.ferc.gov/industries/gas/enviro/eis.asp*). If eSubscribed, you will receive instant email notification when the EA is issued. The EA may be issued for an allotted public comment period. Commission staff will consider all comments on the EA before making recommendations to the Commission. To ensure Commission staff have the opportunity to address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the EA.[3] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the Pennsylvania State Historic Preservation Office, and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[4] The EA for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

Currently Identified Environmental Issues

Commission staff have already identified several issues that deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by PennEast. This preliminary list of issues

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[2] For instructions on connecting to eLibrary, refer to the last page of this notice.

[3] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[4] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

may be changed based on your comments and our analysis:

- Purpose and need;
- project phasing;
- safety;
- proximity to schools;
- traffic;
- karst geology;
- air quality and noise; and
- cumulative impacts.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, and anyone who submits comments on the project. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the planned project.

If the Commission issues the EA for an allotted public comment period, a *Notice of Availability* of the EA will be sent to the environmental mailing list and will provide instructions to access the electronic document on the FERC's website (*www.ferc.gov*). If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please return the attached ''Mailing List Update Form'' (appendix 2).

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the eLibrary link. Click on the eLibrary link, click on ''General Search'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.,* CP20–47). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: February 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–04516 Filed 3–4–20; 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 exempt wholesale generator filings:

Docket Numbers: EG20–86–000.
Applicants: Tejas Power Generation, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Tejas Power Generation, LLC.
Filed Date: 2/28/20.
Accession Number: 20200228–5245.
Comments Due: 5 p.m. ET 3/20/20.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1852–035.
Applicants: Florida Power & Light Company.
Description: Notification of Change in Status Out of Time of Florida Power & Light Company.
Filed Date: 2/27/20.
Accession Number: 20200227–5297.
Comments Due: 5 p.m. ET 3/19/20.

Docket Numbers: ER17–802–008.
Applicants: Exelon Generation Company, LLC.
Description: Compliance filing: Reactive Service Rate Schedule Compliance Filing to be effective 9/20/2019.
Filed Date: 2/28/20.
Accession Number: 20200228–5111.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER17–802–009.
Applicants: Exelon Generation Company, LLC.
Description: Compliance filing: Reactive Service Rate-Schedule Compliance Filing to be effective 12/17/2019.
Filed Date: 2/28/20.
Accession Number: 20200228–5112.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1106–000.
Applicants: Missisquoi, LLC.
Description: § 205(d) Rate Filing: Missisquoi Change In Status to be effective 2/27/2020.
Filed Date: 2/27/20.
Accession Number: 20200227–5224.
Comments Due: 5 p.m. ET 3/19/20.

Docket Numbers: ER20–1107–000.
Applicants: Midcontinent Independent System Operator, Inc., ITC Midwest LLC.
Description: § 205(d) Rate Filing: 2020–02–27_SA 2945 ITC–IPL 1st Rev FSA (J233 J514) to be effective 2/28/2020.
Filed Date: 2/27/20.
Accession Number: 20200227–5241.
Comments Due: 5 p.m. ET 3/19/20.

Docket Numbers: ER20–1108–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: § 205(d) Rate Filing: 2020–02–28_SA 2037 Ameren-Wabash Valley (Citizens) 4th Rev WDS Agreement to be effective 3/1/2020.
Filed Date: 2/28/20.
Accession Number: 20200228–5019.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1109–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: § 205(d) Rate Filing: 2020–02–28_SA 3028 Ameren IL-Prairie Power Project#21 Buckley to be effective 4/29/2020.
Filed Date: 2/28/20.
Accession Number: 20200228–5038.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1110–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1067R10 East Texas Electric Cooperative NITSA and NOA to be effective 2/1/2020.
Filed Date: 2/28/20.
Accession Number: 20200228–5050.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1111–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 3434R2 East Texas Electric Cooperative NITSA and NOA to be effective 2/1/2020.
Filed Date: 2/28/20.
Accession Number: 20200228–5064.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1112–000.
Applicants: Allegheny Energy Supply Company, LLC.
Description: Tariff Cancellation: Rate schedule 2 cancel to be effective 1/30/2020.
Filed Date: 2/28/20.
Accession Number: 20200228–5088.
Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1113–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 3616 Iron Star Wind Project/ITC Great Plains

E&P Agr Cancel to be effective 1/30/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5101.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1114–000.

Applicants: Alabama Power Company.

Description: § 205(d) Rate Filing: PowerSouth A&R NITSA Amendment Filing (Add CAEC-Evergreen DP & Harris Resource) to be effective 1/28/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5106.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1116–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2020–02–28_SA 3425 Entergy Arkansas-West Memphis Solar GIA (J934) to be effective 2/13/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5184.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1117–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: 2020–02–28_SA 3028 Ameren IL-Prairie Power Project#22 Jamesburg to be effective 4/29/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5187.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1118–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2020–02–28_SA 4030 GridLiance Heartland LLC Att KK–1 Reliability Coordination to be effective 3/1/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5189.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1119–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2020–02–28_GridLiance Attachment VV Filing to be effective 3/1/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5193.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1120–000.

Applicants: Paper Birch Energy, LLC.

Description: Baseline eTariff Filing: MBR Application to be effective 4/29/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5196.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1122–000.

Applicants: Idaho Power Company.

Description: Tariff Cancellation: Cancel SA 344 to be effective 2/28/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5227.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1123–000.

Applicants: Georgia Power Company.

Description: § 205(d) Rate Filing: SR Snipesville Affected System Construction Agreement Filing to be effective 1/22/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5259.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1124–000.

Applicants: Georgia Power Company.

Description: § 205(d) Rate Filing: SR Baxley Affected System Construction Agreement Filing to be effective 1/21/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5264.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1125–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: 2020–02–28_SA 3028 Ameren IL-Prairie Power Project#18 Disco to be effective 4/29/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5277.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1126–000.

Applicants: Idaho Power Company.

Description: Tariff Cancellation: Cancellation of SA 345 to be effective 3/1/2020.

Filed Date: 2/28/20.

Accession Number: 20200228–5282.

Comments Due: 5 p.m. ET 3/20/20.

Docket Numbers: ER20–1127–000.

Applicants: GridLiance Heartland LLC.

Description: Tariff Cancellation: GLH OATT TSA Termination Agreement to be effective 12/31/9998.

Filed Date: 2/28/20.

Accession Number: 20200228–5290.

Comments Due: 5 p.m. ET 3/20/20.

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: February 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–04520 Filed 3–4–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP20–54–000]

Northwest Pipeline LLC; Notice of Request Under Blanket Authorization

Take notice that on February 19, 2020, Northwest Pipeline LLC (Northwest), 295 Chipeta Way, Salt Lake City, Utah 84108, filed in the above referenced docket a prior notice request pursuant to sections 157.205, 157.208(b), and 157.210 of the Commission's regulations under the Natural Gas Act (NGA) and its blanket certificate issued in Docket No. CP82–433–000 for authorization to install one 500 horsepower compressor unit and associated facilities at the Walla Walla Compressor Station located in Umatilla County, Oregon. Northwest estimates the cost of the project to be approximately $2.8 million, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions regarding this application should be directed to Richard Stapler, Regulatory Analyst Lead, Northwest Pipeline LLC, P.O. Box 58900, Salt Lake City, Utah 84158, by telephone at (801) 584–6883, or by email at *richard.stapler@williams.com.*

Any person or the Commission's staff may, within 60 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to section 157.205 of the regulations under the NGA (18 CFR 157.205), a protest to the request. If no protest is filed within the

time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list and will be notified of any meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 3 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

Dated: February 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–04519 Filed 3–4–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3777–011]

Town of Rollinsford, New Hampshire; Notice Soliciting Scoping Comments

Take notice that the following hydroelectric license application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Subsequent Minor License.

b. *Project No.:* 3777–011.

c. *Date filed:* August 29, 2019.

d. *Applicant:* Town of Rollinsford, New Hampshire (Town).

e. *Name of Project:* Rollinsford Project.

f. *Location:* On the Salmon Falls River in Strafford County, New Hampshire and York County, Maine. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. John Greenan, Green Mountain Power Corporation, 1252 Post Road, Rutland, VT 05701; Phone at (802) 770–2195, or email at *John.Greenan@greenmountainpower.com.*

i. *FERC Contact:* Bill Connelly, (202) 502–8587 or *william.connelly@ferc.gov.*

j. *Deadline for filing scoping comments:* March 30, 2020.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–3777–011.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application is not ready for environmental analysis at this time.

l. *Project Description:* The existing Rollinsford Project consists of: (1) A 317-foot-long, 19-foot-high concrete-masonry dam that includes, from east to west: (a) A 12-foot-long left abutment, (b) a 247-foot-long overflow spillway section topped with 15-inch-high flashboards, (c) a 22-foot-long right abutment; and (d) a 36-foot-long gated section consisting of five, 5.5-foot-high by 5.5-foot-wide vertical lift gates that convey flow to the intake headworks; (2) a 70-acre impoundment with a gross storage capacity of 456 acre-feet at a normal maximum elevation of 71.25 feet National Geodetic Vertical Datum of 1929 (NGVD 29),[1] including the spillway flashboards; (3) an 82-foot-long, 52-foot-wide intake headworks facility that consists of: (a) A 22.8-foot-wide, 15.7-foot-high penstock intake protected by a 22.8-foot-wide by 17.6-foot-high trash rack structure with 2.5-inch clear bar spacing, (b) an 8-foot-wide skimmer waste gate, and (c) a 4-foot-wide by 4-foot-high inoperable sluice gate; (4) a 350-foot-long, 10-square-foot concrete penstock that empties into a 250-foot-long, 9-foot diameter steel penstock that directs flow to a 30-foot-long, 40-foot-wide reinforced concrete forebay that is integral with the powerhouse; (5) a 38-foot-long, 60-foot-wide concrete and brick masonry powerhouse containing two, vertical Francis turbine-generator units rated at 750 kilowatts (kW) each for a total installed capacity of 1,500 kW; (6) a 38-foot-long, 34-foot-wide tailrace channel at a normal tailwater surface elevation of 24 feet NGVD 29; (7) a 100-foot-long underground transmission line that extends from the powerhouse to a step-up transformer where voltage is increased from 4.16-kilovolt (kV) to 13.8 kV; and (8) appurtenant facilities.

The Town voluntarily operates the project in a run-of-river mode using an automatic pond level control system, such that outflow from the project approximates inflow. The project bypasses approximately 680 feet of the Salmon Falls River. The existing license requires the licensee to release: (1) A continuous minimum flow of 10 cubic feet per second (cfs) or inflow, whichever is less, from the dam to the bypassed reach; and (2) a minimum flow of 115 cfs or inflow, whichever is less, through the powerhouse to the downstream reach. When inflow falls

[1] NGVD 29 is a national standard for measuring elevations above sea level.

below the minimum hydraulic capacity of the powerhouse (80 cfs), the minimum flow requirement for the downstream reach is met by releasing flows over the dam. The average annual generation was 5,837,900 kilowatt-hours for the period of record from 2005 to 2018.

The Town proposes to: (1) Continue to operate the project in a run-of-river mode using an automatic pond level control system, and maintain the impoundment at the flashboard crest elevation of 71.25 feet NGVD 29; (2) provide a minimum flow release of 35 cfs, or inflow, whichever is less into the bypassed reach; (3) conduct an eel ramp siting study and install and operate an upstream eel ramp; (4) install and operate a downstream fish passage facility for adult eels and resident and migratory fish species; (5) implement nighttime turbine shutdowns from 8 p.m. to 4 a.m. during the months of September and October for 3 consecutive nights following rain accumulations of 0.5 inch or more over a 24-hour period; (6) conduct a study to quantify movements of river herring and American shad migrating downstream from the project tailwater through the bypassed reach to the project dam; and (7) consult with the New Hampshire and Maine State Historic Preservation Officers before beginning any land-disturbing activities or alterations to determine the need to conduct surveys and implement avoidance or mitigation measures before undertaking the action.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to address the document. For assistance, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item (h) above.

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

o. Scoping Process

Commission staff intends to prepare a single Environmental Assessment (EA) for the Rollinsford Project in accordance with the National Environmental Policy Act. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

At this time, we do not anticipate holding on-site scoping meetings. Instead, we are soliciting comments and suggestions on the preliminary list of issues and alternatives to be addressed in the EA, as described in Scoping Document 1 (SD1), issued February 28, 2020.

Copies of the SD1 outlining the subject areas to be addressed in the EA were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call 1–866–208–3676 or for TTY, (202) 502–8659.

Dated: February 28, 2020..

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–04518 Filed 3–4–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL20–23–000]

Whitetail Solar 1, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On February 27, 2020, the Commission issued an order in Docket No. EL20–23–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2018), instituting an investigation into whether Whitetail Solar 1, LLC's rate schedule is unjust, unreasonable, unduly discriminatory or preferential. *Whitetail Solar 1, LLC,* 170 FERC ¶ 61,165 (2020).

The refund effective date in Docket No. EL20–23–000, 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. EL20–23–000 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: February 28, 2020.

Kimberly D. Bose,

Secretary.

[FR Doc. 2020–04517 Filed 3–4–20; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2013–0437; FRL–10004–24–OMS]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Emission Control System Performance Warranty Regulations and Voluntary Aftermarket Part Certification Program (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Emission Control System Performance Warranty Regulations and Voluntary Aftermarket Part Certification Program (EPA ICR Number 0116.12, OMB Control Number 2060–0060) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through May 30, 2020. Public comments were previously requested via the **Federal Register** on October 10, 2019 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An agency may 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.

DATES: Additional comments may be submitted on or before April 6, 2020.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OAR–2013–0437, to (1) EPA online using *www.regulations.gov* (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Lynn Sohacki, Compliance Division,

Office of Transportation and Air Quality, U.S. Environmental Protection Agency, 2000 Traverwood, Ann Arbor, Michigan 48105; telephone number: 734–214–4851; fax number 734–214–4869; email address: *sohacki.lynn@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: Under Section 206(a) of the Clean Air Act (42 U.S.C. 7521), on-highway engine and vehicle manufacturers may not legally introduce their products into U.S. commerce unless EPA has certified that their production complies with applicable emission standards. Per section 207(a), original vehicle manufacturers must warrant that vehicles are free from defects in materials and workmanship that would cause the vehicle not to comply with emission regulations during its useful life. Section 207(a) directs EPA to provide certification to those manufacturers or builders of automotive aftermarket parts that demonstrate that the installation and use of their products will not cause failure of the engine or vehicle to comply with emission standards. An aftermarket part is any part offered for sale for installation in or on a motor vehicle after such vehicle has left the vehicle manufacturer's production line (40 CFR 85.2113(b)). Participation in the aftermarket certification program is voluntary. Aftermarket part manufacturers or builders (manufacturers) electing to participate conduct emission and durability testing as described in 40 CFR part 85, subpart V, and submit data about their products and testing procedures. Any information submitted to the Agency for which a claim of confidentiality is made is safeguarded according to policies set forth in CFR title 40, chapter 1, part 2, subpart B—Confidentiality of Business Information (see 40 CFR part 2).

Form Numbers: None.

Respondents/affected entities: Manufacturers or builders of automotive aftermarket parts.

Respondent's obligation to respond: Required to obtain or retain a benefit.

Estimated number of respondents: 1 (total).

Frequency of response: On occasion.

Total estimated burden: 547 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $19,063 (per year), which includes $1,955 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is no change in the total estimated respondent burden compared with the ICR currently approved by OMB.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2020–04467 Filed 3–4–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2002–0050; FRL–10006–13–OAR]

National Emission Standards for Hazardous Air Pollutants (Radionuclides), Availability of Updated Compliance Model, CAP88–PC

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability.

SUMMARY: Pursuant to section 112 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA or Agency) is announcing the availability of Version 4.1 of the CAP88–PC model. This version may be used to demonstrate compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAPs) applicable to radionuclides. CAP88–PC is approved for this use by the EPA. Version 4.1 includes a number of improvements from previous versions, including Version 4.0. The most significant of these changes from a user perspective are the implementation of a new Wix installer technology that enhances compatibility with Windows 10 and future Windows updates, an update in the number of included radionuclides and the data for these radionuclides, and a change in the manner in which reports are printed.

FOR FURTHER INFORMATION CONTACT: Brian Littleton, Office of Radiation and Indoor Air, Radiation Protection Division (6608T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (202) 343–9200; fax number: (202) 343–2304; email address: *Littleton.brian@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are subject to the requirements for radionuclide NESHAPs found in 40 CFR part 61, subpart H. This subpart applies to Department of Energy (DOE or Department) facilities.

B. How can I get copies of the model and other related information?

Docket. The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2019–0050. Publicly available docket materials are available either electronically through *www.regulations.gov* or in hard copy at the Air and Radiation Docket in the EPA Docket Center (EPA/DC), EPA West, Room B 102, 1301 Constitution Avenue 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 Air and Radiation Docket is (202) 566–1742.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the EPA website under the "**Federal Register**" listings at *http://www.epa.gov/fedrgstr/.*

3. *EPA website.* You may download the CAP88–PC model and documentation from the EPA's website at *https://www.epa.gov/radiation/cap-88-pc.*

II. Background

On December 15, 1989, the EPA promulgated the National Emission Standards for Hazardous Air Pollutants (NESHAPs) under section 112 of the Clean Air Act to control radionuclide emissions to the ambient air from a number of different source categories [54 FR 51654, December 15, 1989 (Docket EPA–HQ–OAR–2002–0050–0028)]. Subpart H of 40 CFR part 61 is one of the source categories covered in the 1989 final rule. Facilities owned and operated by the DOE are regulated under subpart H. The Department administers many facilities across the country, including government-owned, contractor-operated facilities. Some of these facilities handle significant amounts of radioactive material that could potentially be emitted into the air in various chemical and physical states. The purpose of subpart H is to limit radionuclide emissions (not including radon) from the stacks and vents at DOE facilities so that no member of the public receives an effective dose equivalent of more than 10 millirems

per year (mrem/yr) or, in SI units, 0.1 millisievert per year (mSv/yr).

III. CAP88–PC Model for Demonstrating Compliance

A. CAP88–PC History

The EPA is today announcing the availability of Version 4.1 of the CAP88–PC model for use in demonstrating compliance with the requirements of 40 CFR part 61, subpart H. CAP88 (Clean Air Act Assessment Package-1988) is a set of computer programs, databases and associated utility programs for estimation of dose and risk from radionuclide emissions to the air. CAP88–PC implements, on the personal computer platform, modified versions of the AIRDOS–EPA and DARTAB codes that were written in FORTRAN 77 and executed in a mainframe computing environment. CAP88–PC provides for dose and risk assessments of collective populations, maximally-exposed individuals and selected individuals.

The original CAP88–PC software package, Version 1.0 allowed users to perform full-featured dose and risk assessments in a DOS environment for the purpose of demonstrating compliance with 40 CFR 61.93(a); it was approved for compliance demonstration in February 1992.

CAP88–PC Version 2.0 provided a framework for developing inputs to perform full-featured dose and risk assessments in a Windows environment for the purpose of demonstrating compliance with 40 CFR 61.93(a). Version 2.0 was approved for compliance demonstration in 1999. Version 2.1 included some additional changes compared to the DOS version and the previous Windows Version 2.0. The changes included the addition of more decay chains, improvements in the Windows code error handling and a modified nuclide data input form. The CAP88–PC User Guide provides a summary of the changes incorporated into Version 2.1 relative to Version 2.0.

CAP88–PC Version 3.0, released in 2006 (71 FR 8854, February 21, 2006), was a significant update to Version 2.1. Version 3 incorporated dose and risk factors from Federal Guidance Report 13, ''Cancer Risk Coefficients for Environmental Exposure to Radionuclides'' (FGR 13) in place of the RADRISK data that was used in previous versions. In addition, the CAP88–PC database, the user interface, input files and output files were modified to accommodate the FGR 13 data formats and nomenclature. Page 9 of the CAP88–PC Version 3 User's Guide describes the modifications incorporated into Version 3 relative to Version 2.1.

CAP88–PC Version 4, released in 2015 (80 FR 7461, February 10, 2015), was a significant update to Version 3. While keeping the fundamental model unchanged, modifications were made to add flexibility, enhance stability of the code, and make it easier for the user to use while also improving the quality assurance of the modeling. The most significant of these changes from a user perspective were the incorporation of age-dependent radionuclide dose and risk factors for ingestion and inhalation (the use of which is specified by the user), the increase in the number of included radionuclides, and a change in the file management system used by the program. Those modifications produced a significant improvement in speed and stability for Version 4 relative to Version 3 and eliminated the solution approximations used in Version 3. The EPA also implemented an extensive testing and documentation program for CAP88–PC Version 4 to address user concerns with past versions. This enhanced documentation allowed for greater compatibility with user software quality assurance programs. The total number of nuclides available in Version 4 was increased from the 825 in Version 3 to 1,252. The maximum number of nuclides that can be included in any single case was increased from the 256 in Version 3 to 500 in Version 4.

CAP88–PC Version 4.1 incorporates the following changes to Version 4.0:

(1) Dose and risk coefficient data have been updated to the values supplied by Oak Ridge National Laboratory with the Dose Coefficient Data File Package (DCFPAK) Version 3.02 (addition of internal dose information for 151 isotopes; updated information for isotopes in vapor or gas forms; and additional risk information for many isotopes);

(2) The ability to print from the Reports tab has been removed because of incompatibility of certain characters in the reports with some printer drivers. Printing reports can be done by opening the report files in any word processor or text editor. The new button opens the location of the report files;

(3) The synopsis file now provides the adjusted fractions of milk, meat, and/or vegetables produced in the assessment area, if CAP88–PC adjusted them to account for population;

(4) Enhancements to the user interface code have been made to increase performance and/or maintain compatibility with the DCFPAK Version 3 data;

(5) The installer system has been updated for better compatibility with Windows;

(6) Migration utility updates have been made to migrate data from Version 3 to Version 4.1 formats; and

(7) The user interface has been updated to provide automatic conversion of Version 4.0 datasets to Version 4.1.

In summary, Version 4.1 enhances and completes the updates initiated under CAP88–PC Version 4.0 and incorporates compatibility for newer operating systems.

B. CAP88–PC Model Summary

All versions of CAP88–PC use a modified Gaussian plume equation to estimate the average dispersion of radionuclides released from up to six sources. The sources may be either elevated stacks, such as a smokestack, or uniform area sources, such as a pile of uranium mill tailings. ''Plume rise'' can be calculated assuming either a momentum or buoyant-driven plume. Assessments are made for a circular grid of distances and directions for a radius of up to 80 kilometers (50 miles) around the source. The Gaussian plume model produces results that agree with experimental data as well as any model, is fairly easy to work with and is consistent with the random nature of turbulence. Site-specific information on population location and meteorological conditions is provided to CAP88–PC as input files developed by the user. The formats for these input files have not changed from the original mainframe version of the CAP88 code package.

CAP88–PC Version 4.1 is a modification intended to improve usability, enhance the modeling methodology, update the dataset formats, and provide a more maintainable code base and documentation set for the future. Version 4.1 provides age-dependent dose conversion factors and lifetime risk factors and uses a code architecture that conforms to more recent coding standards and data formats. The data updates include adoption of the ingestion and inhalation age and particle size dependent dose and risk factor data supplied by Oak Ridge National Laboratory in the DCFPAK Version 3.02 model,[1] and age-dependent ingestion and inhalation rates from the EPA.

The CAP88–PC Version 4.1 software was developed using a structured software engineering methodology that included adoption of a defined software

[1] *https://www.epa.gov/radiation/tools-calculating-radiation-dose-and-risk.*

architecture, rigorous source control, independent verification of source code as it was being implemented, multiple phases of testing, and configuration control of the documentation and the code as development progressed.

To conform to Windows 10 security requirements, and to improve usability, case-specific input and output data files are now stored by default in the user's Windows profile folders, rather than in the application's Program Files folder.

CAP88–PC Version 4.1 input datasets can be stored in their own folders, as subfolders of the Datasets folder. As an example, for the Modtest dataset included with the Version 4.1 distribution set, the folder holding the dataset and all associated data files and reports would be located at *c:\Users\xxxx\Documents\CAP88\Datasets\Modtest*. Datasets are recommended to be put into their own folders, because using this data storage structure will simplify use of the code and management of case data. Reports are always stored in the same folder as the dataset. Population and wind files can be stored with the dataset or in the default Population/Wind folders. However, CAP88–PC Version 4.1 will preferentially use the population and wind files located in the dataset. This improves sharing of dataset information between organizations and simplifies configuration management of cases because all pertinent case records (input and report files) are stored together. A user can send a dataset, its population and wind files, and its reports to another user, who can open them, using CAP88–PC Version 4.1 or any text editor, confident that the proper files are being used.

As was the case with Versions 3 and 4.0, Version 4.1 is not backward compatible, and datasets generated using Versions 3 and 4.0 cannot be used directly by Version 4.1. This is the result of many factors, including the addition of age-specific data and the inclusion of many more nuclides than in previous versions. However, both Versions 4.0 and 4.1 include a dataset migration utility that upgrades many Version 3 datasets to the applicable Version 4.0 or 4.1 format. The migration utility runs on first use and is also available on demand from the Tools≤ Options drop-down menu. The migration utility will move Version 3 database files, input dataset files, population files, and wind files from the format used with the 9 December 2007 release of Version 3 to their respective Version 4 formats. The folder locations of the Version 3 files being migrated and the locations for the Version 4 files being generated are selectable by the user or the utility will select the default locations for those files.

The overall principle of the Version 4 architecture was to optimize the code by performing data manipulation in the user interface and computational functions in FORTRAN. CAP88–PC Versions 4.0 and 4.1 have accomplished this by having the user interface collect the user input data, read the associated databases, generate the dose and risk factors from the DCFPAK data, then build and write the case dataset. The user interface also handles all program interactions with the file system. The FORTRAN computational sub-system now performs all decay and ground surface buildup calculations along with all the air dispersion, deposition, intake, dose, and risk calculations. The only file manipulation performed by the FORTRAN sub-system is reading the dataset files and writing report files. The data system used in CAP88–PC Version 4.1 has access to information for all 1,252 radionuclides, including those for which internal dose and risk factors have been added in to DCFPAK Version 3.02.

C. Validation of the CAP88–PC Version 4.1 Model

The CAP88–PC Version 4.1 program is a well-established and validated code for the purpose of making comprehensive dose and risk assessments. The Gaussian plume model used in CAP88–PC to estimate dispersion in air is one of the most commonly used models for dispersion modeling. It produces results that agree with experimental data as well as any model, is fairly easy to work with, and is consistent with the random nature of turbulence. Version 4.1 has not modified the basic Gaussian plume algorithm used by the AIRDOS module of CAP88–PC, and comparison cases between Versions 4.0 and 4.1 have been run.

The EPA's Office of Radiation and Indoor Air (ORIA) has reviewed the testing report submitted by the contractor and verified the results through independent testing. The report can be found at *https://www.epa.gov/radiation/cap-88-pc.*

As part of the software testing, the user interface was extensively tested. The testing verified that the interface only accepted:

(1) Positive distances less than or equal to 80 kilometers (km) for receptor distances;

(2) Non-negative release rates;

(3) Annual precipitation amounts between 0.01 and 500 centimeters per year (cm/yr);

(4) Annual ambient temperatures between −100 and 100 degrees Celsius (°C);

(5) Lid heights between 25 and 10,000 meters (m);

(6) Non-negative source heights, and positive source diameters or areas;

(7) Non-negative heat release rates, exit velocities and fixed plume rises; and

(8) Agricultural fractions that summed to unity.

All issues identified with the interface have been resolved and closed. Seven test cases were developed to test the capabilities of CAP88–PC Version 4.1. Six of these cases involve the calculation of dose and risk to an individual or population at the location identified by the model as that of the maximally exposed individual (MEI) or specified by the user. The testing objectives for these six cases include the following verifications:

(1) Dose factors agree with those calculated using the DCFPAK 3.02 from Oak Ridge National Laboratory to 1% or less;

(2) Values of Chi-over-Q (χ/Q) agree within 1% with those calculated using CAP88–PC Version 4.0, including but not limited to the direction of the MEI (the calculated values for χ/Q showed good agreement between Versions 4.0 and 4.1 in all directions);

(3) Air concentrations and deposition rates (where applicable) agree within 1% with those calculated using CAP88–PC Version 4.0; and

(4) Results for dose rates and risks agree within 5% of independent calculations; the 5% criterion was used here to allow for differences caused by different modeling methods.

The objective of Test Case 7 was to verify the CAP88–PC Version 4.1 calculations of the air concentrations and working levels for radon-only are consistent with Version 4.0.

D. Limitations of the CAP88–PC Model

Like all models, there are some limitations in the CAP88–PC system. While up to six stacks or six area sources can be modeled, all the sources are modeled as if located at the same point; that is, stacks cannot be located in different areas of a facility. The same plume rise mechanism (buoyant or momentum) is used for each source. Also, area sources are treated as uniform. Variation in radionuclide concentrations due to complex terrain cannot be modeled. Errors arising from these assumptions will have a negligible effect for assessments where the distance of exposed individuals is large compared to the stack height, area or facility emissions.

E. Use of CAP88–PC Version 4.1 for Compliance Purposes

In the same manner as CAP88–PC Version 4.0, Version 4.1 allows the user to incorporate the age-specific dose conversion factors and intake rates contained in DCFPAK Version 3.02. The code allows the user to select the ingestion and inhalation dose conversion and intake rates from the age groups modeled in DCFPAK Version 3.02: infant (100 days old), one-year old, five-year old, ten-year old, fifteen-year old, and adult. However, the addition of this capability does not change the requirements for compliance to the NESHAPS Subpart H requirements. These are clearly stated in 40 CFR part 61 Subpart H. The ability to allow the code base to include age-dependency does not impact or imply changes to the compliance demonstration.

F. Summary of Changes for CAP88–PC Version 4 to Version 4.1.

Version 4.1 of CAP88–PC is an update from Version 4.0, and a significant upgrade from earlier versions. CAP88–PC Versions 4.0 and 4.1 not only added significant features, but also redesigned the interface to give the user a more standard experience. The entire user interface module was re-written for Version 4 using VB.Net, the Microsoft.Net Framework Version 4, and the Visual Studio 2010 development environment, in order to better comply with updated code standards in Windows 7, Windows 8.1. and Windows 10. Specific changes from Version 4.0 visible to the user in Version 4.1 include:

User Interface

(1) The Print button on the Reports tab has been replaced with a button that opens the folder holding the report files which may then be printed using a word processing program;

(2) Some labels in the user interface have been modified for clarity;

(3) The capabilities for migrating datasets from previous versions of CAP88–PC have been improved, including automatic conversion of Version 4.0 datasets to Version 4.1.

Reports

(1) Some report headers have been modified for clarity;

(2) The Agricultural Data in the Synopsis report now prints the values for the fractions of vegetables, milk, and meat from the assessment area used in the calculation, which may have been adjusted by CAP88–PC from the input values.

Data

(1) The dose and risk coefficients have been updated from DCFPAK 2.2 to those in DCFPAK 3.02 provided by Oak Ridge National Laboratory;

(2) Internal dose and risk coefficient factors for 151 more radionuclides have been added;

(3) Additional risk coefficient data has been added for more radionuclides and chemical forms beyond the additional 151;

(4) Inhalation coefficients for radionuclides with special chemical forms, such as iodine, have been added.

Error Handling

CAP88–PC Versions 4.0 and 4.1 contain an internal error logging and tracking system. In the case of internal code errors, the code will write errors to a file in the Message Log folder located in the same folder set as the folder containing the datasets. Sending this file to the EPA representative will facilitate troubleshooting.

On-Line Help System

CAP88–PC Version 4.1 includes a context-sensitive help system that is accessible during operation. The on-line help system is a hypertext version of the traditional user manual; the traditional user manual is included as part of the release distribution package in pdf format.

Dated: February 26, 2020.

Lee Ann B. Veal,

Director, Radiation Protection Division, Office of Radiation and Indoor Air.

[FR Doc. 2020–04546 Filed 3–4–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2019–0370; FRL–10004–25–OMS]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Environmental Impact Assessment of Nongovernmental Activities in Antarctica (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Environmental Impact Assessment of Nongovernmental Activities in Antarctica (EPA ICR Number 1808.09, OMB Control Number 2020–0007) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through May 31, 2020. Public comments were previously requested via the **Federal Register** on September 30, 2019 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An agency may 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.

DATES: Comments must be submitted on or before April 6, 2020.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OA–2019–0370 online using *www.regulations.gov* (our preferred method) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for the EPA.

The EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Julie Roemele, NEPA Compliance Division, Office of Federal Activities, Mail Code 2203A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202–564–5632; fax number: 202–564–0070; email address: *roemele.julie@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: The EPA's regulations at 40 CFR part 8, Environmental Impact Assessment of Nongovernmental Activities in Antarctica (Rule), were promulgated pursuant to the Antarctic

Science, Tourism, and Conservation Act of 1996 (Act), 16 U.S.C. 2401 *et seq.,* as amended, 16 U.S.C. 2403a, which implements the Protocol on Environmental Protection (Protocol) to the Antarctic Treaty of 1959 (Treaty). The Rule provides for assessment of the environmental impacts of nongovernmental activities in Antarctica, including tourism, for which the United States is required to give advance notice under Paragraph 5 of Article VII of the Treaty, and for coordination of the review of information regarding environmental impact assessments received from other Parties under the Protocol. The requirements of the Rule apply to operators of nongovernmental expeditions organized or proceeding from the territory of the United States to Antarctica and include commercial and non-commercial expeditions. Expeditions may include ship-based tours; yacht, skiing or mountaineering expeditions; privately funded research expeditions; and other nongovernmental activities. The Rule does not apply to individual U.S. citizens or groups of citizens planning travel to Antarctica on an expedition for which they are not acting as an operator. (Operators, for example, typically acquire use of vessels or aircraft, hire expedition staff, plan itineraries, and undertake other organizational responsibilities.) The rule provides nongovernmental operators with the specific requirements they need to meet in order to comply with the requirements of Article 8 and Annex I to the Protocol. The provisions of the Rule are intended to ensure that potential environmental effects of nongovernmental activities undertaken in Antarctica are appropriately identified and considered by the operator during the planning process and that to the extent practicable appropriate environmental safeguards which would mitigate or prevent adverse impacts on the Antarctic environment are identified by the operator.

Persons subject to the Rule must prepare environmental documentation to support the operator's determination regarding the level of environmental impact of the proposed expedition. The environmental document is submitted to the Office of Federal Activities (OFA). If the operator determines that an expedition may have: (1) Less than a minor or transitory impact, a Preliminary Environmental Review Memorandum (PERM) needs to be submitted no later than 180 days before the proposed departure to Antarctica; (2) no more than minor or transitory impacts, an Initial Environmental Evaluation (IEE) needs to be submitted no later than 90 days before the proposed departure; or (3) more than minor or transitory impacts, a Comprehensive Environmental Evaluation (CEE) needs to be submitted.

Environmental documents are reviewed by OFA, in consultation with the National Science Foundation and other interested Federal agencies. OFA notifies the public of document availability at: *https://www.epa.gov/international-cooperation/receipt-environmental-impact-assessments-eias-regarding-nongovernmental.* The types of nongovernmental activities currently being carried out are typically unlikely to have impacts that are more than minor or transitory, thus an IEE is the typical level of environmental documentation submitted.

Form Numbers: None.

Respondents/affected entities: Operators of nongovernmental expeditions organized or proceeding from the territory of the United States to Antarctica.

Respondent's obligation to respond: Mandatory (40 CFR part 8).

Estimated number of respondents: 25 (total).

Frequency of response: Annual.

Total estimated burden: 1,544 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $133,780 (per year), includes $0 annualized capital or operation & maintenance costs.

Changes in Estimates: There is an increase of 327 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is the result of a change to the number of operators that the EPA anticipates will submit environmental documentation as well as the inclusion of a potential PERM, CEE and Emergency Report submitted by every three years.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2020–04466 Filed 3–4–20; 8:45 am]

BILLING CODE 6560–50–P

EXPORT–IMPORT BANK

[Public Notice 2020–3001]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

Form Title: EIB 84–01 Joint Application for Export Working Capital Guarantee.

SUMMARY: The Export-Import Bank of the United States (EXIM Bank), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

DATES: Comments must be received on or before April 6, 2020, 2020 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* or by mail to Office of Information and Regulatory Affairs, 725 17th Street NW, Washington, DC 20038, Attn: OMB 3048–0003.

SUPPLEMENTARY INFORMATION: The Export-Import Bank has made changes to the form to reflect an application process decoupled from the SBA's export working capital program. EXIM will also be moving forward to an electronic application submission process, which results in a stand-alone application versus the previous joint application with the SBA. Therefore, all references and information previously required from the SBA have been removed. There is one material change in the application to reflect EXIM's local cost support on short-term transactions, including working capital. Local costs are costs incurred in the buyer's country (*i.e.,* local delivery, installation, taxes), eligible for EXIM cover, provided that: U.S. content requirements are met; included within the contracts; do not exceed 15% of export contract; and no local goods are included. Therefore, three questions are added to the application: Are local costs to be included under the working capital loan facility; if yes, how much in terms of USD or percentage per contract or invoice; and what is the nature of the local costs to be supported?

The application tool can be reviewed at: *https://www.exim.gov/sites/default/files/pub/pending/eib84–01.pdf.*

Title and Form Number: EIB 84–01 Application for Export Working Capital Guarantee.

OMB Number: 3048–0003.

Type of Review: Renewal.

Need and Use: This form provides EXIM Bank staff with the information necessary to determine if the application and transaction is eligible for EXIM Bank assistance under their export working capital guarantee program.

Affected Public: This form affects entities involved in the export of U.S. goods and services.

EXIM Bank

Annual Number of Respondents: 200.

Estimated Time per Respondent: 2 hours.

Annual Burden Hours: 400 hours.

Frequency of Reporting of Use: Annually.

Government Expenses:

EXIM Bank

Reviewing time per year: 300 hours.

Average Wages per Hour: $42.50.

*Average Cost per Year (time * wages):* $12,750.00.

Benefits and Overhead: 20%.

Total Government Cost: $15,300.00.

Bassam Doughman,

IT Project Manager, Office of the Chief Information Officer.

[FR Doc. 2020–04505 Filed 3–4–20; 8:45 am]

BILLING CODE 6690–01–P

EXPORT–IMPORT BANK

Notice of Joint Open Meeting of the Advisory Committee of the Export-Import Bank of the United States (EXIM) and Sub-Saharan Africa Advisory Committee of the Export-Import Bank of the United States (EXIM)

Time and Date: Wednesday, April 1, 2020 from 3:30–5:00 p.m. EST.

Place: Omni Shoreham Hotel, Palladian Ballroom, 2500 Calvert St. NW, Washington, DC 20008.

Agenda: Discussion of EXIM policies and programs and comments for inclusion in EXIM's Report to the U.S. Congress on Global Export Credit Competition and policies and programs designed to support the expansion of financing support for U.S. manufactured goods and services in Sub-Saharan Africa.

Public Participation: The meeting will be open to public participation, and time will be allotted for oral questions or comments. Members of the public may also file written statement(s) before or after the meeting. If you plan to attend, you may email *external@exim.gov* to be placed on an attendee list. If any person wishes auxiliary aids, such as a sign language interpreter, or other special accommodations, please email *external@exim.gov* no later than 5:00 p.m. EST on Thursday, March 26, 2020.

Members of the Press: For members of the press planning to attend the meeting please email *external@exim.gov* to be placed on the attendee list.

Further Information: For further information, contact the Office of External Engagement at *external@exim.gov*.

Joyce Brotemarkle Stone,

Assistant Corporate Secretary.

[FR Doc. 2020–04540 Filed 3–4–20; 8:45 am]

BILLING CODE 6690–01–P

FARM CREDIT ADMINISTRATION

Sunshine Act Meeting; Farm Credit Administration Board

AGENCY: Farm Credit Administration.

ACTION: Notice, regular meeting.

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act, of the regular meeting of the Farm Credit Administration Board (Board).

DATES: The regular meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on March 12, 2020, from 9:00 a.m. until such time as the Board concludes its business.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090. Submit attendance requests via email to *VisitorRequest@FCA.gov.* See **SUPPLEMENTARY INFORMATION** for further information about attendance requests.

FOR FURTHER INFORMATION CONTACT: Dale Aultman, Secretary to the Farm Credit Administration Board, (703) 883–4009, TTY (703) 883–4056.

SUPPLEMENTARY INFORMATION: This meeting of the Board will be open to the public (limited space available). Please send an email to *VisitorRequest@FCA.gov* at least 24 hours before the meeting. In your email include: Name, postal address, entity you are representing (if applicable), and telephone number. You will receive an email confirmation from us. Please be prepared to show a photo identification when you arrive. If you need assistance for accessibility reasons, or if you have any questions, contact Dale Aultman, Secretary to the Farm Credit Administration Board, at (703) 883–4009. The matters to be considered at the meeting are:

Open Session

A. Approval of Minutes

- February 13, 2020

B. Reports

- Swap Margin Rule Update—LIBOR, Brexit, and Other Current Matters
- FCS Funding Conditions Update and Analysis

Dated: March 3, 2020.

Dale Aultman,

Secretary, Farm Credit Administration Board.

[FR Doc. 2020–04689 Filed 3–3–20; 4:15 pm]

BILLING CODE 6705–01–P

FEDERAL COMMUNICATIONS COMMISSION

[16534]

Federal Advisory Committee Act; Technological Advisory Council

AGENCY: Federal Communications Commission.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the Federal Communications Commission's (FCC) Technological Advisory Council will hold a meeting on Tuesday March 24, 2020 in the Commission Meeting Room, from 10:00 a.m. to 3 p.m. at the Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

DATES: Tuesday March 24, 2020.

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

FOR FURTHER INFORMATION CONTACT: Michael Ha, Deputy Chief, Policy and Rules Division 202–418–2099; *michael.ha@fcc.gov.*

SUPPLEMENTARY INFORMATION: At the March 24th meeting, the FCC Technological Advisory Council will hear presentations from its four working groups: 5G/IOT/V–RAN, Future of Unlicensed Operations, Artificial Intelligence, and 5G Radio Access Network Technology. The FCC will attempt to accommodate as many people as possible. However, admittance will be limited to seating availability. Meetings are also broadcast live with open captioning over the internet from the FCC Live web page at *http://www.fcc.gov/live/.* The public may submit written comments before the meeting to: Michael Ha, the FCC's Designated Federal Officer for Technological Advisory Council by email: *michael.ha@fcc.gov* or U.S. Postal Service Mail (Michael Ha, Federal Communications Commission, Room 2–A665, 445 12th Street SW, Washington, DC 20554). Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to *fcc504@fcc.gov* or by calling

the Office of Engineering and Technology at 202–418–2470 (voice), (202) 418–1944 (fax). Such requests should include a detailed description of the accommodation needed. In addition, please include your contact information. Please allow at least five days advance notice; last minute requests will be accepted, but may not be possible to fill.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2020–04496 Filed 3–4–20; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 19–329; FRS 16535]

Meeting of the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Federal Communications Commission (FCC) announces and provides an agenda for the next meeting of the ''Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States'' (the Task Force).

DATES: March 25, 2020. The meeting will come to order at 9:30 a.m.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Room TW–C305, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Jesse Jachman, Designated Federal Officer, Federal Communications Commission, Wireline Competition Bureau, (202) 418–2668, or email: *Jesse.Jachman@fcc.gov;* Erin Boone, Deputy Designated Federal Officer, Federal Communications Commission, Wireless Telecommunications Bureau, (202) 418–0736, or email: *Erin.Boone@fcc.gov;* or Celia Lewis, Deputy Designated Federal Officer, Federal Communications Commission, Wireline Competition Bureau, (202) 418–7456, or email *Celia.Lewis@fcc.gov.*

SUPPLEMENTARY INFORMATION: This meeting is open to members of the general public. The FCC will accommodate as many participants as possible; however, admittance will be limited to seating availability. The FCC will also provide audio and/or video coverage of the meeting over the internet from the FCC's web page at *www.fcc.gov/live.* Oral statements at the meeting by parties or entities not represented on the Task Force will be permitted to the extent time permits, at the discretion of the Task Force Chair and the Designated Federal Officer. Members of the public may submit comments to the Task Force in the FCC's Electronic Comment Filing System, ECFS, at *www.fcc.gov/ecfs.* Comments to the Task Force should be filed in GN Docket No. 19–329.

Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to *fcc504@fcc.gov* or by calling the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY). Such requests should include a detailed description of the accommodation needed. In addition, please include a way for the FCC to contact the requester if more information is needed to fill the request. Please allow at least five days' advance notice; last minute requests will be accepted but may not be possible to accommodate.

Proposed Agenda: At this meeting, the Task Force will provide updates on its working groups; review FCC data, programs, and policies relevant to the Task Force's duties; and discuss recent agricultural industry-wide events related to broadband deployment and precision agriculture technologies. This agenda may be modified at the discretion of the Task Force Chair and the Designated Federal Officer.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2020–04557 Filed 3–4–20; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[3060–0548; FRS 16527]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before April 6, 2020. If you anticipate that you will be submitting comments but find it difficult to do so with the period of time allowed by this notice, you should advise the contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email *Nicholas_A._Fraser@OMB.eop.gov;* and to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary

for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

OMB Control Number: 3060–0548.

Title: Sections 76.1709 and 76.1620, Availability of Signals; Section 76.56, Signal Carriage Obligations; Section 76.1614, Identification of Must-Carry Signals.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 4,103 respondents; 49,236 responses.

Estimated Time per Response: 0.5–1.0 hour.

Frequency of Response: Recordkeeping requirement, Third party disclosure requirement, On occasion reporting requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Sections 4(i), 614 and 615 of the Communications Act of 1934, as amended.

Total Annual Burden: 24,618 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection information.

Needs and Uses: On January 31, 2017, the Commission adopted a Report and Order (Public Inspection File R&O) in MB Docket No. 16–161, FCC 17–3, In the Matter of Revisions to Public Inspection File Requirements—Broadcaster Correspondence File and Cable Principal Headend Location which eliminated the requirement in former 47 CFR 76.1708 that cable operators maintain for public inspection the designation and location of the cable system's principal headend. The Public Inspection File R&O removed and reserved 47 CFR.76.1708.

This collection is being revised to reflect the removal of 47 CFR 76.1708 made in the *Public Inspection File R&O.*

The other information collection requirements contained under this collection and have not changed are as follows:

47 CFR 76.56 requires cable television systems to carry signals of all qualified local commercial and Noncommercial Educational (NCE) stations requesting carriage. As a result of this requirement, the following information collection requirements are needed for this collection:

47 CFR 76.1709(a) states that the operator of every cable television system shall maintain for public inspection a file containing a list of all broadcast television stations carried by its system in fulfillment of the must-carry requirements pursuant to 47 CFR 76.56. Such list shall include the call sign; community of license, broadcast channel number, cable channel number, and in the case of a noncommercial educational broadcast station, whether that station was carried by the cable system on March 29, 1990.

47 CFR 76.1709(c) states that a cable operator shall respond in writing within 30 days to any written request by any person for the identification of the signals carried on its system in fulfillment of the requirements of 47 CFR 76.56.

47 CFR 76.1614 states that a cable operator shall respond in writing within 30 days to any written request by any person for the identification of the signals carried on its system in fulfillment of the requirements of 47 CFR 76.56. The required written response may be delivered by email, if the consumer used email to make the request or complaint directly to the cable operator, or if the consumer specifies email as the preferred delivery method in the request or complaint.

Additionally, 47 CFR 76.1620 states that if a cable operator authorizes subscribers to install additional receiver connections, but does not provide the subscriber with such connections, or with the equipment and materials for such connections, the operator shall notify such subscribers of all broadcast stations carried on the cable system which cannot be viewed via cable without a converter box and shall offer to sell or lease such a converter box to such subscribers. Such notification must be provided by June 2, 1993, and annually thereafter and to each new subscriber upon initial installation. The notice, which may be included in routine billing statements, shall identify the signals that are unavailable without an additional connection, the manner for obtaining such additional connection and instructions for installation.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2020–04498 Filed 3–4–20; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0704; FRS 16530]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before May 4, 2020. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele at (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0704.

Title: Sections 42.10, 42.11, 64.1900 and Section 254(g): Policies and Rules Concerning the Interstate, Interexchange Marketplace.

Form Number: N/A.

Type of Review: Extension of a currently-approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 700 respondents; 2,800 responses.

Estimated Time per Response: .50–2 hours.

Frequency of Response: Annual reporting requirements, third party disclosure requirements and recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in section 254(g) of the Communications Act of 1934, as amended.

Total Annual Burden: 2,450 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact.

Nature and Extent of Confidentiality: The Commission is not requesting that the respondents submit confidential information to the Commission. If the Commission requests respondents to submit information which respondents believe is confidential, respondents may request confidential treatment of such information under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: The four information collection requirements under this OMB Control Number are information disclosure requirements, internet posting requirements, recordkeeping requirements, and annual certification requirements. These requirements are necessary to provide consumers ready access to information concerning the rates, terms, and conditions governing the provision of interstate, domestic, interexchange services offered by nondominant interexchange carriers (IXCs) in a detariffed and increasingly competitive environment. The information collected under the information disclosure requirement and the internet posting requirement must be disclosed to the public to ensure that consumers have access to the information they need to select a telecommunications carrier and to bring to the Commission's attention to possible violations of the Communications Act without a specific public disclosure requirement. The information collected under the recordkeeping and certification requirements will be used by the Commission to ensure that affected interexchange carriers fulfill their obligations under the Communications Act, as amended.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2020–04497 Filed 3–4–20; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

TIME AND DATE: Tuesday, March 10, 2020 at 10:00 a.m.

PLACE: 1050 First Street NE, Washington, DC.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Compliance matters pursuant to 52 U.S.C. 30109.

Matters concerning participation in civil actions or proceedings or arbitration.

* * * * *

CONTACT PERSON FOR MORE INFORMATION: Judith Ingram, Press Officer; Telephone: (202) 694–1220.

Vicktoria J. Allen,

Acting Deputy Secretary of the Commission.

[FR Doc. 2020–04688 Filed 3–3–20; 4:15 pm]

BILLING CODE 6715–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Request for Information; Innovative Approaches and Knowledge Gaps Related to Enhancing Nonresident Parents' Ability To Support Their Children Economically and Emotionally; Extension of Comment Period

AGENCY: Administration for Children and Families; HHS.

ACTION: Request for Public Comment.

SUMMARY: Through this Request for Information (RFI), the Administration for Children and Families (ACF), in the U.S. Department of Health and Human Services (HHS), seeks to further the development of employment programs for nonresident parents by soliciting information and recommendations from a broad array of stakeholders in the public and private sectors, including state, regional, tribal, and local areas. The Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act) requires federal agencies to develop evidence-building plans to identify and address policy questions relevant to programs, policies, and regulations of the agency. In this vein, ACF will analyze information collected from this RFI to continue developing a learning and action agenda to better understand the effectiveness of employment programs for nonresident parents.

DATES: The comment period for this RFI, originally published November 20, 2019 at 84 FR 64079, is extended. Send comments on or before March 30, 2020.

ADDRESSES: Submit questions, comments, and supplementary documents to *nonresidentemploymentRFI@acf.hhs.gov*.

SUPPLEMENTARY INFORMATION: *Invitation to Comment:* HHS invites comments regarding the questions included in this notice. To ensure that your comments are clearly stated, please identify the specific question, or other section of this notice, that your comments address.

1.0 Background

A key responsibility of all parents is to economically support their children, whether or not they live with them. Parents are better able to fulfill this responsibility when they are working regularly. While the Temporary Assistance for Needy Families (TANF) program has encouraged parents receiving government assistance (who are typically custodial mothers) to pursue employment, increasing work among nonresident parents (who are typically fathers and not receiving assistance) remains a challenge. An analysis by the federal Office of Child Support Enforcement (OCSE) estimates that in 2015, 13% of noncustodial parents had been out of work for at least a year.

ACF recently issued three Information Memorandums to encourage states to provide employment services to noncustodial parents. TANF–ACF–IM–18–01 reminded states that they may use federal TANF funds and state maintenance-of-effort funds to provide employment services to noncustodial parents (please see *https://www.acf.hhs.gov/ofa/resource/tanf-acf-im-2018-01the-use-of-tanf-funds-to-promote-employment-programs-for-noncustodial-parents*). OCSE–ACF–IM–

18–02 encouraged states to use IV–D incentive funds to promote noncustodial parent work activities (please see *https://www.acf.hhs.gov/css/resource/use-of-iv-d-incentive-funds-for-ncp-work-activities*). OCSE–ACF–IM–19–04 conveys that HHS is prepared to review requests for demonstration waivers that would allow states and tribes to fund employment programs for noncustodial parents, under section 1115 of the Social Security Act (please see *https://www.acf.hhs.gov/css/resource/availability-of-section-1115-waivers-to-fund-ncp-work-activities*).

Child support programs typically refer to parents in the program who live apart from their children and are expected to pay child support as ''noncustodial parents.'' We use a broader term—nonresident parents—to reflect ACF's interest in soliciting information about and recommendations of employment programs that target all parents who live apart from one or more of their children, regardless of their participation in the child support program.

Prior research has found that employment programs for nonresident parents can be successful at improving employment opportunities for parents. OCSE sponsored the Child Support Noncustodial Parent Employment Demonstration, which tested the effectiveness of child support-led employment programs. The evaluation found that this program increased the employment and earnings of noncustodial parents, satisfaction with the child support program, and parent-child contact. Other recent evidence is from the Parents and Children Together Evaluation, which examined the effectiveness of four Responsible Fatherhood programs funded by ACF's Office of Family Assistance. The evaluation found that the programs improved aspects of fathers' parenting behavior, employment, and knowledge of the child support program. Two additional demonstrations, the Enhanced Transitional Jobs Demonstration and the Subsidized and Transitional Employment Demonstration, examined the effectiveness of subsidized employment. Four sites in the demonstrations focused on serving noncustodial parents. The evaluation found that subsidized employment programs in the study increased the earnings of noncustodial parents and increased the consistency of paying formal child support during the final year of the 30-month follow-up period.

2.0 Request for Information

Through this RFI, ACF is soliciting ideas and information from a broad array of stakeholders on improving nonresident parents' employment outcomes, including how to create a comprehensive, multi-system approach that addresses multiple barriers that nonresident parents face when trying to support their children. Although the primary aim of this RFI is to understand further how employment programs can increase nonresident parents' ability to economically support their children, we recognize that nonresident parents are parents first and may also face barriers to supporting their children emotionally. Consequently, we are not only interested in information and recommendations on programs that focus exclusively on employment services, but we are also interested in programs that provide employment services combined with parenting or other activities aimed at promoting father involvement and healthy relationships in children's lives.

The Evidence Act (Pub. L. 115–435) requires federal agencies to develop evidence-building plans to identify and address policy questions relevant to programs, policies, and regulations of the agency. Responses to this RFI will inform ACF's ongoing development of a learning and action agenda on employment programs for nonresident parents. This RFI is for information and planning purposes only and should not be construed as a solicitation or as an obligation on the part of ACF or HHS.

We ask respondents to address the following questions. You do not need to address every question, and should focus on those where you have relevant expertise or experience. In your response, please provide a brief description of yourself or your organization before addressing the questions.

3.0 Key Questions

3.1 In your opinion, what are the core components necessary for an employment program to be effective for nonresident parents? Please provide evidence that supports your opinion.

3.2 In your opinion, what factors have either facilitated or hindered the implementation of employment programs for nonresident parents?

3.3 Please describe existing, promising employment programs/services for nonresident parents that may include, but are not limited to, work readiness training, occupational/sector-based training, job search assistance, subsidized employment, or other employment services. When describing the program, please include the following:

a. Target population,

b. Structure and organizational context of the program,

c. Roles and responsibilities of the lead agency and any partner agency,

d. Services provided, and

e. Any evidence of the program's effectiveness.

3.4 What role has job training, both in the classroom and on-the-job, played in effective employment programs for nonresident parents?

3.5 What role has activities aimed at parenting and promoting father involvement and healthy relationships in children's lives played in effective employment programs for nonresident parents?

3.6 To what extent do services need to vary depending on the subpopulation of nonresident parents being served? Please explain what services you believe are better suited for which subpopulations. Subpopulations could include, but are not limited to, noncustodial parents, parents with criminal records and/or a history of incarceration, young/teen parents, and parents with children by multiple partners, etc.

3.7 What are the key barriers that nonresident parents face when trying to secure or maintain employment to support their children financially? We are interested in hearing about both individual- and system-level barriers that nonresident parents may face to financially supporting their children, such as those related to transportation, education, housing, employment history, child access, child support debt, criminal record, fees/fines/restitution debt, substance use or mental health disorders, etc.

3.7.1 What specific approaches have you seen programs use to address these barriers? Please provide any evidence on the effectiveness of these approaches in improving parents' financial support for their children.

3.8 In your experience, what types of agencies or organizations should be active partners in an employment program for nonresident parents? Which type of agency is most successful in the lead role?

3.9 Please describe ways to create more systematic relationships between child support agencies and employment service providers that might increase the take-up of employment services among nonresidential parents or increase child support compliance among noncustodial parents in employment programs, etc.

3.10 If you are a government official or a practitioner, what additional information would you like to have about approaches to providing or

implementing employment programs for nonresident parents?

3.11 What aspects of employment programs for nonresident parents would benefit from further evaluation?

3.12 What suggestions do you have for how federal, state, regional, tribal, and local governments could support the development of high-quality employment programs for nonresident parents and/or address gaps in current efforts?

Authority: Social Security Act § 413 (Title IV–A: Block Grants to States for the Temporary Assistance of Needy Families) [42 U.S.C. 613].

Mary B. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2020–04543 Filed 3–4–20; 8:45 am]

BILLING CODE 4184–09–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2020–N–0437]

Purple Book Enhancement; Establishment of a Public Docket; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; establishment of a public docket; request for comments.

SUMMARY: The Food and Drug Administration (FDA or Agency) announced the completion of the first phase of the enhanced Purple Book on February 24, 2020. FDA is transitioning the current table format ''Purple Book: Lists of Licensed Biological Products with Reference Product Exclusivity and Biosimilarity or Interchangeability Evaluations'' to a searchable, public-facing online database entitled ''Purple Book: Database of FDA-Licensed Biological Products.'' FDA is establishing a docket for public comment to gather stakeholder feedback on the new database to inform the next phase of development.

DATES: Submit either electronic or written comments by May 4, 2020. FDA is establishing a docket for public comment. The docket number is FDA–2020–N–0437. The docket will close on May 4, 2020.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before May 4, 2020. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of May 4, 2020. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2020–N–0437 for ''Purple Book Enhancement; Establishment of a Public Docket; Request for Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Leila Hann, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 1141, Silver Spring, MD 20993, 301–796–3367, *leila.hann@fda.hhs.gov;* or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911, *stephen.ripley@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA announced the completion of the first phase of the enhancement of the ''Purple Book: Database of FDA-Licensed Biological Products'' (Purple Book) on February 24, 2020,

transitioning the current table format ''Lists of Licensed Biological Products with Reference Product Exclusivity and Biosimilarity or Interchangeability Evaluations'' to a searchable, public-facing online database (available on the FDA website at *https://purplebooksearch.fda.gov/*).

As part of FDA's commitment to encouraging innovation and competition among biological products and the development of biosimilars, and to fulfill goals described in the letter entitled ''Biosimilar Biological Product Reauthorization Performance Goals and Procedures Fiscal Years 2018 Through 2022,'' (available on the FDA website at *https://www.fda.gov/downloads/ForIndustry/UserFees/BiosimilarUserFeeActBsUFA/UCM521121.pdf*) and commitments described in the Biosimilar Action Plan (available on the FDA website at *https://www.fda.gov/media/114574/download*), FDA has created the Purple Book database. The new database provides the public with timely information about FDA-licensed biological products, including biosimilar and interchangeable products, through a dynamic, accessible, easy-to-use online search engine. This expanded Purple Book will offer more information about approved biological products, including information about whether a biological product is a reference product for a licensed biosimilar or interchangeable product, in a user-friendly format to help users quickly identify FDA-approved biosimilar and interchangeable products.

The initial Purple Book Version 1.0 announced on February 24, 2020 contains a limited data set that includes all approved biosimilars products and their related reference products, with simple search and advanced search functionality. The goal of the initial release is to gather stakeholder feedback and conduct user testing on the new database to inform the next phases of development. FDA intends to release additional phased enhancements to the database. Taking user testing and stakeholder input into consideration, the enhanced Purple Book is expected ultimately to include all Center for Biologics Evaluation and Research (CBER) and Center for Drug Evaluation and Research (CDER) regulated biological products, including transition products, in addition to enhanced functionality. A later release of the enhanced Purple Book will include determinations that have been made pertaining to exclusivity.

The new Purple Book database is intended to improve transparency and functionality for stakeholders by providing a complete view of biological product options, including biosimilar and interchangeable products, and to advance public awareness about licensed biological products.

FDA is committed to making the Purple Book database interactive, user-friendly, and functional for multiple stakeholders with varying information needs. FDA is publishing this **Federal Register** notice and opening a docket to gather public comment on this version of the database. At the close of the comment period, the Agency will collect this feedback for consideration as additional functionality and improvements are developed and implemented.

FDA welcomes any relevant information that stakeholders and other members of the public wish to share. FDA is particularly interested in input on how the Agency can improve the Purple Book database in future releases, including on the questions set forth below.

1. How user-friendly is the information in the new Purple Book database?

a. Are navigation resources and instructions user-friendly?

b. Do the definitions and hover overs (information available when a person positions a computer cursor over an image or icon without selecting it) assist in your understanding?

2. Does the new Purple Book database help improve understanding of available biological product options among patients, payors, clinicians, and other parties?

a. What additional information or modifications could improve understanding about available biological product options?

3. Which functionalities of the new database are most useful to patients, payors, clinicians, and other parties (*e.g.,* simple search results, advanced search results, hover over definitions, monthly historical data change reports, data download capabilities)?

a. Which aspects of the simple search functionality are most useful for navigating the database and which need improvement?

b. Which aspects of the advanced search functionality are most useful for navigating the database and which need improvement?

c. What other modifications or enhancements could improve the new database's functionality or usability?

4. Are there other types of information or functionalities that would be useful to include in the Purple Book database?

II. Electronic Access

Persons with access to the internet may access the Purple Book at *https://purplebooksearch.fda.gov/.*

Dated: March 2, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–04539 Filed 3–4–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–E–6571]

Determination of Regulatory Review Period for Purposes of Patent Extension; INGREZZA

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for INGREZZA and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

DATES: Anyone with knowledge that any of the dates as published (see the **SUPPLEMENTARY INFORMATION** section) are incorrect may submit either electronic or written comments and ask for a redetermination by May 4, 2020. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by September 1, 2020. See ''Petitions'' in the **SUPPLEMENTARY INFORMATION** section for more information.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before May 4, 2020. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of May 4, 2020. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–E–6571 for ''Determination of Regulatory Review Period for Purposes of Patent Extension; INGREZZA.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov*. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with § 10.20 (21 CFR 10.20) and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf*.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Beverly Friedman, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6250, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product, INGREZZA (valbenazine tosylate) indicated for the treatment of adults with tardive dyskinesia. Subsequent to this approval, the USPTO received a patent term restoration application for INGREZZA (U.S. Patent No. 8,039,627) from Neurocrine Biosciences, Inc. and the USPTO requested FDA's assistance in determining the patent's eligibility for patent term restoration. In a letter dated February 6, 2018, FDA advised the USPTO that this human drug product had undergone a regulatory review period and that the approval of INGREZZA represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for INGREZZA is 2,071 days. Of this time, 1,827 days occurred during the testing phase of the regulatory review period, while 244 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(i)) became effective:* August 12, 2011. The applicant claims August 16, 2011, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was August 12, 2011, which was the first date after receipt of the IND that the investigational studies were allowed to proceed.

2. *The date the application was initially submitted with respect to the human drug product under section 505*

of the FD&C Act: August 11, 2016. The applicant claims August 10, 2016, as the date the new drug application (NDA) for INGREZZA (NDA 209241) was initially submitted. However, FDA records indicate that NDA 209241 was submitted on August 11, 2016.

3. *The date the application was approved:* April 11, 2017. FDA has verified the applicant's claim that NDA 209241 was approved on April 11, 2017.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 552 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to *https://www.regulations.gov* at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Dated: February 28, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–04545 Filed 3–4–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–D–4750]

The "Deemed To Be a License" Provision of the Biologics Price Competition and Innovation Act: Questions and Answers; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''The 'Deemed To Be a License' Provision of the BPCI Act: Questions and Answers.'' This guidance is intended to provide answers to common questions about FDA's implementation of the statutory provision under which an application for a biological product approved under the Federal Food, Drug, and Cosmetic Act (FD&C Act) as of March 23, 2020, will be deemed to be a license for the biological product under the Public Health Service Act (PHS Act) on March 23, 2020. This guidance also describes FDA's compliance policy for the labeling of biological products that will be the subject of deemed biologics license applications (BLAs). This guidance is intended to facilitate planning for the March 23, 2020, transition date and provide further clarity regarding the Agency's implementation of this statutory provision. This guidance finalizes the draft guidance of the same title issued on December 12, 2018.

DATES: The announcement of the guidance is published in the **Federal Register** on March 5, 2020.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- Mail/Hand Delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2015–D–4750 for ''The 'Deemed To Be a License' Provision of the BPCI Act: Questions and Answers.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as

''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Janice Weiner, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6270, Silver Spring, MD 20993–0002, 301–796–3475, *Janice.Weiner@fda.hhs.gov;* or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7268, Silver Spring, MD 20993–0002, 240–402–7911, *Stephen.Ripley@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled ''The 'Deemed to be a License' Provision of the BPCI Act: Questions and Answers.'' This guidance is intended to provide answers to common questions about FDA's implementation of the ''transition'' provision of the Biologics Price Competition and Innovation Act of 2009 (BPCI Act) under which an application for a biological product approved under section 505 of the FD&C Act (21 U.S.C. 355) as of March 23, 2020, will be deemed to be a license for the biological product under section 351 of the PHS Act (42 U.S.C. 262) on March 23, 2020 (''the transition date''). This guidance also describes FDA's compliance policy for the labeling of biological products that will be the subject of deemed BLAs. This guidance is intended to facilitate planning for the transition date and provide further clarity regarding the Agency's implementation of this statutory provision.

Although the majority of therapeutic biological products have been licensed under section 351 of the PHS Act, some protein products historically have been approved under section 505 of the FD&C Act. On March 23, 2010, the BPCI Act was enacted as part of the Patient Protection and Affordable Care Act (Pub. L. 111–148). The BPCI Act clarified the statutory authority under which certain protein products will be regulated by amending the definition of a ''biological product'' in section 351(i) of the PHS Act to include a ''protein (except any chemically synthesized polypeptide),'' and describing procedures for submission of a marketing application for certain ''biological products.'' Section 605 of the Further Consolidated Appropriations Act, 2020 (Pub. L. 116–94), further amended the definition of a ''biological product'' in section 351(i) of the PHS Act to remove the parenthetical ''(except any chemically synthesized polypeptide)'' from the statutory category of ''protein.'' In the **Federal Register** of February 21, 2020, FDA issued a final rule that amends its regulation that defines ''biological product'' to incorporate changes made by the BPCI Act and the Further Consolidated Appropriations Act, 2020, and to provide its interpretation of the statutory term ''protein'' (85 FR 10057). This rule is effective on March 23, 2020. FDA also has previously stated its interpretation of the statutory term ''protein'' in the amended definition of ''biological product'' (see FDA's draft guidance for industry entitled ''New and Revised Draft Q&As on Biosimilar Development and the BPCI Act (Revision 2)'' (December 2018), available on FDA's website at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs* (''Biosimilar Q&A Draft Guidance'')).[1]

The BPCI Act requires that a marketing application for a ''biological product'' (that previously could have been submitted under section 505 of the FD&C Act) must be submitted under section 351 of the PHS Act; this requirement is subject to certain exceptions during a 10-year transition period ending on March 23, 2020 (see section 7002(e)(1) to (3) and (e)(5) of the BPCI Act). On March 23, 2020, an approved application for a biological product under section 505 of the FD&C Act shall be deemed to be a license for the biological product under section 351 of the PHS Act (see section 7002(e)(4) of the BPCI Act).[2]

In the **Federal Register** of December 12, 2018 (83 FR 63894), FDA invited comment on the preliminary list of approved applications for biological products under the FD&C Act that will be affected by the transition provision (''Preliminary List'') (available on FDA's website at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/deemed-be-license-provision-bpci-act*). FDA explained that if an application holder or other person believes that an approved new drug application (NDA) should be added to the list or should not be included on the list, the application holder or other person should submit a comment to the public docket established for this Q&A guidance and the list. FDA posted updates to the Preliminary List on September 23, 2019, and January 15, 2020.

In the **Federal Register** of December 12, 2018, FDA also invited comment on the factors that FDA should consider in determining whether a combination product composed of a biological product constituent part and a drug constituent part will be subject to the transition provision. However, FDA did not receive any substantive comments on this topic. The current Preliminary List includes a small number of drug-biologic combination products and complex mixtures assigned to the Center for Drug Evaluation and Research, which reflects the Agency's current thinking that the approved NDAs for these products are appropriately subject

[1] FDA also described its interpretation of the statutory term ''chemically synthesized polypeptide'' in the Biosimilar Q&A Draft Guidance and the proposed rule entitled ''Definition of the Term 'Biological Product' '' (83 FR 63817, December 12, 2018); however, this interpretation is no longer necessary to our interpretation of the statutory term ''biological product'' in light of the amendment made by section 605 of the Further Consolidated Appropriations Act, 2020.

[2] Section 607 of the Further Consolidated Appropriations Act, 2020, amended section 7002(e)(4) of the BPCI Act to provide that FDA will continue to review an application for a biological product under section 505 of the FD&C Act after March 23, 2020, so long as that application was submitted under section 505 of the FD&C Act, is filed not later than March 23, 2019, and is not approved as of March 23, 2020. If such an application is approved under section 505 of the FD&C Act before October 1, 2022, it will be deemed to be a license for the biological product under section 351 of the PHS Act upon approval (see section 7002(e)(4)(B)(iii) and (vi) of the BPCI Act).

to the transition provision. FDA's evaluation of each of these approved NDAs for drug-biologic combination products or complex mixtures was informed by a general consideration of the factors used to determine the appropriate marketing application type for antibody-drug conjugates (see FDA's guidance for industry entitled ''Questions and Answers on Biosimilar Development and the BPCI Act'' (December 2018), available on FDA's website at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs*).

To ensure that the Agency considers any additional comments on the list before the statutory transition date, the January 2020 update to the Preliminary List recommended that application holders or other interested persons submit either electronic or written comments no later than February 19, 2020.

This guidance finalizes the draft guidance entitled ''The 'Deemed to be a License' Provision of the BPCI Act: Questions and Answers'' issued on December 12, 2018 (83 FR 63894). FDA considered comments received on the draft guidance as the guidance was finalized. Changes from the draft to the final guidance include: (1) Providing information on updating the listing information for the biological product in FDA's electronic Drug Registration and Listing System between March 23, 2020, and June 30, 2020; (2) clarifying that, in the absence of other changes made by the application holder that would require a new National Drug Code (NDC) number, biological products approved under the FD&C Act will retain their current NDC number after the NDA is deemed to be a BLA; (3) providing information on establishment standards for ''non-specified biological products'' that are the subject of deemed BLAs; (4) clarifying the process for submitting followup reports on or after March 23, 2020, for any initial field alert report submitted before March 23, 2020; and (5) clarifying certain aspects of FDA's compliance policy for the labeling of biological products that are the subject of deemed BLAs. In addition, technical changes were made for consistency with the revisions to the PHS Act and the BPCI Act enacted in sections 605 and 607 of the Further Consolidated Appropriations Act, 2020, and editorial changes were made to improve clarity.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''The 'Deemed To Be a License' Provision of the BPCI Act: Questions and Answers.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 314 have been approved under 0910–0001; the collections of information in 21 CFR parts 601 and 610 have been approved under 0910–0338; the collections of information in 21 CFR 600.80 through 600.90 have been approved under 0910–0308; and the collections of information in 21 CFR 201.56, 201.57, and 201.80 have been approved under 0910–0572. In addition, the collections of information for applications submitted under section 351(k) of the PHS Act have been approved under 0910–0719.

III. Electronic Access

Persons with access to the internet may obtain the guidance at either *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs* or *https://www.regulations.gov.*

Dated: March 2, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–04537 Filed 3–4–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2003–D–0370]

Guidance for Industry: Exocrine Pancreatic Insufficiency Drug Products—Submitting New Drug Applications; Withdrawal of Guidance

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; withdrawal.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the withdrawal of a guidance for industry entitled ''Exocrine Pancreatic Insufficiency Drug Products—Submitting NDAs,'' which was issued in 2006. The guidance set forth the Agency's thinking on data and information that may support a new drug application (NDA) for a proposed pancreatic enzyme product (PEP) that contains pancreatin or pancrelipase and is intended for the treatment of exocrine pancreatic insufficiency (EPI). FDA is withdrawing the guidance because an NDA for such a product may not be submitted after March 23, 2020. Sponsors interested in submitting a biologics license application (BLA) for a proposed PEP should contact the Agency with any questions.

DATES: The withdrawal is effective March 23, 2020.

FOR FURTHER INFORMATION CONTACT: Kristiana Brugger, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6262, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION: FDA is withdrawing the guidance for industry entitled ''Exocrine Pancreatic Insufficiency Drug Products—Submitting NDAs,'' which was issued in 2006 (see 71 FR 19524 (April 14, 2006)). The guidance described FDA's thinking regarding the data and information that may support submission of NDAs, including submission of NDAs pursuant to section 505(b)(2) of the Federal Food, Drug and Cosmetic Act (FD&C Act) (21 U.S.C. 355(b)(2)), for products that contain the ingredients pancreatin or pancrelipase and are used to treat EPI.

Pancreatic enzyme preparations of porcine or bovine origin that contain the ingredients pancreatin or pancrelipase have a long history of use for the treatment of EPI in children and adults with cystic fibrosis and chronic pancreatitis. These products have been available in the United States for decades, largely marketed as unapproved drugs. On April 28, 2004 (69 FR 23410), however, FDA announced that all orally administered PEPs are new drugs that must be approved via a marketing application for prescription use only, and explained the conditions for continued marketing of these drug products. The guidance explained FDA's thinking regarding ways in which sponsors of products containing pancreatin and pancrelipase could design drug development programs to demonstrate the safety and effectiveness of their products and satisfy the requirements for approval of an NDA, including an NDA submitted pursuant to section 505(b)(2) of the FD&C Act.

Although most therapeutic biological products have been licensed under section 351 of the Public Health Service Act (PHS) (42 U.S.C. 262), some protein products historically have been

approved under section 505 of the FD&C Act (21 U.S.C. 355). On March 23, 2010, the Biologics Price Competition and Innovation Act of 2009 (BPCI Act) was enacted as part of the Patient Protection and Affordable Care Act (Pub. L. 111–148). The BPCI Act clarified the statutory authority under which certain protein products will be regulated by amending the definition of a ''biological product'' in section 351(i) of the PHS Act to include a ''protein (except any chemically synthesized polypeptide),'' and describing procedures for submission of a marketing application for certain biological products. The Further Consolidated Appropriations Act, 2020 (Pub. L. 116–94) further amended the definition of a ''biological product'' in section 351(i) of the PHS Act to remove the parenthetical exception for ''any chemically synthesized polypeptide'' from the statutory category of ''protein'' (see Division N, section 605, of the Further Consolidated Appropriations Act, 2020). Products containing pancreatin or pancrelipase fall within FDA's interpretation of the term ''protein'' in the statutory definition of a biological product (for additional information, see the final rule entitled ''Definition of the Term 'Biological Product' (85 FR 10057, February 21, 2020)

The BPCI Act requires that a marketing application for a ''biological product'' (that previously could have been submitted under section 505 of the FD&C Act) must be submitted under section 351 of the PHS Act; this requirement is subject to certain exceptions during a 10-year transition period ending on March 23, 2020 (see section 7002(e)(1) to (3) and (e)(5) of the BPCI Act). On March 23, 2020 (*i.e.,* the transition date), an approved application for a biological product under section 505 of the FD&C Act shall be deemed to be a license for the biological product under section 351 of the PHS Act (see section 7002(e)(4)(A) of the BPCI Act; see also section 7002(e)(4)(B) of the BPCI Act). After March 23, 2020, all sponsors seeking approval of a biological product (that previously could have been submitted under section 505 of the FD&C Act) will need to submit a BLA under the PHS Act (see section 7002(e) of the BPCI Act). (For additional information, see FDA's guidance for industry entitled ''Interpretation of the 'Deemed to be a License' Provision of the Biologics Price Competition and Innovation Act of 2009'' (December 2018), available at *https://www.fda.gov/media/119272/download.*)

FDA is withdrawing the guidance because a marketing application for a proposed PEP that contains the ingredients pancreatin or pancrelipase may not be submitted under section 505 of the FD&C Act after March 23, 2020. The guidance included a description of data and information that may support submission of NDAs, including 505(b)(2) applications, for these products. FDA anticipates that there will be different considerations that may inform development of proposed PEPs intended for submission in BLAs under section 351 of the PHS Act. FDA intends to issue guidance regarding how the concepts described in the withdrawn guidance would apply to proposed pancreatic enzyme products submitted under the PHS Act, including the extent of integration of various types of data and information about the use of PEPs into BLAs. In the interim, the Agency encourages sponsors interested in submitting a BLA for a PEP to contact the relevant review division in the Office of New Drugs in FDA's Center for Drug Evaluation and Research with any questions.

Dated: March 2, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–04531 Filed 3–4–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Charter Establishment for the Advisory Committee on Heritable Disorders in Newborns and Children

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In accordance with the Federal Advisory Committee Act (FACA), HHS is hereby giving notice that the Advisory Committee on Heritable Disorders in Newborns and Children (ACHDNC) has been established as a discretionary advisory committee. The effective date of the establishment is March 20, 2020.

FOR FURTHER INFORMATION CONTACT: Debi Sarkar, Designated Federal Official, Maternal and Child Health Bureau, HRSA, 5600 Fishers Lane, 18W65, Rockville, Maryland 20857; 301–443–0959; or *DSarkar@hrsa.gov*.

SUPPLEMENTARY INFORMATION: The ACHDNC provides advice and recommendations to the Secretary of HHS on policy, program development, and other matters of significance concerning certain activities described in section 1111 of the Public Health Service (PHS) Act (42 U.S.C. 300b–10), as further described below. The ACHDNC will fulfill the functions previously undertaken by the former Secretary's Advisory Committee on Heritable Disorders in Newborns and Children, which was established under the PHS Act, Title XI § 1111(a) (42 U.S.C. 300b-10(a)). The ACHDNC is also governed by the provisions of the FACA, as amended (5 U.S.C. App.), which sets forth standards for the formation and use of advisory committees. The ACHDNC advises the Secretary of HHS about aspects of newborn and childhood screening and technical information for the development of policies and priorities that will enhance the ability of the state and local health agencies to provide for newborn and child screening, counseling and health care services for newborns and children having, or at risk for, heritable disorders. The ACHDNC will review and report regularly on newborn and childhood screening practices, recommend improvements in the national newborn and childhood screening programs, as well as fulfill the list of requirements stated in the original authorizing legislation. The ACHDNC charter authorizes the committee to operate until March 20, 2022. A copy of the ACHDNC charter is available on the ACHDNC website at *https://www.hrsa.gov/advisory-committees/heritable-disorders/index.html*. A copy of the charter also can be obtained by accessing the FACA database that is maintained by the Committee Management Secretariat under the General Services Administration. The website address for the FACA database is *http://www.facadatabase.gov/*.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2020–04504 Filed 3–4–20; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious

commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Jeffrey Thruston at 301–594–5179 or *jeffrey.thruston@nih.gov.* Licensing information may be obtained by communicating with the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852; tel. 301–496–2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished information related to the invention.

SUPPLEMENTARY INFORMATION: Technology description follows:

A Rapid Ultrasensitive Assay for Detecting Prions Based on the Seeded Polymerization of Recombinant Normal Prion Protein (rPrP-sen) Description of Technology

Prion diseases are neurodegenerative diseases of great public concern as humans may either develop disease spontaneously or, more rarely, due to mutations in their prion protein gene or exposures to external sources of infection. Prion disease is caused by the accumulation in the nervous system of abnormal aggregates of prion protein. This technology enables rapid, economical, and ultrasensitive detection of disease-associated forms of prion protein. Specifically, prion aggregates (contained in a biological sample) seed the polymerization of recombinant, monomeric prion protein (rPrP-sen) and the polymerized product is detected as a highly amplified indicator of infectious prions in the sample. This assay differs from the protein-misfolding cyclic amplification assay (PMCA) because it enables the effective use of bacterially expressed rPrP-sen and does not require multiple amplification rounds. In its current embodiment, this assay can be used to detect prions in tissues or fluids from humans (Creutzfeldt-Jakob disease (CJD)), sheep (scrapie), cattle (bovine spongiform encephalopathy), and deer (chronic wasting disease (CWD)). For example, analyses of cerebrospinal fluid and/or nasal brushings from living sporadic CJD patients has allowed for nearly 100% accurate diagnosis.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404.

Potential Commercial Applications:

- A test/screen for infectious prions in live animals and food products
- Cervid CWD monitoring
- A human diagnostic for early detection of prion diseases
- Medical equipment screening
- A monitor for effectiveness of treatments or disease progression
- A high through-put screen for inhibitors of prion replication

Competitive Advantages:

- Uses a consistent, concentrated source of normal prion protein (rPrP-sen)
- Prions are detectable to low levels after a single amplification round
- Demonstrated to be effective at detecting prions from different species
- May be applicable to blood products, nasal brushings, skin, eye components and other accessible biospecimens
- Economical and rapid

Development Stage:

- Research Use

Inventors: Ryuichiro Atarashi (NIAID), Roger Moore (NIAID), Byron Caughey (NIAID).

Publications: Atarashi, Ryuichiro et al. ''Simplified ultrasensitive prion detection by recombinant PrP conversion with shaking.'' *Nature Methods* 5, pages 211–212 (2008).

Licensing Contact: To license this technology, please contact Jeffrey Thruston at 301–594–5179 or *jeffrey.thruston@nih.gov,* and reference E–109–2007–0.

Dated: February 25, 2020.

Wade W. Green,

Acting Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2020–04536 Filed 3–4–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Jeffrey Thruston at 301–594–5179 or *jeffrey.thruston@nih.gov.* Licensing information may be obtained by communicating with the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852; tel. 301–496–2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished information related to the invention.

SUPPLEMENTARY INFORMATION: Technology description follows:

Tau RT-QuIC: Ultrasensitive Assays for the Detection of Tau Seeding Activity Associated With Tauopathies

Description of Technology:

Tauopathies are a category of neurodegenerative diseases defined by the abnormal accumulation of misfolded tau protein aggregates (often in the form of amyloid filaments) within the brain. Tau proteins exist in six isoforms, three of which contain three microtubule binding regions (3R), and the remainder contain four microtubule binding regions (4R). Tauopathies are characterized, in part, based on the ratio of 3R/4R misfolded tau proteins that make up the aggregates. This technology enables rapid, ultrasensitive and economical differentiation of self-propagating tau aggregates associated with tauopathies in crude biospecimens. The assays use recombinant, truncated 3R, 4R, or 3R+4R tau protein substrates as indicators of tau aggregates. Specifically, misfolded tau aggregates (contained in a biological sample) seed the polymerization of either 3R, 4R, or 3R+4R tau substrates, and the polymers (amyloid fibrils) are detected as an amplified indicator of even extremely low concentrations of tau aggregates within the biological sample and aid in identification of the tauopathy. In its current embodiment, this assay has been used to detect tau seeds in brain tissue from patients with Alzheimer's disease, Pick disease, chronic traumatic encephalopathy, corticobasal degeneration, progressive supranuclear palsy, certain frontotemporal dementias, and other tauopathies. For several of these diseases, tau RT-QuIC assays have also detected tau seeding activity in patients' cerebrospinal fluid.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404.

Potential Commercial Applications:

- Diagnosis of tauopathies, including: Alzheimer's disease, Pick disease,

corticobasal degeneration, chronic traumatic encephalopathy, progressive supranuclear palsy, and frontotemporal dementias with tau deposition.

- Measurement of levels of pathological tau aggregates in biospecimens.
- Analysis of tauopathy-associated disease progression
- Clinical trial/drug development companion diagnostic

Competitive Advantages:

- Uses a consistent, concentrated source of truncated tau protein
- Rapid and economical
- Highly sensitive and specific

Development Stage:

- Research Use.

Inventors: Byron Caughey (NIAID), Eri Saijo (NIAID), Allison Kraus (NIAID), Michael Metrick II (NIAID).

Publications:

Saijo, Eri et al. ''Ultrasensitive and selective detection of 3-repeat tau seeding activity in Pick disease brain and cerebrospinal fluid''. *Acta Neuropathologica* vol. 133 (2017):751–765.

Kraus, Allison et al. ''Seeding selectivity and ultrasensitive detection of tau aggregate conformers of Alzheimer disease''. *Acta Neuropathologica* vol. 137, 4 (2019): 585–598.

Metrick II Michael et al., ''Million-fold sensitivity enhancement in proteopathic seed amplification assays for biospecimens by Hofmeister ion comparisons''. *Proc Natl Acad Sci USA* vol. 116, 46 (2019):23029–23039.

Saijo, Eri et al. ''4-repeat tau seeds and templating subtypes as brain and CSF biomarkers of frontotemporal lobar degeneration''. *Acta Neuropathologica* vol 139, 4(2020):63–77.

Metrick II, Michael et al. ''A single ultrasensitive assay for detection and discrimination of tau aggregates of Alzheimer and Pick diseases''. *Acta Neuropathologica Communications* vol. 8, 1 (2020):22.

Licensing Contact: To license this technology, please contact Jeffrey Thruston at 301–594–5179 or *jeffrey.thruston@nih.gov,* and reference E–015–2017–0.

Dated: February 25, 2020.

Wade W. Green,

Acting Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2020–04535 Filed 3–4–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Jeffrey Thruston at 301–594–5179 or *jeffrey.thruston@nih.gov.* Licensing information may be obtained by communicating with the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852; tel. 301–496–2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished information related to the invention.

SUPPLEMENTARY INFORMATION: Technology description follows:

Alpha-Synuclein RT-QuIC: An Ultrasensitive Assay for the Detection of Alpha-Synuclein Seeding Activity Associated With Synucleinopathies

Description of Technology: Synucleinopathies are a category of neurodegenerative diseases defined by the abnormal aggregation and accumulation of misfolded alpha-synuclein protein molecules within the brain. These aggregates are of particular concern to humans as they are a primary cause of Parkinson's disease, dementia with Lewy bodies, and other neurological disorders. This technology enables rapid, economical and ultrasensitive detection of disease-associated forms of alpha-synuclein as biomarkers or indicators of synucleinopathy in a biological sample. Specifically, alpha-synuclein aggregates (contained in a biological sample) seed the polymerization of vast stoichiometric excesses of recombinant, normally folded alpha-synuclein into amyloid fibrils that are then detectable by an amyloid-sensitive fluorescent dye. This reaction can thereby amplify the seeds in a biospecimen by many orders of magnitude. For example, in its current embodiment, this assay has been used to detect alpha-synuclein seeds in cerebral spinal fluid from living patients with Parkinson's disease and Lewy-body dementia, giving high diagnostic sensitivity and specificity with unprecedented speed.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404.

Potential Commercial Applications:

- Pre-mortem diagnosis of synucleinopathies, including Parkinson's disease and Lewy-body dementia
- A monitor of the disease progression of dementia and synucleinopathies
- Clinical trial/drug development companion diagnostic

Competitive Advantages:

- Uses a consistent, concentrated source of truncated alpha-synuclein protein substrate
- Capable of disease detection prior to onset of symptoms
- Rapid and economical

Development Stage:

- Research Use

Inventors: Byron Caughey (NIAID), Bradley Groveman (NIAID), Christina Orru (NIAID), Lynne Raymond (NIAID)

Publications: Groveman, Bradley R et al. ''Rapid and ultra-sensitive quantitation of disease-associated α-synuclein seeds in brain and cerebrospinal fluid by αSyn RT-QuIC.'' *Acta Neuropathologica Communications* vol. 6(1):7, 9 Feb. 2018.

Licensing Contact: To license this technology, please contact Jeffrey Thruston at 301–594–5179 or *jeffrey.thruston@nih.gov,* and reference E–233–2017–0.

Dated: February 25, 2020.

Wade W. Green,

Acting Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2020–04534 Filed 3–4–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Reopening and Modification of the National Customs Automation Program Test Regarding Submission of Import Data and Documents Required by U.S. Fish and Wildlife Service Through the Automated Commercial Environment

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This document announces that U.S. Customs and Border Protection (CBP), in consultation with the U.S. Fish and Wildlife Service (FWS), is reopening and modifying the National Customs Automation Program (NCAP) test pertaining to the submission of certain import data and documents for commodities regulated by FWS (''FWS test'') through the Automated Commercial Environment (ACE). Two of the modifications in this notice apply to the streamlining of the submission of data and documents for test participants using certain filing options under the FWS test (specifically, filing options 2 and 4). The other modifications are administrative, specifically, updating contact information for CBP and FWS.

DATES: As of April 6, 2020, the FWS test will become operational. This test will continue until concluded by way of announcement in the **Federal Register**.

ADDRESSES: Comments concerning this notice and any aspect of this test may be submitted at any time during the test via email to Trade Policy and Programs, Office of Trade, U.S. Customs and Border Protection, at *FWS.Test.Participation@cbp.dhs.gov,* with a subject line identifier reading ''Comment on FWS Test FRN.''

FOR FURTHER INFORMATION CONTACT: Lea-Ann Bigelow, Trade Policy and Programs, Office of Trade, U.S. Customs and Border Protection, at (202) 863–6089 or *FWS.Test.Participation@cbp.dhs.gov.* For technical questions related to ACE or Automated Broker Interface (ABI) transmissions, contact your assigned client representative. Interested parties without an assigned client representative should direct their questions to Michael Cooney, Supervisory ACE Client Representative, Trade Transformation Office, Office of Trade, U.S. Customs and Border Protection, at *FWS.Test.Participation@cbp.dhs.gov,* with the subject heading ''FWS Test Technical Questions.'' For FWS-related questions, contact Rhyan Tompkins, Senior Wildlife Inspector, Office of Law Enforcement (Headquarters), U.S. Fish and Wildlife Service, at (703) 358–1750 or *lawenforcement@fws.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

A. National Customs Automation Program Test

The National Customs Automation Program (NCAP) was established under the authority of 19 U.S.C. 1411, in part, to develop the Automated Commercial Environment (ACE), the planned successor to the Automated Commercial System (ACS), as the electronic data interchange (EDI) system authorized by U.S. Customs and Border Protection (CBP). ACE is an automated and electronic system for commercial trade processing, which is 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 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.

CBP's modernization efforts are accomplished through phased releases of ACE component functionality designed to replace specific legacy ACS functions and add new functionality. Section 101.9(b) of title 19 of the Code of Federal Regulations (19 CFR 101.9(b)) provides for the testing of NCAP components. *See* T.D. 95–21, 60 FR 14211 (March 16, 1995).

B. The U.S. Fish and Wildlife Service (FWS) Partner Government Agency (PGA) Message Set and Digital Image System (DIS) Test

On May 5, 2016, CBP published a notice in the **Federal Register** (81 FR 27149) announcing an NCAP test concerning the electronic submission of certain import data and documents for commodities regulated by U.S. Fish and Wildlife Service (FWS). This original test notice provided that test participants would electronically submit data contained in FWS's ''Declaration for Importation or Exportation of Fish and Wildlife'' (''Declaration'' or ''FWS Form 3–177'') to ACE using the Partner Government Agency (PGA) Message Set, and any required original permits or certificates, and copies of any other documents required under the FWS regulations (*see* 50 CFR part 14) to ACE via the Digital Image System (DIS). For more information and the general rules, procedures, technical requirements and terms and conditions applicable to the PGA Message Set and the DIS, please see prior **Federal Register** notices at 78 FR 75931 (December 13, 2013) and 80 FR 62082 (October 15, 2015).

Under the original test, ACE replaced FWS's internet-based filing system (''eDecs'') that was used for the electronic submission of the Declaration and accompanying documents. After receipt in ACE, the data and electronic documents were to be sent to FWS for processing. The original test notice further provided that original ''Convention on International Trade in Endangered Species of Wild Fauna and Flora'' (''CITES'') permits and certificates, and foreign-law paper documents were to be submitted directly to the FWS office at the applicable CBP port. On January 12, 2017, the PGA Message Set test for FWS was suspended due to concerns raised by the industry regarding the design of the message set. *See* Cargo Systems Messaging Service (CSMS) Message 17–000015.[1] On January 18, 2017, CBP issued a subsequent CSMS message to advise the public that, as a result of the suspension of the PGA Message Set for FWS, the FWS pilot was suspended pending further review and stakeholder collaboration to enhance the implementation. *See* CSMS Message 17–000023.

On April 23, 2018, CBP published a notice in the **Federal Register** (83 FR 17669), announcing the reopening and modification of the original test from 2016. The notice announced a new email address for applications to participate in the modified test and information to be included in the email, instructions for discontinuation of participation in the test, as well as four new filing options for the submission of data and documents. The notice also announced two restrictions to the initial participation in the modified test. The modified test became operational on May 23, 2018. *See* also CSMS Message 18–000298.

On May 25, 2018, CBP issued CSMS Message 18–000364, summarizing the requirements for the modified test and specifying additional technical steps for test participation. The message also advised that ninety days after the opening of the modified test for public participation, CBP and FWS would suspend it in order to review the results before extending it. Accordingly, the

[1] For access to all CSMS messages referenced in this notice, please see *https://www.cbp.gov/trade/automated/cargo-systems-messaging-service.*

modified test was suspended and, after review and evaluation of the modified test results, CBP determined as follows: Additional technical programming needed to be completed by FWS; additional modifications to the programming instructions in the CBP Customs and Trade Automated Interface Requirements (CATAIR) for the applicable PGA Message Set would be required; and, greater and more diverse trade participation would be required to ensure success before the modified test would be reopened. Following the suspension of the modified test, CBP worked closely with FWS and members of the trade to improve the design of the FWS test. Consequently, CBP is now prepared to reopen the FWS test for public participation, with the additional modifications described below.

II. New Test Modifications and Reopening for Public Participation

This document announces the reopening of the FWS test with two further modifications to streamline the PGA Message Set for FWS by limiting information provided to only data that is currently provided in FWS's eDecs system. To implement the modifications, CBP modified the programming in ACE to remove several record identifiers and other data elements. In addition, other technical programming changes have created efficiencies, *i.e.,* all FWS-staffed designated ports are now consolidated under the subheading ''Wildlife Ports'' in the CATAIR guidelines for FWS to align with the requirements in 50 CFR part 14.12 of the FWS regulations. The updated ACE programming instructions for the PGA Message Set for FWS are available in the supplemental CATAIR document entitled FWS Implementation Guide. *See https://www.cbp.gov/trade/ace/catair* (the FWS Implementation Guide is available under the PGA Message Set chapter of the CATAIR). Finally, CBP made other minor modifications for the administration of the FWS test, specifically updating the contact information for both comments and questions to CBP and FWS, as well as for participation in and discontinuation of the test.

The remainder of this notice provides a more detailed description of the two modifications to streamline the submission process, followed by a comprehensive restatement of the entire FWS test, with all past and new modifications incorporated therein.[2] These modifications affect certain filing options (specifically, filing options 2 and 4) of the FWS test. Before elaborating, and by way of background, it should be noted that the FWS test was designed to provide test participants with four different filing options when submitting import data, disclaimers, or documents in ACE: Participants could either file FWS Form 3–177 data in ACE, using the PGA Message Set and DIS (option 1), file FWS Form 3–177 and required documents directly with FWS (option 2), file in the PGA Message Set using Disclaimer code ''C'' to indicate that they would file with FWS through eDecs at a later time (option 3), or file in the PGA Message Set using Disclaimer code ''E'' when a Harmonized Tariff Schedule of the United States code (hereinafter referred to as the HTS code) was flagged as ''FW1'', but the commodity did not contain fish or wildlife (option 4).

A. Addition of a Limited Data Set (LDS) FWS Processing Code for Filing Option 2

Previously, test participants selecting filing option 2 for the FWS test could file the FWS Form 3–177 and required documents with FWS, and then either file the applicable eDecs confirmation number in the PGA Message Set (if FWS clearance was already received via eDecs) or use Disclaimer code ''D'' (''data filed through paper'') to file in the PGA Message Set (if FWS clearance was already received via paper).

This notice announces that filing option 2 is modified to be more efficient by adding a Limited Data Set (LDS) FWS processing code under filing option 2 for test participants to use, to indicate that the entire data set and required documents have already been filed directly with FWS. Thus, only limited data needs to be submitted in ACE, including the eDecs confirmation number or Disclaimer code ''D''.

B. Removal of Disclaimer Requirement for Filing Option 4

Previously, under filing option 4, when an HTS code was flagged as ''FW1'' (meaning tariff codes in which the commodities are likely to contain animals or animal products that require FWS declaration and clearance), but the commodity did not contain fish or wildlife, participants would file in the PGA Message Set using Disclaimer code ''E'' (''product does not contain fish or wildlife, including live, dead, parts or products thereof, except as specifically exempted from declaration requirements under 50 CFR part 14'') to disclaim the need to file FWS Form 3–177 and required documents. However, if a commodity contained both FWS-regulated and non-FWS regulated animal components, the filer was required to use Disclaimer code ''E'' in conjunction with one of the other options.

This notice announces that filing option 4 is modified to alleviate the unnecessary burden on the filer. Specifically, if a commodity contains both FWS-regulated and non-FWS-regulated animal components, the filer should submit a PGA Message Set only for the FWS-regulated animal component, using options 1–4. The Disclaimer code ''E'' that was previously required for the non-FWS-regulated animal components under option 4 is no longer required.

III. Description of Test

A. Test Participant Responsibilities

Test participants will be required to:

(1) Transmit the Declaration data and Disclaimers electronically to ACE, when filing an entry in ACE, in the PGA Message Set, using one of the four filing options outlined below, at any time prior to the arrival of the merchandise on the conveyance transporting the cargo to the United States;

(2) Transmit required permits or documents using DIS;

(3) Submit original CITES and foreign-law paper documents directly to the FWS office at the applicable port;

(4) Use a software program that has completed ACE certification testing for the PGA Message Set; and

(5) Take part in a CBP–FWS evaluation of this test.

B. Test Participation and Selection Criteria (Certification)

To be eligible to apply for this test, the applicant must:

(1) Be a self-filing importer who has the ability to file ACE entry/cargo release and ACE Entry Summaries certified for cargo release or a broker who has the ability to file ACE entry/cargo release and ACE Entry Summaries certified for cargo release;

(2) File Declarations and Disclaimers for FWS-regulated commodities; and

(3) Have an FWS eDecs filer account that contains the CBP filer code when filing under Option 1.

Test participants must meet all the eligibility criteria described in this document in order to participate in the test program.

[2] The corresponding technical changes to the ACE programming requirements are set forth in the Document History section of the updated CATAIR, in the FWS Implementation Guide, which is available on the CBP website at *https://www.cbp.gov/trade/ace/catair* under the tab ''PGA Message Set Documents.''

C. Application for Participation in Test

Applications to participate in the test program should be submitted by email to FWS at *lawenforcement@fws.gov,* with the subject heading ''Request to Participate in the FWS Test.'' A copy of the application should be sent to the applicant's assigned CBP client representative, Trade Transformation Office, Office of Trade. Applicants without an assigned CBP client representative should submit their applications by email to CBP at *FWS.Test.Participation@cbp.dhs.gov,* with the subject heading ''PGA Message Set FWS Test FRN-Request to Participate.'' Applications must include the applicant's filer code, the commodities the applicant intends to import, and the intended ports of arrival. Any applicant to the original or modification test notice who wishes to participate in the reopening of the test should apply again pursuant to this notice.

D. Restrictions to Initial Participation in Test

Initially, participation in the test program will be restricted to certain FWS ports. FWS will notify participants of the ports they may use to enter commodities under the test procedures. In addition, initial participation in the test program will exclude entries of live and perishable commodities. Once FWS determines that a participant has fully tested its software for filing entries in ACE, FWS will notify the participant of its eligibility to file for entries of live and perishable commodities.

E. Submission of Data and Documents in ACE

This test provides participants with four different filing options when submitting data, disclaimers or documents in ACE. Participants do not need to notify CBP or FWS about which option they plan on using. Participants may use different filing options for different entries.

(1) *Option 1:* Test participants will file FWS Form 3–177 data in ACE using the PGA Message Set and upload required FWS documents in DIS. This filing option replaces eDecs for those participants filing entries under the auspices of this test program. ACE will send the data and electronic documents to FWS for processing.

(2) *Option 2:* Test participants will file FWS Form 3–177 and required documents directly with FWS. Under this option, test participants will either file the applicable eDecs confirmation number in the PGA Message Set, using the Government Agency Processing Code ''LDS'' (Limited Data Set) (if FWS clearance was already received via eDecs), or use Disclaimer code ''D'' (''data filed through paper'') to file in the PGA Message Set (if FWS clearance was already received via paper). DIS will not be used under this option unless further information is requested by CBP or FWS to substantiate a disclaimer on a case-by-case basis.

(3) *Option 3:* Test participants will file in the PGA Message Set using Disclaimer code ''C'' (''data filed through other agency means'') to indicate that they will follow up with FWS and file in eDecs at a later time. DIS will not be used under this option unless further information is requested by CBP or FWS to substantiate a disclaimer on a case-by-case basis.

(4) *Option 4:* When an HTS code is flagged as ''FW1'', participants may file in the PGA Message Set using Disclaimer code ''E'' (''product does not contain fish or wildlife, including live, dead, parts or products thereof, except as specifically exempted from declaration requirements under 50 CFR part 14'') to disclaim the need to file FWS Form 3–177 and required documents because the commodity does not contain fish or wildlife. If a commodity contains both FWS-regulated and non-FWS regulated animal components, the filer should submit a PGA Message Set for only the FWS-regulated animal component, using options 1–4. No Disclaimer code ''E'' is required for the non-FWS regulated animal component.

F. Discontinuation of Participation in Test

Requests to discontinue participation in the test program should be submitted by email to FWS at *lawenforcement@fws.gov* with the subject heading ''Request to Discontinue Participation in the FWS Test.'' This process ensures that any future entries submitted by an importer who wishes to discontinue participation will not be rejected by the business rules operating in the test due to missing Declaration data and accompanying documents. A copy of the request to discontinue should be sent to the participant's CBP client representative, Trade Transformation Office, Office of Trade. The request should include the date the participant wishes to end the participation.

IV. Application Process

As of March 5, 2020, FWS will accept applications throughout the duration of the test. FWS will notify the selected applicants by an email message of their selection and the starting date of their participation. Selected participants may have different starting dates. Anyone providing incomplete information, or otherwise not meeting participation requirements, will be notified by an email message and given the opportunity to resubmit the application. There is no limit on the number of participants.

V. Test Duration

The test program and modifications announced in this notice will become operational on April 6, 2020. At the conclusion of the test program, an evaluation will be conducted to assess the effect that the PGA Message Set has on expediting the submission of FWS importation-related data elements and the processing of FWS-related entries. The final results of the evaluation will be published in the **Federal Register** as required by section 101.9(b)(2) of the CBP regulations (19 CFR 101.9(b)(2)). Any modifications to this test will be announced via a separate **Federal Register** notice.

VI. Misconduct Under the Test

A test participant may be subject to civil and criminal penalties, administrative sanctions, liquidated damages, or discontinuance from participation in this test for any of the following:

(1) Failure to follow the terms and conditions of this test;

(2) Failure to exercise reasonable care in the execution of participant obligations;

(3) Failure to abide by applicable laws and regulations that have not been waived; or

(4) Failure to deposit duties or fees in a timely manner.

If the Director, Interagency Collaboration Division, Trade Policy and Programs (TPP), Office of Trade, finds that there is a basis for discontinuance of test participation privileges, the test participant will be provided a written notice proposing the discontinuance with a description of the facts or conduct warranting the action. The test participant will be offered the opportunity to appeal the Director's decision in writing within ten (10) calendar days of receipt of the written notice. The appeal must be submitted to the Executive Director, Trade Transformation Office (TTO), Office of Trade, by emailing *TTO.Executive.Director@cbp.dhs.gov.*

The Executive Director will issue a decision in writing on the proposed action within thirty (30) working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the proposed notice becomes the final decision of the

Agency as of the date that the appeal period expires. A proposed discontinuance of a test participant's privileges will not take effect unless the appeal process under this paragraph has been concluded with a written decision adverse to the test participant.

In instances of willfulness or those in which public health, interest, or safety so requires, the Director, Interagency Collaboration Division, TPP, Office of Trade, may immediately discontinue the test participant's privileges upon written notice to the test participant. The notice will contain a description of the facts or conduct warranting the immediate action. The test participant will be offered the opportunity to appeal the Director's decision within ten (10) calendar days of receipt of the written notice providing for immediate discontinuance. The appeal must be submitted to the Executive Director, TTO, Office of Trade, by emailing *TTO.Executive.Director@cbp.dhs.gov.* The immediate discontinuance will remain in effect during the appeal period. The Executive Director will issue a decision in writing on the discontinuance within fifteen (15) working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the notice becomes the final decision of the Agency as of the date that the appeal period expires.

VII. Waiver of Regulation Under the Test

For purposes of this test, those provisions of 19 CFR parts 10 and 12 that are inconsistent with the terms of this test are waived for the test participants only. *See* 19 CFR 101.9(b). This document does not waive any recordkeeping requirements found in 19 CFR part 163 and the Appendix to part 163 (commonly known as the ''(a)(1)(A) list''). This test also does not waive any FWS requirements under 50 CFR part 14.

VIII. Comments

All interested parties are invited to comment on any aspect of this test at any time. CBP requests comments and feedback on all aspects of this test, including the design, conduct and implementation of the test, in order to determine whether to modify, alter, expand, limit, continue, end, or fully implement this program.

IX. Paperwork Reduction Act

The collection of information contained in this FWS PGA Message Set test has been approved by the Office of Management and Budget (OMB) in accordance with the requirements of the Paperwork Reduction Act (44 U.S.C. 3507) and assigned OMB control number 1018–0012. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

X. Confidentiality

All data submitted and entered into ACE may be subject to the Trade Secrets Act (18 U.S.C. 1905) and is considered confidential by CBP, except to the extent as otherwise provided by law. As stated in previous notices, participation in these or any of the previous ACE tests is not confidential and upon a written Freedom of Information Act (FOIA) request, a name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552.

Dated: February 28, 2020.

Brenda B. Smith,

Executive Assistant Commissioner, Office of Trade.

[FR Doc. 2020–04472 Filed 3–4–20; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2008–0010]

Board of Visitors for the National Fire Academy

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Committee management; request for applicants for appointment to the Board of Visitors for the National Fire Academy.

SUMMARY: The National Fire Academy (Academy) is requesting individuals who are interested in serving on the Board of Visitors for the National Fire Academy (Board) to apply for appointments as identified in this notice. Pursuant to the Federal Fire Prevention and Control Act of 1974, the Board shall review annually the programs of the Academy and shall make recommendations to the Federal Emergency Management Agency (FEMA) Administrator, through the United States Fire Administrator, regarding the operation of the Academy and any improvements that the Board deems appropriate. The Board is composed of eight members, all of whom have national or regional leadership experience in the fields of fire safety, fire prevention (such as community risk reduction to include wildland urban interface), fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management, which includes emergency medical services. The Academy seeks to appoint four individuals to a position on the Board that will be open due to term expiration. If other positions are vacated during the application process, candidates may be selected from the pool of applicants to fill the vacated positions.

DATES: Resumes will be accepted until 11:59 p.m. EST April 6, 2020.

ADDRESSES: The preferred method of submission is via email. However, resumes may also be submitted by mail. Please only submit by ONE of the following methods:

- *Email: FEMA-NFABOV@fema.dhs.gov.*
- *Mail:* National Fire Academy, U.S. Fire Administration, Attention: Debbie Gartrell-Kemp, 16825 South Seton Avenue, Emmitsburg, Maryland 21727–8998.

FOR FURTHER INFORMATION CONTACT: *Alternate Designated Federal Officer:* Dr. Kirby Kiefer, (301) 447–1083, *Kirby.Kiefer@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: The Board is an advisory committee established in accordance with the provision of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix. The purpose of the Board is to review annually the programs of the Academy and advise the FEMA Administrator on the operation of the Academy and any improvements therein that the Board deems appropriate. In carrying out its responsibilities, the Board examines Academy programs to determine whether these programs further the basic missions that are approved by the FEMA Administrator, examines the physical plant of the Academy to determine the adequacy of the Academy's facilities, and examines the funding levels for Academy programs. The Board submits a written annual report through the United States Fire Administrator to the FEMA Administrator. The report provides detailed comments and recommendations regarding the operation of the Academy.

Individuals who are interested in serving on the Board are invited to apply for consideration for appointment. There is no application form; however, a current resume and statement of interest will be required. The appointment shall be for a term of up to three years. Individuals selected for the appointment shall serve as Special Government Employees (SGEs), defined in section 202(a) of title 18,

United States Code. The candidate selected for the appointment will be required to complete a Confidential Financial Disclosure Form (U.S. Office of Government Ethics (OGE) Form 450).

The Board shall meet as often as needed to fulfill its mission, but not less than twice each fiscal year to address its objectives and duties. The Board will meet in person at least once each fiscal year with additional meetings held via teleconference. Board members may be reimbursed for travel and per diem incurred in the performance of their duties as members of the Board. All travel for Board business must be approved in advance by the Designated Federal Officer. To the extent practical, Board members shall serve on any subcommittee that is established.

FEMA does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or other non-merit factor. FEMA strives to achieve a diverse candidate pool for all its recruitment actions.

Current DHS employees, contractors, and potential contractors will not be considered for membership. Federally registered lobbyists will not be considered for SGE appointments.

Tonya L. Hoover,

Deputy Fire Administrator, Superintendent, National Fire Academy, United States Fire Administration, Federal Emergency Management Agency.

[FR Doc. 2020–04478 Filed 3–4–20; 8:45 am]

BILLING CODE 9111–74–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2019–0004; OMB No. 1660–0011]

Agency Information Collection Activities: Proposed Collection; Comment Request; Submission for OMB Review; Comment Request; Debt Collection Financial Statement; Correction

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice and request for comments; correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a document in the **Federal Register** of February 28, 2020, concerning a request for comments on an information collection request. The document contained errors, including an incorrect date. This notice corrects those errors and allows for a 30-day comment period.

FOR FURTHER INFORMATION CONTACT: You may contact the Information Management Division at email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Zita Zduoba, FEMA Finance Center, Office of the Chief Financial Officer, at (540) 504–1613.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of February 28, 2020, in FR Doc. 2020–04128, on page 12001, make the following corrections:

1. In the first column, correct the **DATES** caption to read as follows:

DATES: Comments must be submitted on or before April 6, 2020.

2. In the first column, under the **ADDRESSES** caption, correct the second paragraph to read as follows:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA–2019–0004. Follow the instructions for submitting comments.

3. In the third column, in the sixth paragraph, correct ''$41,661'' to read ''$43,828''.

Maile Arthur,

Acting Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2020–04499 Filed 3–4–20; 8:45 am]

BILLING CODE 9111–19–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–R–2020–N023; FXGO1664091HCC0–FF09D00000–190]

Hunting and Shooting Sports Conservation Council; Call for Nominations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Call for nominations.

SUMMARY: The Secretary of the Interior and the Director of the U.S. Fish and Wildlife Service seek nominations for membership on the Hunting and Shooting Sports Conservation Council (Council). The Council reports to the Secretary of the Interior and the Secretary of Agriculture to provide recommendations regarding the establishment and implementation of conservation endeavors that benefit wildlife resources; encourage partnership among the public, sporting conservation organizations, and Federal, State, Tribal, and territorial governments; and benefit recreational hunting and recreational shooting sports.

DATES: Nominations via email must be date stamped no later than April 6, 2020. Nominations received via U.S. mail must be postmarked by April 6, 2020.

ADDRESSES: Please address nomination letters to Ms. Aurelia Skipwith, Director, U.S. Fish and Wildlife Service. You may email nominations to *doug_hobbs@fws.gov,* or send hard copies via U.S. mail to Douglas Hobbs, Designated Federal Officer; Hunting and Shooting Sports Conservation Council; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, Mailstop EA; Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Douglas Hobbs, Designated Federal Officer, at the email or mailing address in **ADDRESSES**, or by telephone at (703) 358–2336. Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800–877–8337 for TTY assistance.

SUPPLEMENTARY INFORMATION: The Council reports to the Secretary of the Interior and the Secretary of Agriculture to provide recommendations regarding the establishment and implementation of conservation endeavors that benefit wildlife resources; encourage partnership among the public, sporting conservation organizations, and Federal, State, Tribal, and territorial governments; and benefit recreational hunting and recreational shooting sports.

Council Duties

The Council conducts its operations in accordance with the provisions of the Federal Advisory Committee Act (FACA; 5 U.S.C. App.). It reports to the Secretary of the Interior and the Secretary of Agriculture. The Council functions solely as an advisory body. The duties of the Council include:

(a) Assessing and quantifying implementation of Executive Order 13443 and Secretary's Orders 3347 and 3356 across relevant departments, agencies, and offices, and making recommendations to enhance and expand their implementation as identified; and

(b) Making recommendations regarding policies and programs that:

1. Conserve and restore wetlands, agricultural lands, grasslands, forests, and rangeland habitats;

2. Promote opportunities and expand access to hunting and shooting sports on public and private lands;

3. Encourage hunting and shooting safety by developing ranges on public lands;

4. Recruit and retain new shooters and hunters;

5. Increase public awareness of the importance of wildlife conservation and the social and economic benefits of hunting and shooting; and

6. Encourage coordination among the public; hunting and shooting sports community; wildlife conservation groups; and Federal, State, Tribal, and territorial governments.

To obtain more information on Council duties and to see a copy of the Council's charter, visit the Council website at *https://www.fws.gov/hsscc/.*

Member Terms and Vacancies To Fill

We are requesting nominations to fill vacancies to represent the following organizations/entities:

- U.S. hunters actively engaged in domestic and/or international hunting conservation;
- Archery, hunting, and/or shooting sports industry;
- Tourism, outfitter, and/or guide industries related to hunting and/or shooting sports;
- Tribal resource management organizations;
- Agriculture industry;
- Ranching industry; and
- Veterans' service organizations.

Nomination Method and Eligibility

Each nomination should include a resume providing an adequate description of the nominee's qualifications, including information that would enable the Department of the Interior to make an informed decision regarding meeting the membership requirements of the Council and allow the Department of the Interior to contact a potential member. Current members are eligible to be nominated for reappointment to the Council.

(Authority: 5 U.S.C. Appendix 2)

Douglas Hobbs,

Acting Assistant Director—External Affairs.

[FR Doc. 2020–04463 Filed 3–4–20; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0314]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Extension, With Change, of a Previously Approved Collection: Firearm Inquiry Statistics (FIST) Program

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until May 4, 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 Connor Brooks, Statistician, Law Enforcement Statistics Unit, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: *Connor.Brooks@usdoj.gov;* phone: 202–514–8633).

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:* 2019–2021 Firearm Inquiry Statistics Program.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form number is FIST–1. The applicable component within the Department of Justice is the Bureau of Justice Statistics, Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Through the Firearm Inquiry Statistics (FIST) Program, the Bureau of Justice Statistics (BJS) obtains information from state and local checking agencies responsible for maintaining records on the number of background checks for firearm transfers or permits that were issued, processed, tracked, or conducted during the calendar year. Specifically, state and local checking agencies are asked to provide information on the number of applications and denials for firearm transfers received or tracked by the agency and reasons why applications were denied. BJS combines these data with the Federal Bureau of Investigation's (FBI) National Instant Criminal Background Check System (NICS) transaction data to produce comprehensive national statistics on firearm applications and denials resulting from the Brady Handgun Violence Prevention Act of 1993 and similar state laws governing background checks and firearm transfers. BJS also plans to collect information from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) on denials screened and referred to ATF field offices for investigation and possible prosecution. BJS publishes FIST data on the BJS website in statistical tables and uses the information to respond to inquiries from Congress, federal, state, and local government officials, researchers, students, the media, and other members of the general public interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* A projected 1,394 respondents will take part in the FIST data collection with an average of 25 minutes for each to complete the FIST survey form.

6) *An estimate of the total public burden (in hours) associated with the*

collection: The estimated public burden hours associated with this collection is 581 hours annually.

If additional information is required contact: Melody 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: March 2, 2020.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2020–04500 Filed 3–4–20; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Guidance Documents

AGENCY: Office of the Assistant Secretary for Policy (OASP), Labor.

ACTION: Notice of availability.

SUMMARY: The Department of Labor (the Department) is publishing this notice pursuant to an Executive Order to announce and describe the public-facing guidance website that will contain the Department's Guidance Documents, as described under the Executive Order.

ADDRESSES: The Department's guidance website is available on its website at *https://www.dol.gov/guidance.*

FOR FURTHER INFORMATION CONTACT: Erin FitzGerald, U.S. Department of Labor, Office of the Assistant Secretary for Policy, 200 Constitution Avenue NW, Room S–2312, Washington, DC 20210, 202–693–5959 [This is not a toll-free number].

SUPPLEMENTARY INFORMATION: On October 9, 2019, President Trump issued Executive Order 13891, ''Promoting the Rule of Law Through Improved Agency Guidance Documents,'' directing federal agencies to establish a single, searchable, website that contains all current guidance documents. The Department's guidance website is available at *https://www.dol.gov/guidance.*

As part of this process, the Department is undertaking a detailed and comprehensive review of guidance documents issued by Department agencies to determine whether such guidance aligns with the law and Administration policy and otherwise serves an appropriate and useful purpose. Guidance which is outdated, superseded, invalid, unhelpful, confusing, redundant, outside an agency's appropriate role, or contrary to law or policy is being rescinded or modified. This process is ongoing and the Department's guidance website collects decisions to retain guidance to date. The website is intended to provide transparency to the regulated community by creating a ''one-stop shop'' for locating guidance documents, which will also continue to be available on agency websites in their usual locations. The E.O. gives agencies until June 27, 2020, to add to the website any guidance missed during their initial review. Any documents still under review after February 28, 2020 will be added to the website when those decisions have been finalized.

Guidance documents that are not currently searchable through the search tool will continue to be available on the individual DOL agency websites. DOL will continue to refine its website as needed to enhance user accessibility and usability.

Agencies will continue to publish guidance documents on their own websites and all new guidance documents will be searchable from *http://www.dol.gov/guidance.* DOL welcomes input from the public regarding guidance that should be retained, rescinded, or modified. Comments should be submitted to *TalkAboutGuidance@dol.gov.*

Jonathan Wolfson,

Regulatory Reform Officer, Deputy Assistance Secretary, Office of the Assistant Secretary for Policy.

[FR Doc. 2020–04469 Filed 3–4–20; 8:45 am]

BILLING CODE 4510–HX–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2006–0040]

SGS North America, Inc.: Applications for Expansion of Recognition and Proposed Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the applications of SGS North America, Inc., for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the applications. Additionally, OSHA proposes to add four test standards to the NRTL Program's list of appropriate test standards.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before March 20, 2020.

ADDRESSES: Submit comments by any of the following methods:

Electronically: You may submit comments and attachments electronically at: *https://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–2006–0040, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3653, 200 Constitution Avenue NW, Washington, DC 20210. Deliveries, (hand, express mail, messenger, and courier service) are accepted during the Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET.

Instructions: All submissions must include the agency name and the OSHA docket number (OSHA–2006–0040). OSHA places comments and other materials, including any personal information, in the public docket without revision, and these materials will be available online at *http://www.regulations.gov.* Therefore, the agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social Security numbers, birth dates, and medical data.

Docket: To read or download comments or other material in the docket, go to *https://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 *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office.

Extension of comment period: Submit requests for an extension of the comment period on or before March 20, 2020 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational

Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693–2110 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Application for Expansion

The Occupational Safety and Health Administration is providing notice that SGS North America, Inc. (SGS) is applying for an expansion of current recognition as a NRTL. SGS requests the addition of twenty test standards to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including SGS, which details the NRTL's scope of recognition. These pages are available from the OSHA website at *http://www.osha.gov/dts/otpca/nrtl/index.html.*

SGS currently has nine facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: SGS North America, Inc., 620 Old Peachtree Road, Suwanee, Georgia 30024. A complete list of SGS's scope of recognition is available at *https://www.osha.gov/dts/otpca/nrtl/sgs.html.*

II. General Background on the Applications

SGS submitted four applications to OSHA to expand recognition as a NRTL to include twenty additional test standards. The first application was submitted to OSHA on February 14, 2018 (OSHA–2006–0040–0051). The second and third applications were submitted to OSHA on April 18, 2018 (OSHA–2006–0040–0052) and (OSHA–2006–0040–0053). The fourth application (which was a revision to the first application) was submitted to OSHA on July 18, 2019 (OSHA–2006–0040–0054). OSHA staff performed a detailed analysis of the application packets and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to these applications.

Table 1 lists the appropriate test standards found in SGS's applications for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED LIST OF APPROPRIATE TEST STANDARDS FOR INCLUSION IN SGS'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 773A	Nonindustrial Photoelectric Switches for Lighting Control.
UL 1241	Junction Boxes for Swimming Pool Lighting Fixtures.
UL 1977	Component Connectors for Use in Data, Signal, Control and Power Applications.
UL 1994	Low-Level Path Marking and Lighting Systems.
UL 1776	Standard for High-Pressure Cleaning Machines.
UL 141	Garment Finishing Machines.
UL 283	Air Fresheners and Deodorizers.
UL 399	Drinking Water Coolers.
UL 474	Dehumidifiers.
UL 484	Room Air Conditioners.
UL 778	Motor-Operated Water Pumps.
UL 1030	Sheathed Heating Elements.
UL 1042	Electric Baseboard Heating Equipment.
UL 1081	Swimming Pool Pumps, Filters and Chlorinators.
UL 2202	Electric Vehicle (EV) Charging System Equipment.
UL 2594	Electric Vehicle Supply Equipment.
UL 62841–2–8 *	Safety Requirements for Particular Requirements for Hand-Held Shears and Nibblers.
UL 62841–2–11 *	Safety Requirements for Particular Requirements for Hand-Held Reciprocating Saws.
UL 62841–3–4 *	Safety Requirements for Particular Requirements for Transportable Bench Grinders.
UL 62841–3–6 *	Safety Requirements for Particular Requirements for Transportable Diamond Drills with Liquid System.

* Represents the standards that OSHA proposes to add to the NRTL Program's List of Appropriate Test Standards.

III. Proposal To Add New Test Standards to the NRTL Program's List of Appropriate Test Standards

Periodically, OSHA will propose to add new test standards to the NRTL list of appropriate test standards following an evaluation of the test standard document. To qualify as an appropriate test standard, the agency evaluates the document to (1) verify it represents a product category for which OSHA requires certification by a NRTL, (2) verify the document represents a product and not a component, and (3) verify the document defines safety test specifications (not installation or operational performance specifications). OSHA becomes aware of new test standards through various avenues. For example, OSHA may become aware of new test standards by: (1) Monitoring notifications issued by certain Standards Development Organizations; (2) reviewing applications by NRTLs or applicants seeking recognition to include new test standard in their scopes of recognition; and (3) obtaining notification from manufacturers, manufacturing organizations, government agencies, or other parties. OSHA may determine to include a new test standard in the list, for example, if the test standard is for a particular type of product that another test standard also covers or it covers a type of product that no standard previously covered.

In this notice, OSHA proposes to add four new test standards to the NRTL Program's list of appropriate test standards. Table 2, below, lists the test standards that are new to the NRTL Program. OSHA preliminarily determined that these test standards are appropriate test standards and proposes to include them in the NRTL Program's list of appropriate test standards. OSHA seeks public comment on this preliminary determination.

TABLE 2—STANDARDS OSHA IS PROPOSING TO ADD TO THE NRTL PROGRAM'S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 62841–2–8	Safety Requirements for Particular Requirements for Hand-Held Shears and Nibblers.
UL 62841–2–11	Safety Requirements for Particular Requirements for Hand-Held Reciprocating Saws.
UL 62841–3–4	Safety Requirements for Particular Requirements for Transportable Bench Grinders.
UL 62841–3–6	Safety Requirements for Particular Requirements for Transportable Diamond Drills with Liquid System.

IV. Preliminary Findings on the Applications

SGS submitted acceptable applications for expansion of the scope of recognition. OSHA's review of the application files, and pertinent documentation, indicate that SGS can meet the requirements prescribed by 29 CFR 1910.7 for expanding the recognition to include the addition of these twenty test standards for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of SGS's applications.

OSHA welcomes public comment as to whether SGS meets the requirements of 29 CFR 1910.7 for expansion of the recognition as a NRTL. OSHA additionally welcomes comments on the proposal to add four additional test standards to the NRTL Program's list of appropriate test standards. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if the request is not adequately justified. To obtain or review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Room N–3653, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. These materials also are available online at *http://www.regulations.gov* under Docket No. OSHA–2006–0040.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will make a recommendation to the Assistant Secretary for Occupational Safety and Health whether to grant SGS's applications for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the applications. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of its final decision in the **Federal Register**.

V. Authority and Signature

Loren Sweatt, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1–2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on February 27, 2020.

Loren Sweatt,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2020–04389 Filed 3–4–20; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Veterans' Employment and Training Service

Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO): Meeting

AGENCY: Veterans' Employment and Training Service (VETS), Department of Labor (DOL).

ACTION: Notice of open meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the ACVETEO. The ACVETEO will discuss the DOL core programs and services that assist veterans seeking employment and raise employer awareness as to the advantages of hiring veterans. There will be an opportunity for individuals or organizations to address the committee. Any individual or organization that wishes to do so should contact Mr. Gregory Green at 202–693–4734.

Individuals who will need accommodations for a disability in order to attend the meeting (*e.g.,* interpreting services, assistive listening devices, and/or materials in alternative format) should notify the Advisory Committee no later than Monday, March 23, 2020 by contacting Mr. Gregory Green at 202–693–4734. Requests made after this date will be reviewed, but availability of the requested accommodations cannot be guaranteed. The meeting site is accessible to individuals with disabilities. This Notice also describes

the functions of the ACVETEO. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public.

DATE AND TIME: Wednesday, April 1, 2020 beginning at 9:00 a.m. and ending at approximately 4:00 a.m. (EST).

ADDRESSES: The meeting will take place at the U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue NW, Washington, DC 20210, Conference Room C5515 1A & 1B. Members of the public are encouraged to arrive early to allow for security clearance into the Frances Perkins Building.

Security Instructions: Meeting participants should use the visitor's entrance to access the Frances Perkins Building, one block north of Constitution Avenue at 3rd and C Streets NW. For security purposes meeting participants must:

1. Present a valid photo ID to receive a visitor badge.
2. Know the name of the event being attended: The meeting event is the Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO).
3. Visitor badges are issued by the security officer at the Visitor Entrance located at 3rd and C Streets NW. When receiving a visitor badge, the security officer will retain the visitor's photo ID until the visitor badge is returned to the security desk.
4. Laptops and other electronic devices may be inspected and logged for identification purposes.
5. Due to limited parking options, Metro's Judiciary Square station is the easiest way to access the Frances Perkins Building.

Notice of Intent To Attend the Meeting: All meeting participants should submit a notice of intent to attend by Friday, March 20, 2020, via email to Mr. Gregory Green at *green.gregory.b@dol.gov,* subject line ''April 2020 ACVETEO Meeting.''

FOR FURTHER INFORMATION CONTACT: Mr. Gregory Green, Designated Federal Official for the ACVETEO, (202) 693–4734.

SUPPLEMENTARY INFORMATION: The ACVETEO is a Congressionally mandated advisory committee authorized under Title 38, U.S. Code, Section 4110 and subject to the Federal Advisory Committee Act, 5 U.S.C. App. 2, as amended. The ACVETEO is responsible for: Assessing employment and training needs of veterans; determining the extent to which the programs and activities of the U.S. Department of Labor meet these needs; assisting to conduct outreach to employers seeking to hire veterans; making recommendations to the Secretary, through the Assistant Secretary for Veterans' Employment and Training Service, with respect to outreach activities and employment and training needs of veterans; and carrying out such other activities necessary to make required reports and recommendations. The ACVETEO meets at least quarterly.

Agenda

9:00 a.m. Welcome and remarks, John Lowry, Assistant Secretary, Veterans' Employment and Training Service
9:15 a.m. Administrative Business, Gregory Green, Designated Federal Official
9:20 a.m. 2020 VETS Vision/Priorities, John Lowry, Assistant Secretary, Veterans' Employment and Training Service
10:00 a.m. BLS briefing on the 2019 Employment Situation of Veterans
10:45 a.m. Break
11:00 a.m. Briefing on Transition Assistance Program (TAP)
12:00 p.m. Lunch
1:00 p.m. Briefing on Uniformed Services Employment and Reemployment Rights Act (USERRA)
2:00 p.m. Briefing on Office of Disability Employment Policy (ODEP) Work Relating to Veterans
2:45 p.m. Subcommittee Discussion/Assignments, Eric Eversole, Committee Chairman
3:15 p.m. Public Forum, Gregory Green, Designated Federal Official
4:00 p.m. Adjourn

Signed in Washington, DC, this 28th day of February 2020.

John Lowry,

Assistant Secretary, Veterans' Employment and Training Service.

[FR Doc. 2020–04493 Filed 3–4–20; 8:45 am]

BILLING CODE 4510–79–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (20–026)]

Notice of Intent To Grant Co-Exclusive License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant co-exclusive patent license.

SUMMARY: NASA hereby gives notice of its intent to grant a co-exclusive patent license in the United States to practice the invention described and claimed in U.S. Patent Application entitled, ''Method for Simulation of Flow in Fluid Flow Network Having One-Dimensional and Multi-Dimensional Flow Components'', MFS–33798–1, to MODE Technology Group, having its principal place of business in Denver, CO. The fields of use may be limited. The patent rights in these inventions have been assigned to the United States of American as represented by the Administrator of the National Aeronautics and Space Administration. 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 co-exclusive license may be granted unless NASA receives written objections, including evidence and argument no later than March 20, 2020 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 March 20, 2020 will also be treated as objections to the grant of the contemplated co-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 James J. McGroary, Chief Patent counsel/LS01, NASA Marshall Space Flight Center, Huntsville, AL 35812, (256) 544–0013. Email *james.j.mcgroary@nasa.gov.*

FOR FURTHER INFORMATION CONTACT: Cory S. Efird, Technology Transfer Branch/ST22, NASA Marshall Space Flight Center, Huntsville, AL 35812, (256) 617–0237. Email *cory.efird@nasa.gov.*

SUPPLEMENTARY INFORMATION: This notice of intent to grant a co-exclusive patent license is issued in accordance with 35 U.S.C. 209(e) 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 co-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.*

Helen M. Galus,

Agency Counsel for Intellectual Property.

[FR Doc. 2020–04553 Filed 3–4–20; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

Index of Guidance Documents (Executive Order 13891)

AGENCY: National Endowment for the Humanities; National Foundation on the Arts and the Humanities.

ACTION: Notice of availability.

SUMMARY: The National Endowment for the Humanities (''NEH'') is issuing this notice to announce that NEH has established on its website a portal where it will maintain a single, searchable, indexed database that contains or links to all guidance documents in effect from NEH.

DATES: The portal is available as of February 28, 2020.

ADDRESSES: The portal is available at: *www.neh.gov/guidance.*

FOR FURTHER INFORMATION CONTACT: Michael McDonald, General Counsel, 400 7th Street SW, Room 4060, Washington, DC 20506; (202) 606–8322; *gencounsel@neh.gov.*

SUPPLEMENTARY INFORMATION: Executive Order (''E.O.'') 13891 requires each agency to ''establish or maintain on its website a single, searchable, indexed database that contains or links to all guidance documents'' from that agency. This portal must also note that ''guidance documents lack the force and effect of law, except as authorized by law or as incorporated into a contract.'' NEH has established the website portal, and posted the requisite information about guidance documents, at *www.neh.gov/guidance.* At this time, NEH does not have in effect any guidance documents as defined by E.O. 13891. In accordance with E.O. 13891, however, NEH will not issue a guidance document without including it in the portal.

Dated: February 28, 2020.

Caitlin Cater,

Attorney-Advisor, National Endowment for the Humanities.

[FR Doc. 2020–04477 Filed 3–4–20; 8:45 am]

BILLING CODE 7536–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for the Division of Physics (1208)—PFC IQIM Site Visit.

Date and Time: April 2, 2020; 8:30 a.m.–7:00 p.m.; April 3, 2020; 8:30 a.m.–4:00 p.m.

Place: California Institute of Technology, 1200 E California Blvd., Pasadena, CA 91125.

Type of Meeting: Part-Open.

Contact Person: Jean Cottam-Allen, Program Director for Physics Frontier Centers, Division of Physics; National Science Foundation, 2415 Eisenhower Avenue, Room 9235, Alexandria, VA 22314; Telephone: (703) 292–8783.

Purpose of Meeting: Site visit to provide an evaluation of the progress of the projects at the host site for the Division of Physics at the National Science Foundation.

Agenda

April 2, 2020; 8:30 a.m.–7:00 p.m.

8:30 a.m.–12:00 p.m.
Panel Session: Presentations on Center Overview, Management and Science
12:00 p.m.–1:30 p.m.
Lunch with Graduate Students and Postdocs
1:30 p.m.–4:00 p.m.
Panel Session: Continued Science Presentations, Education and Outreach
4:00 p.m.–5:00 p.m.
Executive Session—Closed Session
5:00 p.m.–7:00 p.m.
Poster Session
7:00 p.m.
Executive Session—Closed Session

April 3, 2020; 8:30 a.m.–4:00 p.m.

8:30 a.m.–11:00 a.m.
Meeting with University Administrators; Discussion with Center Directors
11:00 a.m.–3:00 p.m.
Executive Session—Closed Session
3:00 p.m.–4:00 p.m.
Closeout Session with Center Directors

Reason for Closing: Topics to be discussed and evaluated during closed portions of the site review will include information of a proprietary or confidential nature, including technical information and information on personnel. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: March 2, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020–04494 Filed 3–4–20; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Astronomy and Astrophysics Advisory Committee; 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: Astronomy and Astrophysics Advisory Committee (#13883) (Teleconference)

DATE AND TIME: June 15, 2020; 12:00pm–4:00pm.

PLACE: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314, Room C9080 (Teleconference).

Attendance information for the meeting will be forthcoming on the website: *https://www.nsf.gov/mps/ast/aaac.jsp.*

TYPE OF MEETING: Open.

CONTACT PERSON: Dr. Christopher Davis, Program Director, Division of Astronomical Sciences, Suite W 9136, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703–292–4910.

PURPOSE OF MEETING: To provide advice and recommendations to the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies.

AGENDA: To provide updates on Agency activities.

Dated: March 2, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020–04501 Filed 3–4–20; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Astronomy and Astrophysics Advisory Committee; 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: Astronomy and Astrophysics Advisory Committee (#13883).

Date and Time: September 21, 2020; 9:00 a.m.–5:00 p.m.
September 22, 2020, 9:00 a.m.–12:00 p.m.

Place: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314, Room E2020.

Attendance information for the meeting will be forthcoming on the

website: *https://www.nsf.gov/mps/ast/aaac.jsp.*

Type of Meeting: Open.

Contact Person: Dr. Christopher Davis, Program Director, Division of Astronomical Sciences, Suite W 9136, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703–292–4910.

Purpose of Meeting: To provide advice and recommendations to the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies.

Agenda: To hear presentations of current programming by representatives from NSF, NASA, DOE and other agencies relevant to astronomy and astrophysics; to discuss current and potential areas of cooperation between the agencies; to formulate recommendations for continued and new areas of cooperation and mechanisms for achieving them.

Dated: March 2, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020–04502 Filed 3–4–20; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Committee Management Renewals

The NSF management officials having responsibility for three advisory committees listed below have determined that renewing these groups for another two years is necessary and in the public interest in connection with the performance of duties imposed upon the Director, National Science Foundation (NSF), by 42 U.S.C. 1861 *et seq.* This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Committees:

Advisory Committee for Environmental Research and Education, #9487

Proposal Review Panel for Industrial Innovations and Partnerships, #28164

Proposal Review Panel for Emerging Frontiers and Multidisciplinary Activities #34558

Applicable date for renewal is March 2, 2020. For more information, please contact Crystal Robinson, NSF, at (703) 292–8687.

Dated: March 2, 2020.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2020–04503 Filed 3–4–20; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

Seeks Qualified Candidates for the Advisory Committee on Reactor Safeguards

AGENCY: Nuclear Regulatory Commission.

ACTION: Request for resumes.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) seeks qualified candidates for the Advisory Committee on Reactor Safeguards (ACRS). Submit resumes to Ms. Makeeka Compton and Ms. Jamila Perry, ACRS, Mail Stop: T2B50, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, or email: *Makeeka.Compton@nrc.gov* or *Jamila.Perry@nrc.gov*.

SUPPLEMENTARY INFORMATION: The ACRS is a part-time advisory group, which is statutorily mandated by the Atomic Energy Act of 1954, as amended. The ACRS provides independent expert advice on matters related to the safety of existing and proposed nuclear reactor facilities and on the adequacy of proposed reactor safety standards. Of primary importance are the safety issues associated with the operation of commercial nuclear power plants in the United States and regulatory initiatives, including risk-informed and performance-based regulation, license renewal, power uprates, and the use of mixed oxide and high burnup fuels. An increased emphasis is being given to safety issues associated with new reactor designs and technologies, including passive system reliability and thermal hydraulic phenomena, use of digital instrumentation and control, international codes and standards used in multinational design certifications, materials, and structural engineering, nuclear analysis and reactor core performance, and nuclear materials and radiation protection.

In addition, the ACRS may be requested to provide advice on radiation protection, radioactive waste management, and earth sciences in the agency's licensing reviews for fuel fabrication and enrichment facilities, and for waste disposal facilities. The ACRS also has some involvement in security matters related to the integration of safety and security of commercial reactors. See the NRC website at *https://www.nrc.gov/about-nrc/regulatory/advisory/acrs.html* for additional information about the ACRS.

Criteria used to evaluate candidates include education and experience, demonstrated skills in nuclear reactor safety matters, the ability to solve complex technical problems, and the ability to work collegially on a board, panel, or committee. The Commission, in selecting its Committee members, also considers the need for specific expertise to accomplish the work expected to be before the ACRS. ACRS Committee members are appointed for four-year terms with no term limits. The Commission looks to fill two vacancies as a result of this request. Candidates for these positions must have extensive experience in (1) nuclear power plant operations or (2) risk analysis and the consideration of uncertainty in decision making. It would be useful if candidates with risk and uncertainty expertise also have experience in nuclear power plant systems design and operations, including emergency procedures. The candidates must also have at least 20 years of broad experience and a distinguished record of achievement in one or more areas of nuclear science and technology or related engineering disciplines. Candidates with pertinent graduate level experience will be given additional consideration.

Consistent with the requirements of the Federal Advisory Committee Act, the Commission seeks candidates with diverse backgrounds, so that the membership on the Committee is fairly balanced in terms of the points of view represented and functions to be performed by the Committee. Candidates will undergo a thorough security background check to obtain the security clearance that is mandatory for all ACRS members. The security background check will involve the completion and submission of paperwork to the NRC. Candidates for ACRS appointments may be involved in or have financial interests related to NRC-regulated aspects of the nuclear industry.

However, because conflict-of-interest considerations may restrict the participation of a candidate in ACRS activities, the degree and nature of any such restriction on an individual's activities as a member will be considered in the selection process. Each qualified candidate's financial interests must be reconciled with applicable Federal and NRC rules and regulations prior to final appointment. This might require divestiture of securities or discontinuance of certain contracts or grants. Information regarding these restrictions will be provided upon request. As a part of the

Stop Trading on Congressional Knowledge Act of 2012, which bans insider trading by members of Congress, their staff, and other high-level Federal employees, candidates for appointments will be required to disclose additional financial transactions.

A resume describing the educational and professional background of the candidate, including any special accomplishments, publications, and professional references should be provided. Candidates should provide their current address, telephone number, and email address. All candidates will receive careful consideration. Appointment will be made without regard to factors such as race, color, religion, national origin, sex, age, or disabilities. Candidates must be citizens of the United States and be able to devote approximately 100 days per year to Committee business, but may not be compensated for more than 130 calendar days. Resumes will be accepted until April 6, 2020.

Dated at Rockville, Maryland, this 28th day of February, 2020.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2020–04480 Filed 3–4–20; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

January 2020 Pay Schedules

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: The President adjusted the rates of basic pay and locality payments for certain Federal civilian employees effective in January 2020. The Executive order authorizes a 2.6 percent across-the-board increase for statutory pay systems and locality pay increases costing approximately 0.5 percent of basic payroll, reflecting an overall average pay increase of 3.1 percent. This notice serves as documentation for the public record.

FOR FURTHER INFORMATION CONTACT: Kimberly Woods, Pay and Leave, Employee Services, Office of Personnel Management; (202) 606–2858 or *pay-leave-policy@opm.gov.*

SUPPLEMENTARY INFORMATION: On December 26, 2019, the President signed Executive Order (E.O.) 13901 (84 FR 72213), which implemented a pay adjustment required by the Consolidated Appropriations Act, 2020 (Pub. L. 116–93, December 20, 2019). E.O. 13901 provides an overall average pay increase of 3.1 percent for the statutory pay systems. The pay rates in E.O. 13866 have been superseded.

The publication of this notice satisfies the requirement in Section 5(b) of E.O. 13901 that the Office of Personnel Management (OPM) publish appropriate notice of the 2020 locality payments in the **Federal Register**.

Schedule 1 of E.O. 13901 provides the rates for the 2020 General Schedule (GS) and reflects a 2.6 percent increase from 2019. Executive Order 13901 also includes the percentage amounts of the 2020 locality payments. (See Section 5 and Schedule 9 of Executive Order 13901.)

General Schedule employees receive locality payments under 5 U.S.C. 5304. Locality payments apply in the United States (as defined in 5 U.S.C. 5921(4)) and its territories and possessions. In 2020, locality payments ranging from 15.95 percent to 41.44 percent apply to GS employees in the 53 locality pay areas. The 2020 locality pay area definitions can be found at: *https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/locality-pay-area-definitions/.*

The 2020 locality pay percentages became effective the first day of the first pay period beginning on or after January 1, 2020 (January 5, 2020). An employee's locality rate of pay is computed by increasing his or her scheduled annual rate of pay (as defined in 5 CFR 531.602) by the applicable locality pay percentage. (See 5 CFR 531.604 and 531.609.)

Executive Order 13901 establishes the new Executive Schedule (EX), which incorporates a 2.6 percent increase required under 5 U.S.C. 5318 (rounded to the nearest $100). By law, Executive Schedule officials are not authorized to receive locality payments.

Executive Order 13901 establishes the 2020 range of rates of basic pay for members of the Senior Executive Service (SES) under 5 U.S.C. 5382. The minimum rate of basic pay for the SES is $131,239 in 2020. The maximum rate of the SES rate range is $197,300 (level II of the Executive Schedule) for SES members who are covered by a certified SES performance appraisal system and $181,500 (level III of the Executive Schedule) for SES members who are not covered by a certified SES performance appraisal system.

The minimum rate of basic pay for the senior-level (SL) and scientific and professional (ST) rate range was increased by 2.6 percent ($131,239 in 2020), which is the amount of the across-the-board GS increase. The applicable maximum rate of the SL/ST rate range is $197,300 (level II of the Executive Schedule) for SL or ST employees who are covered by a certified SL/ST performance appraisal system and $181,500 (level III of the Executive Schedule) for SL or ST employees who are not covered by a certified SL/ST performance appraisal system. Agencies with certified performance appraisal systems for SES members and employees in SL and ST positions must also apply a higher aggregate limitation on pay—up to the Vice President's salary ($253,300 in 2020.)

Note that Section 749 of division C of the Consolidated Appropriations Act, 2020, continues a pay freeze for certain senior political officials. The section 749 pay freeze extends through the last day of the last pay period that begins in calendar year 2020 (*i.e.,* January 2, 2021, for those on the standard biweekly payroll cycle). Future Congressional action will determine whether the pay freeze continues beyond that date. OPM guidance on the 2020 pay freeze for certain senior political officials can be found in CPM 2019–28 at *https://www.chcoc.gov/content/continued-pay-freeze-certain-senior-political-officials-3.*

Executive Order 13901 provides that the rates of basic pay for administrative law judges (ALJs) under 5 U.S.C. 5372 are increased by 2.6 percent (rounded to the nearest $100) in 2020. The rate of basic pay for AL–1 is $170,800 (equivalent to the rate for level IV of the Executive Schedule). The rate of basic pay for AL–2 is $166,500. The rates of basic pay for AL–3/A through 3/F range from $114,000 to $157,800.

The rates of basic pay for members of Contract Appeals Boards are calculated as a percentage of the rate for level IV of the Executive Schedule. (See 5 U.S.C. 5372a.) Therefore, these rates of basic pay are increased by 2.6 percent in 2020.

On November 19, 2019, OPM issued a memorandum on behalf of the President's Pay Agent (the Secretary of Labor and the Directors of the Office of Management and Budget and OPM) that continues GS locality payments for ALJs and certain other non-GS employee categories in 2020. By law, EX officials, SES members, employees in SL/ST positions, and employees in certain other equivalent pay systems are not authorized to receive locality payments. (*Note:* An exception applies to certain grandfathered SES, SL, and ST employees stationed in a nonforeign area on January 2, 2010. See CPM 2009–27 at *https://www.chcoc.gov/content/nonforeign-area-retirement-equity-assurance-act.*) The memo is available at

https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2019/continuation-of-locality-payments-for-non-general-schedule-employees-november-19-2019.pdf.

On December 26, 2019, OPM issued a memorandum (CPM 2019–25) on the 2020 pay adjustments. (See *https://www.chcoc.gov/content/january-2020-pay-adjustments.*) The memorandum transmitted Executive Order 13901 and provided the 2020 salary tables, locality pay areas and percentages, and information on general pay administration matters and other related guidance. The ''2020 Salary Tables'' posted on OPM's website at *http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/* are the official rates of pay for affected employees and are hereby incorporated as part of this notice.

Office of Personnel Management.

Alexys Stanley,

Regulatory Affairs Analyst.

[FR Doc. 2020–04484 Filed 3–4–20; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Request for Information: Public Access to Peer-Reviewed Scholarly Publications, Data and Code Resulting From Federally Funded Research

AGENCY: Office of Science and Technology Policy (OSTP).

ACTION: Notice of request for information (RFI), extension of comment period.

SUMMARY: OSTP, and the National Science and Technology Council's (NSTC) Subcommittee on Open Science (SOS), are engaged in ongoing efforts to facilitate implementation and compliance with the 2013 memorandum *Increasing Access to the Results of Federally Funded Scientific Research* [1] and to address recommended actions made by the Government Accountability Office in a November 2019 report.[2] OSTP and the SOS continue to explore opportunities to increase access to unclassified published research, digital scientific data, and code supported by the U.S. Government. This RFI aims to provide all interested individuals and organizations with the opportunity to provide recommendations on approaches for ensuring broad public access to the peer-reviewed scholarly publications, data, and code that result from federally funded scientific research.

DATES: The comment period for the request for information published February 19, 2020, at 85 FR 9488, is extended. Comments will be accepted until 11:59 p.m. ET on April 6, 2020.

ADDRESSES: Comments submitted in response to this notice may be submitted online to Lisa Nichols, Assistant Director for Academic Engagement, OSTP, at *publicaccess@ostp.eop.gov.* Email submissions should be machine-readable [pdf, doc, txt] and not copy-protected. Submissions should include ''RFI Response: Public Access'' in the subject line of the message.

Instructions: Response to this RFI is voluntary. Each individual or institution is requested to submit only one response. Submission must not exceed 5 pages in 12 point or larger font, with a page number provided on each page. Responses should include the name of the person(s) or organization(s) filing the comment. Comments containing references, studies, research, and other empirical data that are not widely published should include copies or electronic links of the referenced materials. No business proprietary information, copyrighted information, or personally identifiable information should be submitted in response to this RFI.

In accordance with FAR 15.202(3), responses to this notice are not offers and cannot be accepted by the Federal Government to form a binding contract. Additionally, those submitting responses are solely responsible for all expenses associated with response preparation.

FOR FURTHER INFORMATION CONTACT: For additional information, please direct your questions to Lisa Nichols at *publicaccess@ostp.eop.gov,* (202) 456–4444.

SUPPLEMENTARY INFORMATION: In February of 2013, OSTP issued the memorandum *Increasing Access to the Results of Federally Funded Scientific Research.* The memorandum directed Federal agencies with more than $100M in research and development (R&D) expenditures to develop plans to make the results of federally funded unclassified research that are published in peer-reviewed publications, and digitally formatted scientific data, publicly available. Federal agency plans required that published work be made available following a twelve-month post-publication embargo period.

OSTP and the NSTC SOS continue to explore opportunities to make the knowledge, information and data generated by federally funded research more readily accessible to students, clinicians, businesses, entrepreneurs, researchers, technologists, and the general public who support these investments as a means to accelerate knowledge and innovation. Over the course of the last two years, OSTP has had nearly 100 meetings with stakeholders on open science, current policy on public access to the results of federally funded research, the evolution of scholarly communications, and access to data and code associated with published results. This RFI aims to expand on these consultations and provide all interested individuals and organizations with the opportunity to provide recommendations on approaches for ensuring broad public access to the peer-reviewed scholarly publications, data and code that result from federally funded scientific research. OSTP is interested in perspectives on the following topics:

- What current limitations exist to the effective communication of research outputs (publications, data, and code) and how might communications evolve to accelerate public access while advancing the quality of scientific research? What are the barriers to and opportunities for change?
- What more can Federal agencies do to make tax-payer funded research results, including peer-reviewed author manuscripts, data, and code funded by the Federal Government, freely and publicly accessible in a way that minimizes delay, maximizes access, and enhances usability? How can the Federal Government engage with other sectors to achieve these goals?
- How would American science leadership and American competitiveness benefit from immediate access to these resources? What are potential challenges and effective approaches for overcoming them? Analyses that weigh the trade-offs of different approaches and models, especially those that provide data, will be particularly helpful.
- Any additional information that might be considered for Federal policies related to public access to peer-reviewed author manuscripts, data, and code resulting from federally supported research.

Dated: March 2, 2020.

Sean Bonyun,

Chief of Staff, Office of Science and Technology Policy.

[FR Doc. 2020–04538 Filed 3–4–20; 8:45 am]

BILLING CODE P

[1] Retrieved from: *https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/ostp_public_access_memo_2013.pdf.*

[2] Retrieved from: *https://www.gao.gov/assets/710/702847.pdf.*

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Request for Public Comment on Draft Desirable Characteristics of Repositories for Managing and Sharing Data Resulting From Federally Funded Research

AGENCY: Office of Science and Technology Policy (OSTP).

ACTION: Request for comments; extension of comment period.

SUMMARY: The White House Office of Science and Technology Policy is seeking public comments on a draft set of desirable characteristics of data repositories used to locate, manage, share, and use data resulting from Federally funded research. The purpose of this effort is to identify and help Federal agencies provide more consistent information on desirable characteristics of data repositories for data subject to agency Public Access Plans and data management and sharing policies, whether those repositories are operated by government or non-governmental entities. Optimization and improved consistency in agency-provided information for data repositories is expected to reduce the burden for researchers. Feedback obtained through this Request for Comments (RFC) will help to inform coordinated agency action.

DATES: The comment period for the request for information published 01/17/2020 at 85 FR 3085, is extended. Comments will be accepted until 11:59 p.m. ET on March 17, 2020.

ADDRESSES: Comments should be submitted online to: *OpenScience@ostp.eop.gov.* Email submissions should be machine-readable [pdf, word] and not copy-protected. Submissions should include ''RFC Response: Desirable Repository Characteristics'' in the subject line of the message.

Instructions: Response to this RFC is voluntary. Each individual or institution is requested to submit only one response. Submission should not exceed 5 pages in 12 point or larger font, and should be paginated. Responses should include the name and organizational affiliation(s) of the person(s) filing the comment. Additionally, to assist in analyzing responses, respondents are requested to indicate the primary scientific discipline(s) in which they work (*e.g.,* life sciences, physical sciences, social sciences) and their role (*e.g.,* researcher, librarian, data manager, administrator). Comments containing references, studies, research, and other empirical data that are not widely published should include copies or electronic links of the referenced materials. Comments containing profanity, vulgarity, threats, or other inappropriate language or content will not be considered.

Comments submitted in response to this notice are subject to FOIA. Responses to this RFC may also be posted, without change, on a Federal website. Therefore, we request that no business proprietary information, copyrighted information, or personally identifiable information (beyond filing name and institution) be submitted in response to this RFC.

In accordance with FAR 15.202(3), responses to this notice are not offers and cannot be accepted by the Government to form a binding contract. Additionally, those submitting responses are solely responsible for all expenses associated with response preparation.

FOR FURTHER INFORMATION CONTACT: Lisa Nichols at *OpenScience@ostp.eop.gov,* (202) 456–4444.

SUPPLEMENTARY INFORMATION:

Background

The Subcommittee on Open Science (SOS) of the National Science and Technology Council's Committee on Science (*https://www.whitehouse.gov/ostp/nstc/*) convenes more than twenty Federal departments and agencies (hereafter ''agencies'') that support research and development (R&D). It aims to advance open science and foster implementation of agency Public Access Plans that were developed in response to the 2013 White House Office of Science and Technology Policy (OSTP) memorandum entitled ''Increasing Access to the Results of Federally Funded Scientific Research'' that called for improved access to data and publications resulting from Federally funded R&D. [For more information on agency Public Access Plans, see *https://www.cendi.gov/projects/Public_Access_Plans_US_Fed_Agencies.html.* For more explanation regarding Federally funded research data, see 2 CFR 200.315(e)(3).] One goal of the Subcommittee's efforts is to improve the consistency of guidelines and best practices that agencies provide about the long-term preservation of data from Federally funded research, including suitable repositories for preserving and providing access to such data, considering agency missions, best practices, and relevant standards. According to OMB Circular A–81, section 200.315, ''Research data means the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses, drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues.'' [See: *https://www.federalregister.gov/documents/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards#sec-200-315.*] These efforts are consistent with and supportive of other Administration priorities, such as the Federal Data Strategy and its associated set of Practices to leverage data as a strategic asset [For more information on Federal Data Strategy Practices, see *https://strategy.data.gov/practices/*].

In support of its work, the SOS has developed a proposed set of desirable characteristics of data repositories for data resulting from Federally funded research. The proposed characteristics could apply to repositories operated by government or non-governmental entities. They draw from agency experience in developing and supporting data repositories and build on existing information for selecting repositories that agencies developed as part of their public access policies. Through public comment, the SOS aims to refine and develop a common set of characteristics that Federal R&D-funding agencies can use to support their Public Access and data sharing efforts.

These characteristics are not intended to be an exhaustive set of design features for data repositories. Federal agencies would not plan to use these characteristics to assess, evaluate, or certify the acceptability of a specific data repository, unless otherwise specified for a particular agency program, initiative, or funding opportunity. Rather, the set of characteristics is intended to be used as a tool for agencies and Federally funded investigators when, for example, they are:

- Assisting Federally funded investigators in identifying data repositories to use for storing and providing access to research data (*e.g.,* when funding agencies do not host the data and/or have not designated specific repositories for use);
- Identifying specific repositories that a Federal agency might designate for use for particular types of research data resulting from Federally funded research;
- Developing Federal agency repositories to store data resulting from Federally funded research;
- Informing external data repository developers and managers of the characteristics desired by Federal agencies for storing and preserving data

resulting from Federally funded research;

• Evaluating data management plans that propose to deposit research data in a repository that is not operated by a Federal agency.

Consistent with their Public Access Plans, SOS member agencies have proposed characteristics to help support discoverability, management, and sharing of research data, in a user-friendly manner, consistent with principles becoming widely adopted in the research community to make data findable, accessible, interoperable, and reusable (FAIR). [For information on the FAIR principles, see *https://www.go-fair.org/fair-principles*.] The proposed characteristics are intended to be consistent with criteria that are increasingly used by non-Federal entities to certify data repositories, such as ISO16363 Standard for Trusted Digital Repositories and CoreTrustSeal Data Repositories Requirements, so that repositories with such certifications would generally exhibit these characteristics. SOS member agencies also anticipate that many repositories without such certifications would exhibit them as well. While the desirable characteristics are intended to be enduring, Federal agencies might update them periodically to reflect changing expectations, rapid evolution of research and technology, and practices related to data management and sharing.

This RFC, released on behalf of Federal agencies that are members of the SOS, aims to solicit public input on proposed characteristics for selecting or developing a repository for managing and sharing data that embody effective management and stewardship over data resulting from Federally funded research. Feedback obtained through this RFC will help to inform the development of coordinated Federal agency technical and policy guidance on repositories for research data.

Request for Comments

Federal agencies are specifically requesting public comment on the Draft Desirable Characteristics of Repositories to Consider for Managing and Sharing Data Resulting from Federally Funded or Supported Research, found below. The proposed characteristics include ''Desirable Characteristics for All Data Repositories'' (Section I), as well as ''Additional Considerations for Repositories Storing Human Data (even if de-identified)'' (Section II), found below. Note that Federal agencies are subject to additional requirements that must be met for repositories they manage or support, such as considerations of security, privacy, and accessibility.

Response to this Notice is voluntary, and respondents are free to address any or all of the topics listed below and should not feel compelled to address all items:

- The proposed use and application of the desirable characteristics (as described in the ''Background'' section above)
- The appropriateness of the ''Desirable Characteristics for All Data Repositories'' (Section I) for data repositories that would store and provide access to data resulting from Federally-supported research, considering:
  - Characteristics that are included
  - Additional characteristics that should be included
- Appropriateness of the characteristics listed in the ''Additional Considerations for Repositories Storing Human Data (even if de-identified)'' (Section II) delineated for repositories maintaining data generated from human samples or specimens, considering:
  - Characteristics that are included
  - Additional characteristics that should be included
- Considerations for any other repository characteristics which should be included to address the management and sharing of unique data types (*e.g.,* special or rare datasets)
- The ability of existing repositories to meet the desirable characteristics
- Consistency of the desirable characteristics with widely used criteria or certification schemes for certifying data repositories
- Any other topic which may be relevant for Federal agencies to consider in developing desirable characteristics for data repositories

DRAFT Desirable Characteristics of Repositories for Managing and Sharing Data Resulting From Federally Funded or Supported Research

I. Desirable Characteristics for All Data Repositories

A. *Persistent Unique Identifiers:* Assigns datasets a citable, persistent unique identifier (PUID), such as a digital object identifier (DOI) or accession number, to support data discovery, reporting (*e.g.,* of research progress), and research assessment (*e.g.,* identifying the outputs of Federally funded research). The PUID points to a persistent landing page that remains accessible even if the dataset is de-accessioned or no longer available.

B. *Long-term sustainability:* Has a long-term plan for managing data, including guaranteeing long-term integrity, authenticity, and availability of datasets; building on a stable technical infrastructure and funding plans; has contingency plans to ensure data are available and maintained during and after unforeseen events.

C. *Metadata:* Ensures datasets are accompanied by metadata sufficient to enable discovery, reuse, and citation of datasets, using a schema that is standard to the community the repository serves.

D. *Curation & Quality Assurance:* Provides, or has a mechanism for others to provide, expert curation and quality assurance to improve the accuracy and integrity of datasets and metadata.

E. *Access:* Provides broad, equitable, and maximally open access to datasets, as appropriate, consistent with legal and ethical limits required to maintain privacy and confidentiality.

F. *Free & Easy to Access and Reuse:* Makes datasets and their metadata accessible free of charge in a timely manner after submission and with broadest possible terms of reuse or documented as being in the public domain.

G. *Reuse:* Enables tracking of data reuse (*e.g.,* through assignment of adequate metadata and PUID).

H. *Secure:* Provides documentation of meeting accepted criteria for security to prevent unauthorized access or release of data, such as the criteria described in the International Standards Organization's ISO 27001 (*https://www.iso.org/isoiec-27001-information-security.html*) or the National Institute of Standards and Technology's 800–53 controls (*https://nvd.nist.gov/800-53*).

I. *Privacy:* Provides documentation that administrative, technical, and physical safeguards are employed in compliance with applicable privacy, risk management, and continuous monitoring requirements.

J. *Common Format:* Allows datasets and metadata to be downloaded, accessed, or exported from the repository in a standards-compliant, and preferably non-proprietary, format.

K. *Provenance:* Maintains a detailed logfile of changes to datasets and metadata, including date and user, beginning with creation/upload of the dataset, to ensure data integrity.

II. Additional Considerations for Repositories Storing Human Data (Even if De-Identified)

A. *Fidelity to Consent:* Restricts dataset access to appropriate uses consistent with original consent (such as for use only within the context of research on a specific disease or condition).

B. *Restricted Use Compliant:* Enforces submitters' data use restrictions, such as preventing reidentification or redistribution to unauthorized users.

C. *Privacy:* Implements and provides documentation of security techniques appropriate for human subjects' data to protect from inappropriate access.

D. *Plan for Breach:* Has security measures that include a data breach response plan.

E. *Download Control:* Controls and audits access to and download of datasets.

F. *Clear Use Guidance:* Provides accompanying documentation describing restrictions on dataset access and use.

G. *Retention Guidelines:* Provides documentation on its guidelines for data retention.

H. *Violations:* Has plans for addressing violations of terms-of-use by users and data mismanagement by the repository.

I. *Request Review:* Has an established data access review or oversight group responsible for reviewing data use requests.

Sean C. Bonyun,

Chief of Staff, Office of Science and Technology Policy.

[FR Doc. 2020–04530 Filed 3–4–20; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 33808]

Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940

February 28, 2020.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of February 2020. A copy of each application may be obtained via the Commission's website by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 24, 2020, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: The Commission: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

FOR FURTHER INFORMATION CONTACT: Shawn Davis, Assistant Director, at (202) 551–6413 or Chief Counsel's Office at (202) 551–6821; SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE, Washington, DC 20549–8010.

Chou America Mutual Funds [File No. 811–22394]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On July 31, 2019, applicant made liquidating distributions to its shareholders based on net asset value. Expenses of $32,432.84 incurred in connection with the liquidation were paid by the applicant's investment adviser.

Filing Date: The application was filed on October 24, 2019.

Applicant's Address: Three Canal Plaza, Suite 600, Portland, Maine 04101.

Dreyfus Funds, Inc. [File No. 811–01018]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to BNY Mellon Small/Mid Cap Growth Fund, a series of BNY Mellon Investment Funds I. Expenses of $164,048 incurred in connection with the reorganization were paid by the applicant.

Filing Date: The application was filed on November 14, 2019.

Applicant's Address: c/o BNY Mellon Investment Adviser, Inc., 240 Greenwich Street, New York, New York 10286.

Franklin Templeton Global Trust [File No. 811–04450]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On October 10, 2019, applicant made liquidating distributions to its shareholders based on net asset value. Expenses of $19,485 incurred in connection with the liquidation were paid by the applicant and the applicant's investment adviser.

Filing Dates: The application was filed on February 14, 2020.

Applicant's Address: 300 South East 2nd Street, Fort Lauderdale, Florida 33301–1923.

Latin American Discovery Fund, Inc. [File No. 811–06574]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On November 23, 2018, applicant made liquidating distributions to its shareholders based on net asset value. Expenses of $77,500 incurred in connection with the liquidation were paid by the applicant.

Filing Dates: The application was filed on January 10, 2020, and amended on January 15, 2020.

Applicant's Address: The Latin American Discovery Fund, Inc., c/o Morgan Stanley Investment Management Inc., 522 Fifth Avenue, New York, New York 10036.

Orinda Preferred Yield Plus Fund [File No. 811–23281]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Date: The application was filed on December 13, 2019.

Applicant's Address: 3390 Mount Diablo Boulevard, Suite 250, Lafayette, California 94549.

Sierra Total Return Fund [File No. 811–23137]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on December 26, 2019, and amended on February 24, 2020.

Applicant's Address: 280 Park Avenue, 6th Floor East, New York, New York 10017.

Silverpeak Credit Company, Inc. [File No. 811–23388]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on December 26, 2019.

Applicant's Address: c/o Silverpeak Credit Partners LP, 40 West 57th Street, 29th Floor, New York, New York 10019.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–04474 Filed 3–4–20; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88304; File No. SR–NASDAQ–2020–008]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 5702

February 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 February 14, 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 amend Rule 5702 to allow the listing of non-convertible bonds issued by certain companies not listed on Nasdaq, NYSE American or NYSE and to remove language that is no longer applicable.

The text of the proposed rule change is set forth below. Proposed new language is italicized; deleted text is in brackets.

5702. Debt Securities (Other Than Convertible Debt)

(a) For initial listing of a non-convertible bond, the following conditions must be satisfied:

(1) The principal amount outstanding or market value must be at least $5 million; and

(2) *the security must be characterized by one of the following conditions:*

(A) The issuer of the non-convertible bond must have one class of equity security that is listed on Nasdaq, NYSE American or the New York Stock Exchange (''NYSE'')[.]*;*

(B) an issuer of equity securities listed on Nasdaq, NYSE American or NYSE directly or indirectly owns a majority interest in, or is under common control with, the issuer of the non-convertible bond;

(C) an issuer of equity securities listed on Nasdaq, NYSE American or NYSE has guaranteed the non-convertible bond;

(D) a nationally recognized securities rating organization (an ''NRSRO'') has assigned a current rating to the non-convertible bond that is no lower than an S&P Corporation ''B'' rating or equivalent rating by another NRSRO; or

(E) if no NRSRO has assigned a rating to the issue, an NRSRO has currently assigned:

(i) An investment grade rating to an immediately senior issue; or

(ii) a rating that is no lower than an S&P Corporation ''B'' rating, or an equivalent rating by another NRSRO, to a pari passu or junior issue.

[*The Exchange anticipates that it will not be ready, prior to the Second Quarter of 2019, to list the non-convertible bonds of issuers whose equity securities are listed on NYSE American or NYSE. The Exchange will post a notification via a Trader Alert at least seven days prior to accepting applications from issuers to list such non-convertible bonds.*]

(b)–(c) 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

In November 2018, the Commission approved amendments to the Exchange's rules that permit the Exchange to list and trade non-convertible corporate debt securities (referred to herein as ''bonds'' or ''non-convertible bonds'') on the Nasdaq Bond Exchange.[3] Under the Exchange's listing rules, a non-convertible bond is eligible for initial listing on the Exchange only if it has a principal amount outstanding or market value of at least $5 million and its issuer concurrently lists at least one class of an equity security on Nasdaq, the New York Stock Exchange (''NYSE''), or NYSE American.[4] In order to remain listed, a non-convertible bond must maintain a market value or principal amount outstanding of at least $400,000 and the issuer must continue to be able to meet its obligations on the listed non-convertible bonds.[5] A company that has non-convertible bonds listed on the Nasdaq Bond Exchange also must make prompt public disclosure of material information that would reasonably be expected to affect the value of its listed bonds or influence investors' decisions regarding such bonds.[6]

While Rule 5702(a)(2) allows Nasdaq to list the non-convertible bonds of an issuer that concurrently lists at least one class of an equity security on Nasdaq, NYSE or NYSE American, the Exchange noted in its proposal for the Nasdaq Bond Exchange that upon the effective date of its proposal the Exchange would be capable of listing and trading non-convertible bonds only of issuers that list equity securities on Nasdaq.[7] The Exchange stated that it expected to be ready to list and trade bonds of issuers with equity securities listed on NYSE or NYSE American by the second quarter of 2019.[8]

On May 13, 2019, Nasdaq announced that it was prepared to list and trade bonds of issuers with equity securities listed on NYSE or NYSE American[9] and Nasdaq began accepting applications to list those bonds on May 20, 2019. Given

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 84575 (November 13, 2018), 83 FR 58309 (November 19, 2018) (approving SR–NASDAQ–2018–070, as modified by Amendment Nos. 1–3) (''Approval Order'').

[4] Rule 5702(a).

[5] Rule 5702(b).

[6] Rule 5702(c). Companies must provide notice of such disclosure to Nasdaq's MarketWatch Department. This obligation to disclose material information includes material information about the company's equity securities to the extent the information would reasonably be expected to affect the value of, or influence investors' decisions to invest in, the listed bonds, even if those equity securities are listed on another national securities exchange.

[7] *See* Approval Order at footnote 11.

[8] *See id.*

[9] *See* Nasdaq Data News #2019–3, available at *http://www.nasdaqtrader.com/TraderNews.aspx?id=dn2019-3.*

that issuers whose equity securities are listed on NYSE American and NYSE can now list non-convertible bonds on the Nasdaq Bond Exchange, Nasdaq proposes to remove language in the rule describing how it intended to announce the launch of that capability.

In addition, Nasdaq also proposes to modify Rule 5702(a) to expand the types of non-convertible bonds eligible to be listed on the Nasdaq Bond Exchange. At present, only an issuer with a class of equity security that is listed on Nasdaq, NYSE American or NYSE (collectively referred to herein as a ''listed company'') can list non-convertible bonds on the Nasdaq Bond Exchange. Nasdaq proposes to expand the categories of debt that can be listed to also allow listing of non-convertible bonds of affiliates of a listed company where: A listed company directly or indirectly owns a majority interest in, or is under common control with, the issuer of the non-convertible bond; or a listed company has guaranteed the non-convertible bond. In addition, for un-affiliated companies, Nasdaq proposes to allow listing of non-convertible bonds where a nationally recognized securities rating organization (an ''NRSRO'') has assigned a current rating to the non-convertible bond that is no lower than an S&P Corporation ''B'' rating or equivalent rating by another NRSRO; or if no NRSRO has assigned a rating to the issue, an NRSRO has currently assigned (i) an investment grade rating to an immediately senior issue of the same company, or (ii) a rating that is no lower than an S&P Corporation ''B'' rating, or an equivalent rating by another NRSRO, to a pari passu or junior issue of the same company.

Nasdaq believes that non-convertible bonds satisfying these conditions, which are the same as the requirements for listing debt on NYSE American [10] and convertible debt securities on Nasdaq,[11] are appropriate for listing on the Nasdaq Bond Exchange. The current requirement that the issuer of a non-convertible bond security have a class of equity listed on Nasdaq, NYSE or NYSE American is designed so that ''only companies capable of meeting their financial obligations are eligible to have their non-convertible bonds listed on Nasdaq.'' [12] Nasdaq notes that listed companies raise debt capital through a variety of structures designed to satisfy tax or regulatory obligations, including by the issuance of non-convertible bonds through entities they directly or indirectly own a majority interest in, or entities with which they are under common control. In these cases, it is appropriate to rely on the relationship with the listed company as evidence that the issuer of the non-convertible bond is capable of meeting its financial obligations because the issuer is a subsidiary or affiliate of the listed company. Similarly, in other cases, where the issuer of the non-convertible bond is not a subsidiary or affiliate of a listed company, a listed company may nonetheless guarantee the debt and in these cases the guarantee by the listed company serves to ensure that if the company cannot, then its guarantor is capable of meeting the financial obligations on the non-convertible bond. In each case, Nasdaq notes that debt is a senior security to the listed equity, so that it is appropriate to list that more senior security.

Nasdaq also believes that there are other indications that the issuer of a non-convertible bond is capable of meeting its financial obligations, besides the ties to a listed company described above. Specifically, in the case of these un-affiliated issuers, Nasdaq believes that it is appropriate to list bonds with a current rating from an NRSRO that is no lower than an S&P Corporation ''B'' rating or equivalent rating by another NRSRO because this is another third-party evaluation of the issuers ability to make interest payments and repay the loan upon maturity. Similarly, if a more junior issue of the same company, or an issue of the same company at the same priority in liquidation (a ''pari passu issue'') has a rating no lower than an S&P Corporation ''B'' rating or an equivalent rating by another NRSRO, than it is appropriate to presume that the company will also be capable of meeting its obligations on the non-convertible bonds to be listed because those bonds would be repaid in the same priority (if a pari passu issue) or sooner (if the other issue is more junior) as the ''B'' rated issue. Finally, if no NRSRO has assigned a rating to the issue to be listed, Nasdaq believes it is appropriate to consider the rating assigned to the next most senior issue of the same company. If that rating is an investment grade rating, which is higher than the ''B'' rating standard just described, then that also provides assurance that the company will be capable of meeting its financial obligations on the non-convertible bond to be listed.[13] In assigning ratings, an NRSRO considers the ability of the issuer to make timely payments of interest and ultimate payment of principal to the related securities.[14]

Nasdaq will surveil non-convertible bonds listed under the new requirements in the same manner that it surveils other non-convertible bonds.[15] An issuer listing non-convertible bonds under the proposed requirements will be subject to the existing continued listing requirement of Listing Rule 5702(b)(2) that it must be able to meet its obligations on the listed non-convertible bonds. These issuers are also subject to the requirement in Listing Rule 5702(c) to make prompt public disclosure of material information that would reasonably be expected to affect the value of its listed bonds or influence investors' decisions regarding such bonds, which will allow Nasdaq to timely review for events that may cause the issuer to be unable to meet its obligations on the listed non-convertible bonds. Thus, for example, an issuer would have to disclose if a non-convertible bond that was previously guaranteed is no longer guaranteed, or if the issuer or guarantor declares bankruptcy. An issuer would also have to disclose if its common stock is delisted, and Nasdaq would consider whether it is appropriate to continue the listing of the non-convertible bond of an issuer that was majority-owned, under common control, or guaranteed by a listed company, which has since been delisted. Nasdaq also would consider any changes in the rating assigned to the bond or other issues of the same company that were used to qualify the listed bond.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[16] in general, and furthers the objectives of Section 6(b)(5) of the Act,[17] in particular, in that it is designed to promote just and equitable principles of

[10] *See* Section 104 of the NYSE American Company Guide. In addition, NYSE has similar listing conditions, although the NYSE rule does not permit listing of debt securities where the issuer has equity securities listed on Nasdaq or NYSE American, is directly or indirectly owned by, or is under common control with, an issuer listed on Nasdaq or NYSE American, or where an issuer listed on Nasdaq or NYSE American has guaranteed the debt security. *See* Section 102.03 of the NYSE Listed Company Manual.

[11] *See* Nasdaq Listing Rule 5515(b)(4). While convertible debt can be converted into common stock, the debt characteristics of convertible debt securities are the same as non-convertible bonds.

[12] Approval Order at 58313.

[13] *See* S&P Global ''Understanding Ratings'' available at *https://www.spglobal.com/ratings/en/about/understanding-ratings,* which identifies ratings of ''BBB'' or higher as investment grade, at least two levels higher than ''B'' ratings.

[14] *See, e.g.,* Exhibit 2, Principles of Credit Ratings, to S&P Global Form NRSRO, available at *https://www.standardandpoors.com/en_US/delegate/getPDF?articleId=2193671&type=COMMENTS&subType=REGULATORY.*

[15] *See* Approval Order at 58313.

[16] 15 U.S.C. 78f(b).

[17] 15 U.S.C. 78f(b)(5).

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.

Specifically, the Exchange notes that the proposed change to eliminate language from the rule that no longer is applicable will enhance the transparency of Nasdaq's listing rules and reduce confusion.

In addition, the proposed rule change will allow the listing of non-convertible bonds issued by other companies capable of meeting their financial obligations on those bonds. The proposed new alternative conditions are designed to protect investors and the public interest by ensuring that the bond is issued or guaranteed by an entity listed on Nasdaq, NYSE American or NYSE; is issued by an entity under direct, indirect or common control with an issuer listed on Nasdaq, NYSE American or NYSE; that the issue to be listed (or an issue that is at the same priority or junior to the issue to be listed) is assigned a minimum ''B'' rating or its equivalent by an NRSRO; or that the next most senior issue to the issue to be listed is assigned an investment grade rating. These conditions are appropriate indicia that the issuer, or a guarantor, can meet its obligations on the debt. Moreover, these are the same additional conditions as for listing bonds on NYSE American and for listing convertible debt on Nasdaq and are similar to the conditions for listing bonds on NYSE.[18] As such, the Commission has previously considered these criteria and approved listing requirements that rely upon them to provide assurance that an issuer is capable of meeting its financial obligations. In addition, investors are already familiar with the availability of bonds with these characteristics on listing exchanges. Finally, once listed, Nasdaq will be able to surveil for changes to these conditions that may implicate the ability of the issuer to meet its obligations on the listed non-convertible bonds.

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. Rather, the proposed rule change will enhance competition among exchanges by allowing Nasdaq to list all of the same categories of debt securities as can currently be listed on NYSE American. In addition, the proposed rule change may enhance competition among issuers by allowing more issuers to list their non-convertible bonds on Nasdaq, provided they meet the requirements of the proposed rule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [19] and Rule 19b–4(f)(6) [20] thereunder. Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days 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 [21] and Rule 19b–4(f)(6) [22] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [23] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[24] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay. According to the Exchange, allowing these securities to list on Nasdaq immediately would benefit investors due to Nasdaq's real time surveillance of the non-convertible bonds and enhanced transparency. The Commission also notes that the proposed listing requirements are substantially the same as NYSE American and therefore, the Exchange's proposal does not raise any new or novel issues. Therefore, the Commission believes that waving the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission designates the proposed rule change to be operative on upon filing.[25]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2020–008 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–2020–008. 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

[18] *See* Section 104 of the NYSE American Company Guide, Nasdaq Listing Rule 5515(b)(4) and Section 102.03 of the NYSE Listed Company Manual.

[19] 15 U.S.C. 78(b)(3)(A).

[20] 17 CFR 240.19b–4(f)(6).

[21] 15 U.S.C. 78s(b)(3)(A).

[22] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's 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.

[23] 17 CFR 240.19b–4(f)(6).

[24] 17 CFR 240.19b–4(f)(6).

[25] 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).

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 tomake available publicly. All submissions should refer to File Number SR–NASDAQ–2020–008 and should be submitted on or before March 26, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[26]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–04471 Filed 3–4–20; 8:45 am]

BILLING CODE 8011–01–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 (''Commission'') staff will hold a municipal securities disclosure conference titled ''Spotlight on Transparency: A Discussion of Secondary Market Municipal Securities Disclosure Practices,'' on March 10, 2020, beginning at 9:30 a.m. ET.

PLACE: The event will be held in the Auditorium, L–002, at the Commission's headquarters, 100 F Street NE, Washington, DC 20549. The event's panel discussions will be webcast on the Commission's website at *www.sec.gov.*

STATUS: The conference 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 8:00 a.m. ET. Visitors will be subject to security checks.

MATTERS TO BE CONSIDERED: This Sunshine Act notice is being issued because a majority of the Commission may attend the conference. The agenda for the conference will comprise topics related to municipal securities disclosure. Panelists will include industry experts, regulators, and issuers. Panelists are invited to discuss topics such as voluntary secondary market disclosure practices of municipal issuers and obligated persons, buy-side perspectives on secondary market disclosure in the municipal securities market, the recent amendments to Exchange Act Rule 15c2–12, and emerging disclosure topics in the secondary market for municipal securities.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

Dated: March 3, 2020.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2020–04636 Filed 3–3–20; 4:15 pm]

BILLING CODE 8011–01–P

[26] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[License No. 07/07–0113]

C3 Capital Partners II, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that C3 Capital Partners II, L.P., 1511 Baltimore Avenue, Kansas City, MO 64108, a Federal Licensee under the Small Business Investment Act of 1958, as amended (''the Act''), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and Section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration (''SBA'') Rules and Regulations (13 CFR 107.730). C3 Capital Partners II, L.P. proposes to sell its investments in Studentreasures Acquisition, LLC, 1345 SW 42nd Street, Topeka, KS 66609 (''STA'').

The financing is brought within the purview of § 107.730(a) and (d) of the Regulations because Studentreasures Acquisition Company, LLC, the acquirer of the assets, is an Associate of C3 Capital Partners II, L.P., and therefore this transaction is considered a sale of an asset to an Associate requiring prior SBA approval.

Notice is hereby given that any interested person may submit written comments on the transaction, within fifteen days of the date of this publication, to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

Dated: February 12, 2020.

A. Joseph Shepard,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2020–04526 Filed 3–4–20; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice:11061]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''Picasso and Paper'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition ''Picasso and Paper'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the The Cleveland Museum of Art, Cleveland, Ohio, from on or about May 24, 2020, until on or about August 23, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–04614 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

Public Notice 11059]

Meeting of the United States-Colombia Environmental Affairs Council and Environmental Cooperation Commission

AGENCY: Department of State.

ACTION: Announcement of meetings of the United States-Colombia Environmental Affairs Council and Environmental Cooperation Commission and request for comments.

SUMMARY: The Department of State and the Office of the United States Trade Representative (USTR) are providing notice that the parties to the United States-Colombia Trade Promotion Agreement (TPA) and the United States-Colombia Environmental Cooperation Agreement (ECA) intend to hold a meeting of the Environmental Affairs Council (the ''Council'') and a meeting of the Environmental Cooperation Commission (the ''Commission'').

On March 24, the Council and Commission will meet in a closed government-to-government session to (1) review implementation of Chapter 18 (Environment Chapter), and discuss how parties are meeting their environment chapter obligations; (2) highlight environmental enforcement and achievements and share related lessons learned and best practices; (3) review the environmental cooperation program; and (4) receive a report from the Secretariat for Environmental Enforcement Matters.

On March 25, the Council invites all interested persons to attend a public session on Chapter 18 implementation, beginning at 10:00 a.m., at the Ministry of Trade Annex, located at Calle 28 No. 13–22, 9th Floor (Palma Real Building), Bogotá, Colombia. At the public session, the Council will welcome questions, input, and information about challenges and achievements in implementation of the Environment Chapter obligations and the related ECA. If you would like to attend the public session, please notify Sarah Flores and Katy Sater at the email addresses listed under the heading **ADDRESSES**. Please include your full name and identify any organization or group you represent. The Department of State and USTR also invite written comments or suggestions regarding implementation of Chapter 18, the ECA, or topics to be discussed at the Council meeting, to be submitted no later than March 16, 2020. When preparing comments, we encourage submitters to refer to Chapter 18 of the U.S.-Colombia TPA and the U.S.-Colombia ECA. (*documents available at https://www.state.gov/key-topics-office-of-environmental-quality-and-transboundary-issues/current-trade-agreements-with-environmental-chapters/#colombia* and *https://ustr.gov/issue-areas/environment/bilateral-and-regional-trade-agreements*). Instructions on how to submit comments are under the heading **ADDRESSES**.

DATES: The public session of the Council will be held on March 25, 2020, from 10:00 a.m. to 11:30 a.m., at the Ministry of Trade Annex, located at Calle 28 No. 13–22, 9th Floor (Palma Real Building), Bogotá, Colombia. We request comments and suggestions in writing no later than March 16, 2020.

ADDRESSES: Written comments or suggestions should be submitted to both:

(1) Sarah Flores, U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs, Office of Environmental Quality and Transboundary Issues by email to *FloresSC@state.gov* with the subject line ''U.S.-Colombia TPA EAC/ECC Meeting''; and

(2) Katy Sater, Director for Environment and Natural Resources, Office of the United States Trade Representative by email to *mary.c.sater@ustr.eop.gov* with the subject line ''U.S.-Colombia TPA EAC/ECC Meeting''.

If you have access to the internet you can view and comment on this notice by going to: *http://www.regulations.gov/#!home* and searching for docket number [DOS–2020–0012].

FOR FURTHER INFORMATION CONTACT: Sarah Flores, (202) 647–0156, or Katy Sater, (202) 395–9522.

Seth H. Vaughn,

Acting Director, Office of Environmental Quality and Transboundary Issues, U.S. Department of State.

[FR Doc. 2020–04487 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF STATE

[Public Notice:11062]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''Dora Maar'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be exhibited in the exhibition ''Dora Maar,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The J. Paul Getty Museum at the Getty Center, Los Angeles, California, from on or about April 21, 2020, until on or about July 26, 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, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–04647 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 11060]

Notice of Public Meeting Concerning the Use of Digital Sequence Information of Genetic Resources; Correction

ACTION: Notice of meeting; correction.

SUMMARY: The State Department published a document in the **Federal Register** on February 20, 2020 concerning a planned public meeting on March 12, 2020. This document was published with the incorrect time for the meeting.

FOR FURTHER INFORMATION CONTACT: Questions regarding the submission of comments should be directed to Patrick Reilly (202) 647–4827, *ReillyPK2@state.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of February 20, 2020, in FR Doc. 2020–03423, on

page 9920, first column, correct **DATES** to read:

DATES: A meeting is planned on Thursday, March 12, 2020. The meeting will begin at 10:00 a.m. EST and last for up to two hours.

Catherine J. Karr-Colque,

Acting Director, Office of Conservation and Water, Department of State.

[FR Doc. 2020–04489 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF STATE

[Public Notice 11063]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: ''The Gosford Wellhead: An Ancient Roman Masterpiece'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition ''The Gosford Wellhead: An Ancient Roman Masterpiece,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Metropolitan Museum of Art, New York, New York, from on or about June 1, 2020, until on or about February 14, 2021, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–04491 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 11046]

Designation of One Iranian Entity and One Iranian Individual Pursuant to Executive Order 13382

ACTION: Notice of Designation.

SUMMARY: Pursuant to the authority in Section 1(a)(ii) of Executive Order 13382, ''Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters,'' the State Department, in consultation with the Secretary of the Treasury and the Attorney General, has determined that the Atomic Energy Organization of Iran (AEOI) and the head of AEOI, Ali Akbar Salehi, engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction by Iran, through activities that are contrary to Iran's JCPOA commitment that Iran will not engage in activities that could contribute to the development of a nuclear explosive device.

DATES: The Secretary of State designated AEOI and the head of AEOI, Ali Akbar Salehi, pursuant to Executive Order 13382 on January 30, 2020.

FOR FURTHER INFORMATION CONTACT: Harry Thompson, Office of Counterproliferation Initiatives, Bureau of International Security and Nonproliferation, Department of State, Washington, DC 20520, tel.: 202–736–7065.

SUPPLEMENTARY INFORMATION: On June 28, 2005, the President, invoking the authority, inter alia, of the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) (''IEEPA''), issued Executive Order 13382 (70 CFR 38567, July 1, 2005) (the ''Order''), effective at 12:01 a.m. eastern daylight time on June 30, 2005. In the Order the President took additional steps with respect to the national emergency described and declared in Executive Order 12938 of November 14, 1994, regarding the proliferation of weapons of mass destruction and the means of delivering them.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in the Annex to the Order; (2) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Attorney General, and other relevant agencies, to have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery, including any efforts to manufacture, acquire, possess, develop, transport, transfer or use such items, by any person or foreign country of proliferation concern; (3) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to have provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, any activity or transaction described in clause (2) above or any person whose property and interests in property are blocked pursuant to the Order; and (4) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Order.

As a result of this action, all property and interests in property of AEOI and Ali Akbar Salehi that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in. Information on the designees:

Entity: Atomic Energy Organization of Iran.

AKA: AEOI.

Address: North Kargar Street, P.O. Box 14155–1339, Tehran, Iran.

Website: http://www.aeoi.orgjr.

Individual: Ali Akbar Salehi.

Date of Birth: March 25, 1949.

Place of Birth: Karbala.

Gender: Male.

Nationality: IRAN.

Country: IRAN.

Gonzalo O. Suarez,

Acting Deputy Assistant Secretary, International Security and Nonproliferation, Department of State.

[FR Doc. 2020–04490 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–27–P

DEPARTMENT OF STATE

[Public Notice 11056]

Notice of Determinations; Culturally Significant Object Imported for Exhibition—Determinations: Exhibition of ''Madonna con Bambino'' Painting by Francesco Raibolini detto il Francia

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that a certain object, entitled ''Madonna con Bambino e i Santi Giorgio, Giovanni Battista, Agostino, Stefano e un angelo (Pala dei Manzuoli),'' imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at the National Gallery of Art, Washington, District of Columbia, from on or about March 12, 2020, until on or about June 28, 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, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

Marie Therese Porter Royce,

Assistant Secretary, Educational and Cultural Affairs, Department of State.

[FR Doc. 2020–04488 Filed 3–4–20; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–1999–6156; FMCSA–1999–6480; FMCSA–2003–16241; FMCSA–2003–16564; FMCSA–2005–21711; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2005–23099; FMCSA–2005–23238; FMCSA–2006–23773; FMCSA–2007–0071; FMCSA–2007–27897; FMCSA–2009–0011; FMCSA–2009–0291; FMCSA–2009–0321; FMCSA–2011–0024; FMCSA–2011–0141; FMCSA–2011–0142; FMCSA–2011–0275; FMCSA–2011–0298; FMCSA–2011–0324; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2011–0378; FMCSA–2013–0029; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0174; FMCSA–2014–0002; FMCSA–2015–0070; FMCSA–2015–0071; FMCSA–2015–0072; FMCSA–2015–0344; FMCSA–2015–0345; FMCSA–2015–0347; FMCSA–2015–0348; FMCSA–2015–0350; FMCSA–2015–0351; FMCSA–2017–0022; FMCSA–2017–0024; FMCSA–2017–0026; FMCSA–2017–0028; FMCSA–2018–0006]

Qualification of Drivers; Exemption Applications; Vision

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for 95 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirements in one eye.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below. Comments must be received on or before April 6, 2020.

ADDRESSES: You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA–1999–6156, Docket No. FMCSA–1999–6480, Docket No. FMCSA–2003–16241, Docket No. FMCSA–2003–16564, Docket No. FMCSA–2005–21711, Docket No. FMCSA–2005–22194, Docket No. FMCSA–2005–22727, Docket No. FMCSA–2005–23099, Docket No. FMCSA–2005–23238, Docket No. FMCSA–2006–23773, Docket No. FMCSA–2007–0071, Docket No. FMCSA–2007–27897, Docket No. FMCSA–2009–0011, Docket No. FMCSA–2009–0291, Docket No. FMCSA–2009–0321, Docket No. FMCSA–2011–0024, Docket No. FMCSA–2011–0141, Docket No. FMCSA–2011–0142, Docket No. FMCSA–2011–0275, Docket No. FMCSA–2011–0298, Docket No. FMCSA–2011–0324, Docket No. FMCSA–2011–0365, Docket No. FMCSA–2011–0366, Docket No. FMCSA–2011–0378, Docket No. FMCSA–2013–0029, Docket No. FMCSA–2013–0166, Docket No. FMCSA–2013–0167, Docket No. FMCSA–2013–0168, Docket No. FMCSA–2013–0169, Docket No. FMCSA–2013–0174, Docket No. FMCSA–2014–0002, Docket No. FMCSA–2015–0070, Docket No. FMCSA–2015–0071, Docket No. FMCSA–2015–0072, Docket No. FMCSA–2015–0344, Docket No. FMCSA–2015–0345, Docket No. FMCSA–2015–0347, Docket No. FMCSA–2015–0348, Docket No. FMCSA–2015–0350, Docket No. FMCSA–2015–0351, Docket No. FMCSA–2017–0022, Docket No. FMCSA–2017–0024, Docket No. FMCSA–2017–0026, Docket No. FMCSA–2017–0028, or Docket No. FMCSA–2018–0006 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Docket Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal Holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA–1999–6156; FMCSA–1999–6480; FMCSA–2003–16241; FMCSA–2003–16564; FMCSA–2005–21711; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2005–23099; FMCSA–2005–23238; FMCSA–2006–23773; FMCSA–2007–0071; FMCSA–2007–27897; FMCSA–2009–0011; FMCSA–2009–0291; FMCSA–2009–0321; FMCSA–2011–0024; FMCSA–2011–0141; FMCSA–2011–0142; FMCSA–2011–0275; FMCSA–2011–0298; FMCSA–2011–0324; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2011–0378; FMCSA–2013–0029; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0174; FMCSA–2014–0002; FMCSA–2015–0070; FMCSA–2015–0071; FMCSA–2015–0072; FMCSA–2015–0344; FMCSA–2015–0345; FMCSA–2015–0347; FMCSA–2015–0348; FMCSA–2015–0350; FMCSA–2015–0351; FMCSA–2017–0022; FMCSA–2017–0024; FMCSA–2017–0026; FMCSA–2017–0028; FMCSA–2018–0006), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov,* put the docket number, FMCSA–1999–6156; FMCSA–1999–6480; FMCSA–2003–16241; FMCSA–2003–16564; FMCSA–2005–21711; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2005–23099; FMCSA–2005–23238; FMCSA–2006–23773; FMCSA–2007–0071; FMCSA–2007–27897; FMCSA–2009–0011; FMCSA–2009–0291; FMCSA–2009–0321; FMCSA–2011–0024; FMCSA–2011–0141; FMCSA–2011–0142; FMCSA–2011–0275; FMCSA–2011–0298; FMCSA–2011–0324; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2011–0378; FMCSA–2013–0029; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0174; FMCSA–2014–0002; FMCSA–2015–0070; FMCSA–2015–0071; FMCSA–2015–0072; FMCSA–2015–0344; FMCSA–2015–0345; FMCSA–2015–0347; FMCSA–2015–0348; FMCSA–2015–0350; FMCSA–2015–0351; FMCSA–2017–0022; FMCSA–2017–0024; FMCSA–2017–0026; FMCSA–2017–0028; FMCSA–2018–0006, in the keyword box, and click ''Search.'' When the new screen appears, click on the ''Comment Now!'' button and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period.

B. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to *http://www.regulations.gov.* Insert the docket number, FMCSA–1999–6156; FMCSA–1999–6480; FMCSA–2003–16241; FMCSA–2003–16564; FMCSA–2005–21711; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2005–23099; FMCSA–2005–23238; FMCSA–2006–23773; FMCSA–2007–0071; FMCSA–2007–27897; FMCSA–2009–0011; FMCSA–2009–0291; FMCSA–2009–0321; FMCSA–2011–0024; FMCSA–2011–0141; FMCSA–2011–0142; FMCSA–2011–0275; FMCSA–2011–0298; FMCSA–2011–0324; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2011–0378; FMCSA–2013–0029; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0174; FMCSA–2014–0002; FMCSA–2015–0070; FMCSA–2015–0071; FMCSA–2015–0072; FMCSA–2015–0344; FMCSA–2015–0345; FMCSA–2015–0347; FMCSA–2015–0348; FMCSA–2015–0350; FMCSA–2015–0351; FMCSA–2017–0022; FMCSA–2017–0024; FMCSA–2017–0026; FMCSA–2017–0028; FMCSA–2018–0006, in the keyword box, and click ''Search.'' Next, click the ''Open Docket Folder'' button and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays.

C. 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, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.transportation.gov/privacy.*

II. Background

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-year period if it finds such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. The statute also allows the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to drive a CMV if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

The 95 individuals listed in this notice have requested renewal of their exemptions from the vision standard in § 391.41(b)(10), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable 2-year period.

III. Request for Comments

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49

U.S.C. 31136(e) and 31315(b), FMCSA will take immediate steps to revoke the exemption of a driver.

IV. Basis for Renewing Exemptions

In accordance with 49 U.S.C. 31136(e) and 31315(b), each of the 95 applicants has satisfied the renewal conditions for obtaining an exemption from the vision standard (see 64 FR 54948; 64 FR 68195; 65 FR 159; 65 FR 20251; 67 FR 10475; 67 FR 17102; 68 FR 61857; 68 FR 74699; 68 FR 74699; 68 FR 75715; 69 FR 8260; 69 FR 10503; 69 FR 10503; 69 FR 17267; 70 FR 48797; 70 FR 57353; 70 FR 61493; 70 FR 71884; 70 FR 72689; 71 FR 644; 71 FR 4194; 71 FR 4632; 71 FR 5105; 71 FR 6824; 71 FR 6826; 71 FR 6829; 71 FR 6829; 71 FR 13450; 71 FR 16410; 71 FR 19600; 71 FR 19602; 72 FR 39879; 72 FR 52422; 72 FR 54971; 72 FR 71995; 73 FR 5259; 73 FR 6242; 73 FR 8392; 73 FR 9158; 73 FR 11989; 73 FR 15254; 73 FR 16950; 74 FR 49069; 74 FR 65842; 74 FR 65847; 75 FR 1451; 75 FR 1835; 75 FR 8184; 75 FR 9477; 75 FR 9480; 75 FR 9482; 75 FR 9484; 75 FR 13653; 75 FR 20881; 75 FR 22176; 76 FR 17481; 76 FR 28125; 76 FR 49528; 76 FR 53710; 76 FR 61143; 76 FR 62143; 76 FR 64164; 76 FR 70212; 76 FR 70213; 76 FR 75942; 76 FR 75943; 76 FR 79760; 77 FR 541; 77 FR 545; 77 FR 3547; 77 FR 3552; 77 FR 5874; 77 FR 7233; 77 FR 7657; 77 FR 10604; 77 FR 10606; 77 FR 13689; 77 FR 13691; 77 FR 17107; 77 FR 17108; 77 FR 17115; 77 FR 17117; 77 FR 17119; 77 FR 19749; 77 FR 22059; 77 FR 22838; 78 FR 24300; 78 FR 34143; 78 FR 52602; 78 FR 62935; 78 FR 63302; 78 FR 64271; 78 FR 64274; 78 FR 67452; 78 FR 74223; 78 FR 76395; 78 FR 76705; 78 FR 77778; 78 FR 77780; 78 FR 78475; 79 FR 1908; 79 FR 2247; 79 FR 2748; 79 FR 6993; 79 FR 10602; 79 FR 10606; 79 FR 10607; 79 FR 10608; 79 FR 10609; 79 FR 10610; 79 FR 10611; 79 FR 10619; 79 FR 12565; 79 FR 13085; 79 FR 14328; 79 FR 14331; 79 FR 14332; 79 FR 14333; 79 FR 15794; 79 FR 17641; 79 FR 17643; 79 FR 18390; 79 FR 18391; 79 FR 22003; 80 FR 18696; 80 FR 59225; 80 FR 63869; 80 FR 67472; 80 FR 67476; 80 FR 67481; 80 FR 70060; 80 FR 76345; 80 FR 79414; 80 FR 80443; 81 FR 1474; 81 FR 6573; 81 FR 11642; 81 FR 14190; 81 FR 15401; 81 FR 15404; 81 FR 16265; 81 FR 17237; 81 FR 20433; 81 FR 20435; 81 FR 28136; 81 FR 28138; 81 FR 39100; 81 FR 44680; 81 FR 48493; 81 FR 52516; 81 FR 60117; 82 FR 33542; 82 FR 37504; 82 FR 47309; 82 FR 47312; 82 FR 58262; 83 FR 2311; 83 FR 6681; 83 FR 6694; 83 FR 6919; 83 FR 6922; 83 FR 6925; 83 FR 15195; 83 FR 15232; 83 FR 18648; 83 FR 24151; 83 FR 24571). They have submitted evidence showing that the vision in the better eye continues to meet the requirement specified at § 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past 2 years indicates each applicant continues to meet the vision exemption requirements. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of 2 years is likely to achieve a level of safety equal to that existing without the exemption.

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of April and are discussed below. As of April 1, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 25 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (70 FR 48797; 70 FR 61493; 71 FR 4194; 71 FR 13450; 72 FR 54971; 73 FR 6242; 73 FR 9158; 73 FR 16950; 74 FR 49069; 74 FR 65842; 75 FR 9477; 75 FR 9482; 75 FR 9484; 76 FR 17481; 76 FR 28125; 76 FR 53710; 76 FR 62143; 76 FR 70212; 76 FR 75943; 77 FR 3552; 77 FR 10604; 77 FR 10606; 77 FR 13689; 77 FR 13691; 78 FR 24300; 78 FR 34143; 78 FR 52602; 78 FR 64271; 79 FR 1908; 79 FR 2748; 79 FR 6993; 79 FR 10619; 79 FR 12565; 79 FR 14328; 79 FR 14331; 79 FR 14333; 80 FR 18696; 80 FR 59225; 80 FR 63869; 80 FR 70060; 80 FR 76345; 80 FR 80443; 81 FR 1474; 81 FR 16265; 81 FR 20433; 81 FR 48493; 81 FR 60117; 82 FR 33542; 82 FR 37504; 82 FR 47309; 82 FR 47312; 82 FR 58262; 83 FR 2311; 83 FR 6681; 83 FR 6694; 83 FR 6919; 83 FR 6922; 83 FR 6925; 83 FR 15232; 83 FR 18648; 83 FR 24151; 83 FR 24571):

Ronald C. Ashley (GA)
Jonathan E. Burt (VT)
Daryl Carpenter (MD)
Efrain R. Cisneros (CA)
Dana L. Colberg (OR)
Gary W. Ellis (NC)
Roberto Espinosa (FL)
Spencer L. Goard (KY)
Ethan A. Hale (KY)
Trevor M. Hilton (IL)
Ronald E. Howard (PA)
Clifford D. Johnson (VA)
Thomas M. Leadbitter (PA)
Jonathan P. Lovel (IL)
Raul Martinez (FL)
John M. Moore (LA)
Millard F. Neace II (WV)
Harold D. Pressley (TX)
Richard E. Purvenas, Jr. (DE)
William L. Richardson (IN)
Jake F. Richter (KS)
Douglas L. Riddell (CA)
Edward G. Thurston (TX)
William B. Wilson (KY)
George J. Worthington (NY)

The drivers were included in docket numbers FMCSA–2005–21711; FMCSA–2005–23099; FMCSA–2007–0071; FMCSA–2007–0071; FMCSA–2007–0071; FMCSA–2009–0291; FMCSA–2011–0024; FMCSA–2011–0141; FMCSA–2011–0365; FMCSA–2013–0029; FMCSA–2013–0029; FMCSA–2013–0167; FMCSA–2013–0174; FMCSA–2015–0072; FMCSA–2015–0344; FMCSA–2015–0347; FMCSA–2017–0022; FMCSA–2017–0024; FMCSA–2017–0026; FMCSA–2017–0026; FMCSA–2017–0028; FMCSA–2017–0028; FMCSA–2017–0028; FMCSA–2017–0028; and FMCSA–2018–0006. Their exemptions are applicable as of April 1, 2020, and will expire on April 1, 2022.

As of April 12, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 35 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (68 FR 61857; 68 FR 74699; 68 FR 74699; 68 FR 75715; 69 FR 10503; 69 FR 10503; 70 FR 57353; 70 FR 71884; 70 FR 72689; 71 FR 644; 71 FR 4194; 71 FR 4632; 71 FR 6829; 71 FR 6829; 71 FR 13450; 72 FR 39879; 72 FR 52422; 72 FR 71995; 73 FR 5259; 73 FR 8392; 73 FR 9158; 74 FR 49069; 74 FR 65842; 74 FR 65847; 75 FR 1451; 75 FR 8184; 75 FR 9477; 75 FR 9482; 75 FR 9484; 76 FR 49528; 76 FR 61143; 76 FR 64164; 76 FR 70213; 76 FR 75942; 76 FR 79760; 77 FR 541; 77 FR 545; 77 FR 3547; 77 FR 3552; 77 FR 5874; 77 FR 7233; 77 FR 7657; 77 FR 10604; 77 FR 10606; 77 FR 13689; 77 FR 13691; 77 FR 17117; 77 FR 17119; 77 FR 22059; 78 FR 62935; 78 FR 63302; 78 FR 64271; 78 FR 64274; 78 FR 67452; 78 FR 74223; 78 FR 76395; 78 FR 76705; 78 FR 77778; 78 FR 77780; 78 FR 78475; 79 FR 1908; 79 FR 2247; 79 FR 2748; 79 FR 10602; 79 FR 10619; 79 FR 12565; 79 FR 13085; 79 FR 14328; 79 FR 14331; 79 FR 14332; 79 FR 14333; 79 FR 18390; 80 FR 67472; 80 FR 67476; 80 FR 67481; 80 FR 70060; 80 FR 76345; 80 FR 79414; 80 FR 80443; 81 FR 6573; 81 FR 11642; 81 FR 15401; 81 FR 15404; 81 FR 16265; 81 FR 20433; 81 FR 20435; 81 FR 28136; 81 FR 44680; 81 FR 60117; 83 FR 15195):

Donald J. Bierwirth, Jr. (CT)
Bryan Borrowman (UT)
Eugene Contreras (NM)
Levi R. Coutcher (WA)
Herman R. Dahmer (MD)
Jim L. Davis (NM)
Michael P. Eisenreich (MN)

Daniel W. Eynon (OH)
Richard P. Frederiksen (WY)
Danny R. Gray (OK)
Keith J. Haaf (VA)
Louis E. Henry, Jr. (KY)
Zion Irizarry (NV)
Kevin Jacoby (NJ)
Tommy R. Jefferies (FL)
Billy R. Jeffries (WV)
Lowell Johnson (MN)
John R. Knott, III (MD)
Curtis M. Lawless (VA)
Herman Martinez (NM)
Brandon J. Michalko (NY)
Michael E. Miles (IL)
Daniel I. Miller (PA)
Robert Mollicone (FL)
Willie L. Parks (CA)
Richard J. Pauxtis (OR)
Rafael Quintero (TX)
Esequiel M. Ramirez-Moreno (TX)
Kent S. Reining (IL)
Roy C. Rogers (WV)
Mark A. Smalls (GA)
Michael A. Terry (IN)
Clifford B. Thompson, Jr. (SC)
Norman J. Watson (NC)
Charles T. Whitehead (NC)

The drivers were included in docket numbers FMCSA–2003–16241; FMCSA–2003–16564; FMCSA–2003–16564; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2005–23099; FMCSA–2007–27897; FMCSA–2009–0291; FMCSA–2009–0291; FMCSA–2009–0291; FMCSA–2009–0291; FMCSA–2009–0291; FMCSA–2011–0142; FMCSA–2011–0275; FMCSA–2011–0298; FMCSA–2011–0324; FMCSA–2011–0324; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2011–0366; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0174; FMCSA–2013–0174; FMCSA–2015–0070; FMCSA–2015–0070; FMCSA–2015–0071; FMCSA–2015–0072; FMCSA–2015–0344; FMCSA–2015–0344; FMCSA–2015–0345; and FMCSA–2015–0348. Their exemptions are applicable as of April 12, 2020, and will expire on April 12, 2022.

As of April 14, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following seven individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (64 FR 54948; 64 FR 68195; 65 FR 159; 65 FR 20251; 67 FR 10475; 67 FR 17102; 69 FR 8260; 69 FR 17267; 71 FR 4194; 71 FR 5105; 71 FR 6824; 71 FR 6826; 71 FR 13450; 71 FR 16410; 71 FR 19600; 71 FR 19602; 73 FR 11989; 75 FR 1835; 75 FR 9482; 75 FR 13653; 77 FR 17107; 79 FR 18391; 81 FR 20435; 83 FR 15195):

Mark A. Baisden (OH)
Curtis J. Crowston (ND)
Walter R. Hardiman (WV)
Michael W. Jones (IL)
Matthew J. Konecki (MT)
Joseph S. Nix, IV (MO)
Robert V. Sloan (NC)

The drivers were included in docket numbers FMCSA–1999–6156; FMCSA–1999–6480; FMCSA–2005–23099; FMCSA–2005–23238; FMCSA–2006–23773; and FMCSA–2009–0321. Their exemptions are applicable as of April 14, 2020, and will expire on April 14, 2022.

As of April 16, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following nine individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (81 FR 14190; 81 FR 39100; 83 FR 15195):

William H. Brence (SD)
Larry D. Fulk (MO)
Darrell K. Harber (MO)
Robert E. Holbrook (TN)
Maurice L. Kinney (PA)
Richard R. Krafczynski (PA)
Michael S. McHale (PA)
Darin P. Milton (TN)
William J. Powell (KY)

The drivers were included in docket number FMCSA–2015–0350. Their exemptions are applicable as of April 16, 2020, and will expire on April 16, 2022.

As of April 17, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following two individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (77 FR 19749; 77 FR 22838; 79 FR 15794; 81 FR 20435; 83 FR 15195):

Gilberto M. Rosas (AZ); and
Kim A. Shaffer (PA)

The drivers were included in docket number FMCSA–2011–0378. Their exemptions are applicable as of April 17, 2020, and will expire on April 17, 2022.

As of April 18, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following eight individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (79 FR 10606; 79 FR 22003; 81 FR 28138; 83 FR 15195):

Thomas R. Abbott (TN)
Thomas Benavidez, Jr. (ID)
Daniel Fedder (IL)
Mark La Fleur (MD)
Michael Nichols (GA)
Dino J. Pires (CT)
John B. Theres (IL)
Robert S. Waltz (ME)

The drivers were included in docket number FMCSA–2014–0002. Their exemptions are applicable as of April 18, 2020, and will expire on April 18, 2022.

As of April 23, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following two individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (68 FR 74699; 69 FR 10503; 71 FR 6829; 73 FR 6242; 73 FR 15254; 73 FR 16950; 75 FR 20881; 77 FR 17115; 79 FR 17641; 81 FR 20435; 83 FR 15195):

Thomas R. Hedden (IL); and
Douglas A. Mendoza (MD)

The drivers were included in docket numbers FMCSA–2003–16564; and FMCSA–2007–0071. Their exemptions are applicable as of April 23, 2020, and will expire on April 23, 2022.

As of April 27, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following individual has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (75 FR 9480; 75 FR 22176; 77 FR 17108; 79 FR 17643; 81 FR 20435; 83 FR 15195):

Gerald L. Rush, Jr. (NJ)

The driver was included in docket number FMCSA–2009–0011. The exemption is applicable as of April 27, 2020, and will expire on April 27, 2022.

As of April 28, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following six individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (81 FR 17237; 81 FR 52516; 83 FR 15195):

Lee R. Boykin (TX)
Hugo N. Gutierrez (IN)
William J. Kanaris (NY)
Ronnie L. McHugh (KS)
Donald P. Ruckinger (PA)
Trent Wipf (SD)

The drivers were included in docket number FMCSA–2015–0351. Their exemptions are applicable as of April 28, 2020, and will expire on April 28, 2022.

V. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must undergo an annual physical examination (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirements in 49 CFR

391.41(b)(10), and (b) by a certified medical examiner (ME), as defined by § 390.5, who attests that the driver is otherwise physically qualified under § 391.41; (2) each driver must provide a copy of the ophthalmologist's or optometrist's report to the ME at the time of the annual medical examination; and (3) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file or keep a copy of his/her driver's qualification if he/her is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VI. Conclusion

Based upon its evaluation of the 95 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the vision requirement in § 391.41(b)(10), subject to the requirements cited above. In accordance with 49 U.S.C. 31136(e) and 31315(b), each exemption will be valid for 2 years unless revoked earlier by FMCSA.

Issued on: February 28, 2020.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2020–04527 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2019–0112]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt eight individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. The exemptions enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on February 14, 2020. The exemptions expire on February 14, 2022.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to *http://www.regulations.gov/docket?D=FMCSA-2019-0112* and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays.

B. 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, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.transportation.gov/privacy.*

II. Background

On January 15, 2020, FMCSA published a notice announcing receipt of applications from eight individuals requesting an exemption from the hearing requirement in 49 CFR 391.41(b)(11) to operate a CMV in interstate commerce and requested comments from the public (85 FR2483). The public comment period ended on February 14, 2020, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting exemptions to these individuals would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(11).

The physical qualification standard for drivers regarding hearing found in § 391.41(b)(11) states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5–1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-year period if it finds such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. The statute also allows the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The Agency's decision regarding these exemption applications is based on current medical information and literature, and the 2008 Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety.'' The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) No studies that examined the relationship between hearing loss and crash risk exclusively among CMV drivers were identified; and (2) evidence from studies of the private driver's license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash. In addition, the Agency reviewed each applicant's driving record found in the Commercial Driver's License Information System, for

commercial driver's license (CDL) holders, and inspections recorded in the Motor Carrier Management Information System. For non-CDL holders, the Agency reviewed the driving records from the State Driver's Licensing Agency. Each applicant's record demonstrated a safe driving history. Based on an individual assessment of each applicant that focused on whether an equal or greater level of safety is likely to be achieved by permitting each of these drivers to drive in interstate commerce as opposed to restricting him or her to driving in intrastate commerce, the Agency believes the drivers granted this exemption have demonstrated that they do not pose a risk to public safety.

Consequently, FMCSA finds that in each case exempting these applicants from the hearing standard in § 391.41(b)(11) is likely to achieve a level of safety equal to that existing without the exemption.

V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and includes the following: (1) Each driver must report any crashes or accidents as defined in § 390.5; (2) each driver must report all citations and convictions for disqualifying offenses under 49 CFR 383 and 49 CFR 391 to FMCSA; and (3) each driver is prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements.

VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VII. Conclusion

Based upon its evaluation of the eight exemption applications, FMCSA exempts the following drivers from the hearing standard, § 391.41(b)(11), subject to the requirements cited above:

Matthew Armstrong (TX)
Jared Gunn (IL)
Michael Haessly (MN)
Derek Kangas (WI)
Joshua McElroy (IL)
Walt Pindor (AZ)
Abel Talamante (WA)
Jonathan Turner (FL)

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Issued on: February 28, 2020.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2020–04533 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2012–0332; FMCSA–2015–0329; FMCSA–2016–0003; FMCSA–2017–0058]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 11 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202–366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to *http://www.regulations.gov.* Insert the docket number, FMCSA–2012–0332, FMCSA–2015–0329, FMCSA–2016–0003, or FMCSA–2017–0058, in the keyword box, and click ''Search.'' Next, click the ''Open Docket Folder'' button and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays.

B. 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, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.transportation.gov/privacy.*

II. Background

On January 15, 2020, FMCSA published a notice announcing its decision to renew exemptions for 11 individuals from the hearing standard in 49 CFR 391.41(b)(11) to operate a CMV in interstate commerce and requested comments from the public (85 FR 2484). The public comment period ended on February 14, 2020, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(11).

The physical qualification standard for drivers regarding hearing found in § 391.41(b)(11) states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based upon its evaluation of the 11 renewal exemption applications, FMCSA announces its decision to exempt the following drivers from the hearing requirement in § 391.41 (b)(11).

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of January and are discussed below:

As of January 6, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following six individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (85 FR 2484):

Steven P. Andrews (FL)
John Brown (MN)
Jerry Doose (MN)
Andrew Hippler (ID)
Donald Howton, Jr. (NC)
Jonathan Ramos (NE)

The drivers were included in docket number FMCSA–2015–0329, FMCSA–2015–0326, and FMCSA–2017–0058. Their exemptions are applicable as of January 6, 2020, and will expire on January 6, 2022.

As of January 8, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following five individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (85 FR 2484):

Matthew Burgoyne (ID)
Mark Cole (MD)
Joshua Gelona (OK)
Reginald Holmes (AZ)
Eduardo Pedregal (TX)

The drivers were included in docket number FMCSA–2012–0332 and FMCSA–2016–0003. Their exemptions are applicable as of January 8, 2020, and will expire on January 8, 2022.

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Issued on: February 28, 2020.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2020–04532 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Notice of Funding Opportunity for America's Marine Highway Projects

AGENCY: Maritime Administration, DOT.

ACTION: Notice of funding opportunity.

SUMMARY: This Notice announces the availability of funding for grants and establishes selection criteria and application requirements for the Short Sea Transportation Program, commonly referred to as the America's Marine Highway Program (AMHP). The purpose of this program is to make grants available to previously designated Marine Highway Projects that support the development and expansion of documented vessels, or port and landside infrastructure. The U.S. Department of Transportation (Department) will award Marine Highway Grants to implement projects or components of projects previously designated by the Secretary of Transportation (Secretary) under AMHP. Only Marine Highway Projects the Secretary designated before the Notice of Funding Opportunity closing date are eligible for funding as described in this Notice.

DATES: Applications must be received by the Maritime Administration by 5 p.m. EDT on April 10, 2020.

ADDRESSES: Grant applications must be submitted electronically using *Grants.gov* (*https://www.grants.gov*). Please be aware that you must complete the *Grants.gov* registration process before submitting your application, and that the registration process usually takes 2 to 4 weeks to complete. Applicants are strongly encouraged to make submissions in advance of the deadline.

FOR FURTHER INFORMATION CONTACT: Fred Jones, Office of Ports & Waterways Planning, Room W21–311, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC 20590, phone 202–366–1123, or email *Fred.Jones@dot.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Each section of this Notice contains information and instructions relevant to the application process for these Marine Highway Grants, and all applicants should read this Notice in its entirety so that they have the information they need to submit eligible and competitive applications. Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties as outlined below in Section D.4.

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A. Program Description
B. Federal Award Information
C. Eligibility Information
D. Application and Submission Information
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A. Program Description

The Secretary, in accordance with 46 U.S.C. 55601, established a short sea transportation grant program to implement projects or components of designated Marine Highway Projects. The grant funds currently available are for projects related to documented vessels and port and landside infrastructure.

The America's Marine Highway Program Office (Program Office) follows a three-step approach when supporting investment opportunities for Marine Highway services. The first step is designation of a Marine Highway Route by the Secretary. The Department accepts Marine Highway Route Designation requests at any time from Route Sponsors. Once a Route is designated, the second step is designation as a Marine Highway Project by the Secretary. Marine Highway Projects represent concepts for new services or expansions of existing marine highway services on designated Marine Highway Routes that use documented vessels and mitigate land congestion or promote short sea transportation. The Maritime Administration (MARAD) will announce by notice in the **Federal Register** open season periods to allow Project Applicants opportunities to submit Marine Highway Project Designation applications. A Project Applicant must receive a Project

Designation for that project to then become eligible for Marine Highway Grant funding, the third step referenced above. Marine Highway Grant funding (the subject of this NOFO) is provided to successful public and private sector applicants as funds are appropriated by Congress.

The Further Consolidated Appropriations Act, 2020 (Pub. L. 116–94) appropriated $9,775,000 for Marine Highway Grants.

B. Federal Award Information

The total funding available for awards under this NOFO is $9,481,750, after $293,250 is set aside for MARAD grant administration and oversight.

MARAD will seek to obtain the maximum benefit from the available funding by awarding grants to as many qualified projects as possible; however, in accordance with 46 U.S.C. 55601(g)(3), MARAD shall give preference to those projects or components that present the most financially viable transportation services and require the lowest percentage of Federal share of the costs. Depending on the characteristics of the pool of qualified applications, it is possible MARAD may award all funds to a single project. MARAD may also award grants supporting a portion of a project described in an application by selecting discrete components. The start date and period of performance for each award will be determined by mutual agreement of MARAD and each grant recipient. MARAD will administer each Marine Highway Grant pursuant to a grant agreement with the Marine Highway Grant recipient, and funds will be administered on a reimbursable basis.

Prior recipients of Marine Highway Grants may apply for funding to support additional phases of a designated project. However, to be competitive, the grant applicant should demonstrate the extent to which the previously funded project phase has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the new award.

C. Eligibility Information

To be selected for a Marine Highway Grant, an applicant must be an Eligible Applicant, and the project must be an Eligible Project.

1. Eligible Applicants

Eligible applicants for funding available under this Notice are an original Project Applicant of a project that the Secretary has previously designated as a Marine Highway Project or a substitute (which can be either a public entity or a private-sector entity who has been referred to the Program Office by the original Project Applicant, with a written explanation, as part of the application). Original Project Applicants are defined as those public entities named by the Secretary in the original designated project. Grant applicants must have operational, or administrative areas of responsibility, that are adjacent to or near the relevant designated Marine Highway Project. Eligible grant applicants include State governments (including State departments of transportation), metropolitan planning organizations, port authorities, and tribal governments, or private sector operators of marine highway services within designated Marine Highway Projects.

Grant applicants are encouraged to develop coalitions and public/private partnerships, which might include vessel owners and operators; third-party logistics providers; trucking companies; shippers; railroads; port authorities; state, regional, and local transportation planners; environmental organizations; impacted communities; or any combination of entities working in collaboration on a single grant application that can be submitted by the original Project Applicant or their designated substitute. All successful grant applicants, whether they are public or private entities, must comply with all Federal requirements.

If multiple applicants submit a joint grant application, they must identify a lead grant applicant as the primary point of contact. Joint grant applications must include a description of the roles and responsibilities of each applicant, including designating the one entity that will receive the Federal funds directly from MARAD, and must be signed by each applicant.

2. Cost Sharing or Matching

An applicant must provide at least 20 percent of project costs from non-Federal sources. The application should demonstrate, such as through a letter or other documentation, the sources of these funds. Preference will be given to those projects that provide a larger percentage of costs from non-Federal sources. Matching funds are subject to the same Federal requirements described in Section F.2 as Federally-awarded funds, including applicable Buy American requirements.

3. Other

Eligible Projects

The purpose of this grant program is to create new marine highway services or to expand existing marine highway services. Only projects or their components that the Secretary has previously designated as Marine Highway Projects, are eligible for this round of grant funding. Projects proposed for funding must support the development and expansion of documented vessels or port and landside infrastructure. Grant funds may be requested for eligible project planning activities; however, market-related studies are ineligible to receive Marine Highway Grants.

The current list of designated Marine Highway Projects can be found on the Marine Highway website at: *https://www.maritime.dot.gov/grants/marine-highways/marine-highway-project-description-pages.*

D. Application and Submission Information

1. Address To Request Application Package

Applications may be found at and must be submitted through *Grants.gov*. Applications must include the Standard Form 424 (Application for Federal Assistance), which is available on the *Grants.gov* website at *https://www.grants.gov/web/grants/forms/sf-424-family.html.*

2. Content and Form of Application Submission

In addition to the SF–424, the application should include the Project Narrative. MARAD recommends that the Project Narrative follows the basic outline below to address the program requirements and assist evaluators in locating relevant information.

I. First Page of Project Narrative.	See D.2.i.
II. Project Description	See D.2.ii.
III. Project Location ...	See D.2.iii.
IV. Grant Funds, Sources and Uses of all Project Funding.	See D.2.iv.
V. Selection Criteria ..	See D.2.v and E.1.
VI. Other Application Requirements.	See D.2.vi.

The Project Narrative should include the information necessary for MARAD to determine that the project satisfies the requirements described in Sections B and C, and to assess the selection criteria specified in Section E.1. This includes a detailed project description, location, and budget. To the extent practicable, applicants should provide supporting data and documentation in a form that is directly verifiable by MARAD. Applicants are strongly encouraged to provide quantitative information, including baseline

information, that demonstrates the project's merits and economic viability. MARAD may ask any applicant to supplement data in its application, but expects applications to be complete upon submission. Incomplete applications may not be considered for an award.

Consistent with the Department's R.O.U.T.E.S. Initiative (*https://www.transportation.gov/rural*), the Department encourages applicants to describe how activities proposed in their application would address the unique challenges facing rural transportation networks, regardless of the geographic location of those activities.

The Project Narrative should also include a table of contents, maps and graphics, as appropriate, to make the information easier to review. MARAD recommends that the Project Narrative be prepared with standard formatting preferences (a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins, and the narrative text in one column only). The Project Narrative may not exceed 10 pages in length, excluding the table of contents and appendices. The only substantive portions that may exceed the 10-page limit are documents supporting assertions or conclusions made in the 10-page Project Narrative. If possible, website links to supporting documentation should be provided rather than copies of these supporting materials, though it is important to ensure that the website links are currently active and working. If supporting documents are submitted, applicants should clearly identify within the Project Narrative the relevant portion of the Project Narrative that each supporting document supports. At the applicant's discretion, relevant materials provided previously in support of a Marine Highway Project application may be referenced, updated, or described as unchanged. To the extent documents provided previously are referenced, they need not be resubmitted in support of a Marine Highway Grant application.

To ensure the Project Narrative is sufficiently detailed and informative, MARAD recommends applications include the following sections:

i. First Page of Project Narrative

The first page of the Project Narrative should provide the following items of information:

(A) Marine Highway Project name and the original Project Applicant (as stated on the Marine Highway Program's list of Designated Projects);

(B) Primary point of contact. An application must include the name, phone number, email address, and business address of the primary point of contact for the grant applicant;

(C) Total amount of the proposed grant project cost in dollars and the amount of grant funds the applicant is seeking, along with sources and share of matching funds;

(D) Executive Summary, which should include an outline of the background of the project, the need for the project, and how the grant funding will be applied in the context of the service referenced in the original Project Designation application;

(E) Project parties. The public and private partners engaged in the Marine Highway Project;

(F) The Data Universal Numbering System (DUNS) number associated with the application. Marine Highway Grants and their first-tier sub-awardees must obtain DUNS numbers, which are available at *https://fedgov.dnb.com/webform;* and

(G) Evidence of registration with the System for Award Management (SAM) at *https://www.SAM.gov.*

ii. Project Description

The next section of the application should provide a concise description of the project. The project description must be in paragraph form providing a high-level view of the overall project and its major components. This section should discuss the project's history, including a description of any previously completed components. The applicant may use this section to place the project into a broader context of other transportation infrastructure investments being pursued by the grant applicant, and, if applicable, how it will benefit communities in rural areas. This section should also include a timeline for implementing the project.

iii. Project Location

This section of the application should describe the project location, including a detailed geographical description of the proposed project, a map of the project's location and connections to existing transportation infrastructure, and geospatial data describing the project location.

The application should also state whether the project is located in an urban area (UA) or rural area (RA) as designated by the U.S. Census Bureau at *http://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/.*

The Department will consider a project to be in a RA if the majority of the project (determined by geographic location(s) where the majority of the money is to be spent) is located in a RA. Grant funds utilized in an UA border, including an intersection with an UA, will be considered urban for the purposes of the FY 2020 Marine Highway Grants.

Applicants should state whether the project is located in a Qualified Opportunity Zone designated pursuant to 26 U.S.C. 1400Z–1.

iv. Grant Funds, Sources and Uses of Project Funds

This section of the application should describe the project's budget. The budget should not include any previously incurred expenses. At a minimum, it should include:

(A) Project costs;

(B) The source and amount of those funds to be used for project costs;

(C) For Non-Federal funds to be used for eligible project costs, documentation of funding commitments should be referenced here and included as an appendix to the application;

(D) For Federal funds to be used for eligible project costs, the amount, nature, and source of any required non-Federal match for those funds;

(E) A budget showing how each source of funds will be spent. The budget should show how each funding source will share in each project component, and present that data in dollars and percentages. Funding sources should be grouped into three categories: Non-Federal; Marine Highway Grant funding; and other Federal. A letter of commitment from each funding source should be an attachment to the application. If the project contains individual components, the budget should separate the costs of each project component. The budget should sufficiently demonstrate that the project satisfies the statutory cost-sharing requirements described in Section C.2.

v. Selection Criteria

This section of the application should demonstrate how the project proposed for grant funding aligns with the criteria described below and in Section E.1. MARAD encourages applicants to address each criterion, or expressly state that the project does not address the criterion. Applicants are not required to follow a specific format, but MARAD recommends applicants address each criterion separately using the outline suggested below, which provides a clear discussion that assists project evaluators. Guidance describing how MARAD will evaluate projects against the Selection Criteria is in Section E.1 of this Notice. Applicants also should review that section before considering

how to organize and complete their application. To minimize redundant information in the application, MARAD encourages applicants to cross-reference from this section of their application to relevant substantive information in other sections of the application.

(A) Primary Selection Criteria

(1) This section of the application should demonstrate the extent to which the project is financially viable. Pet 46 U.S.C. 55601(g)(3), preference will be given to projects or components that present the most financially viable transportation services.

(2) This section of the application should demonstrate that the funds received will be spent efficiently and effectively.

(3) This section of the application should demonstrate that a market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

(4) This section of the application should describe the public benefits anticipated by the proposed grant project, as outlined in 46 CFR 393.3(c)(8), and described below. The public benefits described in the relevant Marine Highway Project Designation application may be referenced, updated, or described as unchanged. Applicants will need to clearly demonstrate that the original public benefits outlined in the original project designation application apply to the specific grant funding request associated with this Notice, and provide any updates or supplement the original public benefits, as necessary. To the extent referenced, this information need not be resubmitted in support of a Marine Highway Grant application. Applicants should organize their external net cost savings and public benefits of the proposed grant project based on the following six categories:

(i) Emissions benefits;

(ii) Energy savings;

(iii) Landside transportation infrastructure maintenance savings;

(iv) Economic competitiveness;

(v) Safety improvements;

(vi) System resiliency and redundancy.

vi. Other Application Requirements

(A) National Environmental Policy Act (NEPA) Requirements

Projects selected for grant award must comply with NEPA and any other applicable environmental laws. The application should provide information about the NEPA status of the project. If the environmental review process is underway but not complete at the time of the application, the application must detail where the project is in the process, indicate the anticipated date of completion, and provide a website link or other reference to copies of any environmental documents prepared.

(B) Other Federal, State, and Local Actions

An application must indicate whether the proposed project is likely to require actions by other agencies (*e.g.,* permits), indicate the status of such actions, provide a website link or other reference to materials submitted to the other agencies, and demonstrate compliance with other Federal, state, or local regulations and permits as applicable.

(C) Certification Requirements

For an application to be considered for a grant award, the Chief Executive Officer, or equivalent, of the applicant is required to certify, in writing, the following:

1. That, except as noted in this grant application, nothing has changed from the original application for formal designation as a Marine Highway Project; and

2. The grant applicant will administer the project and any funds received will be spent efficiently and effectively; and

3. The grant applicant will provide information, data, and reports as required.

(D) Protection of Confidential Commercial Information

Grant applicants should submit, as part of or in support of an application, publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards to the extent possible. If the application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: Note on the front cover that the submission contains ''Confidential Commercial Information (CCI)''; mark each affected page ''CCI''; and highlight or otherwise denote the CCI portions. MARAD will protect such information from disclosure to the extent allowed under applicable law. In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

(E) Additional Application Information Needed from Private-Sector Applicants

1. Written referral from the original successful Project Applicant stating that the private entity has been referred by the original Project Applicant for the relevant designated Marine Highway Project.

2. A description of the entity including location of the headquarters; a description of the entity's assets (tugs, barges, etc.); years in operation; ownership; customer base; and website address, if any.

3. Unique entity identifier of the parent company (when applicable): Data Universal Numbering System (DUNS + 4 number) (when applicable).

4. The most recent year-end audited, reviewed or compiled financial statements, prepared by a certified public accountant (CPA), per U.S. generally accepted accounting principles (not tax-based accounting financial statements). If CPA prepared financial statements are not available, provide the most recent financial statement for the entity. Do not provide tax returns.

5. Statement regarding the relationship between applicants and any parents, subsidiaries or affiliates, if any such entity is going to provide a portion of the match.

6. Evidence documenting applicant's ability to make proposed matching requirement (loan agreement, commitment from investors, cash on balance sheet, etc.).

7. Pro-forma financial statements reflecting financial condition at beginning of period; effect on balance sheet of grant and matching funds (*e.g.,* a decrease in cash or increase in debt, additional equity and an increase in fixed assets); and impact on company's projected financial condition (balance sheet) of completion of project, showing that company will have sufficient financial resources to remain in business.

8. Statement whether during the past five years, the applicant or any predecessor or related company has been in bankruptcy or in reorganization under Chapter 11 of the Bankruptcy Code, or in any insolvency or reorganization proceedings, and whether any substantial property of the applicant or any predecessor or related company has been acquired in any such proceeding or has been subject to foreclosure or receivership during such period. If so, give details.

9. Additional information may be requested as deemed necessary by MARAD to facilitate and complete its review of the application. If such

information is not provided, MARAD may deem the application incomplete and cease processing it.

10. Company Officer's certification of each of the following:

a. That the company operates in the geographic location of the designated Marine Highway Project;

b. That the applicant has the authority to carry out the proposed project; and

c. That the applicant has not, and will not make any prohibited payments out of the requested grant, in accordance with the Department of Transportation's regulation restricting lobbying, 49 CFR part 20.

3. Unique Entity Identifier and System for Award Management (SAM)

MARAD will not make an award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. Each applicant must be registered in SAM before applying, provide a valid Unique Entity Identifier number in its application, and maintain an active SAM registration with current information throughout the period of the award. Applicants may register with the SAM at *www.SAM.gov.* Applicants can obtain a DUNS number at *http://fedgov.dnb.com/webform.* If an applicant has not fully complied with the requirements by the time MARAD is ready to make an award, MARAD may determine that the applicant is not qualified to receive a Federal award under this program.

4. Submission Dates and Times

Applications must be received by 5 p.m. EDT on April 10, 2020. Late applications that are the result of failure to register or comply with *Grants.gov* application requirements in a timely manner will not be considered. Applicants experiencing technical issues with *Grants.gov* that are beyond the applicant's control must contact *MH@dot.gov* or Fred Jones at 202–366–1123 prior to the deadline with the user name of the registrant and details of the technical issue experienced. The applicant must provide: Details of the technical issue experienced; screen capture(s) of the technical issue experienced along with the corresponding ''Grant tracking number'' that is provided via *Grants.gov*; the ''Legal Name'' for the applicant that was provided in the SF–424; the name and contact information for the person to be contacted on matters involving submission that is included on the SF–424; the DUNS number associated with the application; and the *Grants.gov* Help Desk Tracking Number.

5. Funding Restrictions

MARAD will not allow reimbursement of any pre-award costs that may have been incurred by an applicant. Grant funds may only be used for the purposes described in this Notice and may not be used as an operating subsidy. Market-related studies are ineligible for Marine Highway Grant funds.

6. Other Submission Requirements

Grant applications must be submitted electronically using *Grants.gov* (*https://www.grants.gov*).

E. Application Review Information

1. Selection Criteria

This section specifies the criteria that MARAD will use to evaluate and award applications for Marine Highway Grants. These criteria incorporate the statutory requirements for this program, as well as Departmental and Programmatic priorities.

When reviewing grant applications, MARAD will consider how the proposed service could satisfy, in whole or in part, 46 U.S.C. 55601(b)(1) and (3) and the following criteria found at 46 U.S.C. 55601(g)(2)(B):

- The project is financially viable;
- The funds received will be spent efficiently and effectively; and
- A market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

MARAD will also consider how the proposed request for funding outlined in the grant application supports the elements of 46 CFR 393.3(c)(8) (Public benefits) as a key programmatic objective.

After applying the above preferences, MARAD will consider the following key Departmental objectives:

- Supporting economic vitality at the national and regional level;
- Utilizing alternative funding sources and innovative financing models to attract non-Federal sources of infrastructure investment;
- Accounting for the life-cycle costs of the project to promote the state of good repair;
- Using innovative approaches to improve safety and expedite project delivery; and,
- Holding grant recipients accountable for their performance and achieving specific, measurable outcomes identified by grant applicants.

In awarding grants under the program, MARAD will give preference to those projects or components that present the most financially viable marine highway transportation services and require the lowest total percentage Federal share of the costs. MARAD may also consider whether a project is located in a Qualified Opportunity Zone designated pursuant to 26 U.S.C. 1400Z–1.

Consistent with the Department's R.O.U.T.E.S. Initiative (*https://www.transportation.gov/rural*), the Department recognizes that rural transportation networks face unique challenges. To the extent that those challenges are reflected in the merit criteria listed in this section, the Department will consider how the activities proposed in the application will address those challenges, regardless of the geographic location of those activities.

2. Review and Selection Process

Upon receipt, MARAD will conduct a technical review to evaluate the application using the criteria outlined above. Upon completion of the technical review, MARAD will forward the applications to an inter-agency review team (Intermodal Review Team). The Intermodal Review Team will include members of MARAD, other Department of Transportation Operating Administrations, and representatives from the Office of the Secretary of Transportation. The Intermodal Review Team will assign ratings of ''highly recommended,'' ''recommended,'' ''not recommended,'' ''incomplete,'' or ''not eligible'' for each application based on the criteria set forth above. The Intermodal Review Team will provide its findings to the Program Office. The Program Office will use those findings to inform the recommendations that will be made to the Maritime Administrator and the Secretary.

3. FAPIIS Check

MARAD is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (*see* 41 U.S.C. 2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. MARAD will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants.

F. Federal Award Administration Information

1. Federal Award Notices

Following the evaluation outlined in Section E, the Secretary will announce the selected grant award recipients. The award announcement will be posted on the MARAD website (*https://www.marad.dot.gov*).

2. Administrative and National Policy Requirements

All awards must be administered pursuant to the ''Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards'' found at 2 CFR part 200, as adopted by the Department at 2 CFR part 1201. Federal wage rate requirements included at 40 U.S.C. 3141–3148 apply to all projects receiving funds under this program and apply to all parts of the project, whether funded with Federal funds or non-Federal funds. Additionally, all applicable Federal laws and regulations will apply to projects that receive Marine Highway Grants.

MARAD and the applicant will enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, such as environmental review requirements. The grant agreement is the fund-obligating document and will also describe the period of performance for the project as well as the schedule for construction or procurement. Funds will be administered on a reimbursable basis. MARAD reserves the right to revoke any award of Marine Highway Grant funds and to award such funds to another project to the extent that such funds are not expended in a timely or acceptable manner and in accordance with the project schedule.

As expressed in Executive Orders 13788 of April 18, 2017 and 13858 of January 31, 2019, it is the policy of the executive branch to maximize, consistent with law, the use of goods, products, and materials produced in the United States in the terms and conditions of Federal financial assistance awards. Consistent with the requirements of Section 410 of Division H—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2020, of the Further Consolidated Appropriations Act, 2020, (Pub. L. 116–94,), the Buy American requirements of 41 U.S.C. Chapter 83 apply to funds made available under this Notice, and all award recipients must apply, comply with, and implement all provisions of the Buy American Act and related provisions in the grant agreement when implementing Marine Highway Grants. Depending on other funding streams, the project may be subject to separate ''Buy America'' requirements.

If a project intends to use any product with foreign content or of foreign origin, this information should be listed and addressed in the application. Applications should expressly address how the applicant plans to comply with domestic-preference requirements and whether there are any potential foreign-content issues with their proposed project. Applications that use grant funds for domestic-content purchases will be viewed favorably. If certain foreign content is granted an exception or waiver from Buy American or Buy America requirements, a Cargo Preference requirement may apply.

3. Reporting

Award recipients are required to submit quarterly reports, signed by an officer of the recipient, to the Program Office to keep MARAD informed of all activities during the reporting period. The reports will indicate progress made, planned activities for the next reporting period, and a listing of any purchases made with grant funds during the reporting period. In addition, the report will include an explanation of any deviation from the projected budget and timeline. Quarterly reports will also contain, at a minimum, the following: A statement as to whether the award recipient has used the grant funds consistent with the terms contemplated in the grant agreement; if applicable, a description of the budgeted activities not procured by recipient; if applicable, the rationale for recipient's failure to execute the budgeted activities; if applicable, an explanation as to how and when recipient intends to accomplish the purposes of the grant agreement; and a budget summary showing funds expended since commencement, anticipated expenditures for the next reporting period, and expenditures compared to overall budget.

Grant award recipients will also collect information and report on the project's observed performance with respect to the relevant long-term outcomes that are expected to be achieved through the project. Performance indicators will not include formal goals or targets, but will include observed measures under baseline (pre-project) as well as post-implementation outcomes for an agreed-upon timeline, and will be used to evaluate and compare projects and monitor the results that grant funds achieve to the intended long-term outcomes of the AMHP. Performance reporting continues for several years after project construction is completed, and MARAD does not provide Marine Highway Grant funding specifically for performance reporting.

G. Federal Awarding Agency Contacts

To ensure applicants receive accurate information about eligibility, the program, or in response to other questions, applicants are encouraged to contact MARAD directly, rather than through intermediaries or third parties. Please see contact information in the **FOR FURTHER INFORMATION CONTACT** section above.

* * * * *

Dated: March 2, 2020.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2020–04486 Filed 3–4–20; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

[Case IDs DPRK3–12584, DPRK3–12585]

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of entities whose property and interests in property have been unblocked and removed from the list of Specially Designated Nationals and Blocked Persons.

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, tel: 202–622–2420; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List (SDN List) and additional information concerning OFAC sanctions programs are available on OFAC's website (*https://www.treasury.gov/ofac*).

Notice of OFAC Actions

On March 2, 2020, OFAC determined that the property and interests in

property subject to U.S. jurisdiction of the following entities are unblocked, and removed them from the SDN List under the relevant sanctions authority listed below.

Entities

1. AO NNK-PRIMORNEFTEPRODUCT (a.k.a. IPC-PRIMORNEFTEPRODUCT JSC; a.k.a. NNK-PRIMORNEFTEPRODUKT, AO; a.k.a. OAO PRIMORNEFTEPRODUCT), 55 Ul. Fontannaya, Vladivostok, Primorskiy Krai 690091, Russia; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210 [DPRK3] (Linked To: INDEPENDENT PETROLEUM COMPANY).

2. INDEPENDENT PETROLEUM COMPANY (a.k.a. AKTSIONERNOE OBSHCHESTVO 'NEZAVISIMAYA NEFTEGAZOVAYA KOMPANIYA'; a.k.a. ''NNK, AO''), 1 Arbatskaya Square, Moscow 119019, Russia; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210 [DPRK3].

Dated: March 2, 2020.

Andrea M. Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2020–04529 Filed 3–4–20; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

[Case ID: CYBER2–17275]

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Department of the 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 (SDN 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 effective date(s).

FOR FURTHER INFORMATION CONTACT: *OFAC:* Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490; Assistant Director for Licensing, tel.: 202–622–2480; 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 March 2, 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 authority listed below.

Individuals:

1. LI, Jiadong (Chinese Simplified: 李家东) (a.k.a. "blackjack1987"; a.k.a. "khaleesi"), Anshan, Liaoning, China (Chinese Simplified: 鞍山, 辽宁, China); DOB 10 Jan 1987; nationality China; Gender Male; Digital Currency Address - XBT 1EfMVkxQQuZfBdocpJu6RUsCJvenQWbQyE; alt. Digital Currency Address - XBT 17UVSMegvrzfobKC82dHXpZLtLcqzW9stF; alt. Digital Currency Address - XBT 39eboeqYNFe2VoLC3mUGx4dh6GNhLB3D2q; alt. Digital Currency Address - XBT 39fhoB2DohisGBbHvvfmkdPdShT75CNHdX; alt. Digital Currency Address - XBT 3E6rY4dSCDW6y2bzJNwrjvTtdmMQjB6yeh; alt. Digital Currency Address - XBT 3EeR8FbcPbkcGj77D6ttneJxmsr3Nu7KGV; alt. Digital Currency Address - XBT 3HQRveQzPifZorZLDXHernc5zjoZax8U9f; alt. Digital Currency Address - XBT 3JXKQ81JzBqVbB8VHdV9Jtd7auWokkdPgY; alt. Digital Currency Address - XBT 3KHfXU24Bt3YD5Ef4J7uNp2buCuhrxfGen; alt. Digital Currency Address - XBT 3LbDu1rUXHNyiz4i8eb3KwkSSBMf7C583D; alt. Digital Currency Address - XBT 3MN8nYo1tt5hLxMwMbxDkXWd7Xu522hb9P; alt. Digital Currency Address - XBT 3N6WeZ6i34taX8Ditser6LKWBcXmt2XXL4; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Phone Number 8613314257947; alt. Phone Number 8618004121000; Identification Number 210302198701102136 (China) (individual) [DPRK3] [CYBER2] (Linked To: LAZARUS GROUP).

   Designated pursuant to section 1(a)(iii)(B) of Executive Order 13694 of April 1, 2015, "Blocking the Property of Certain Persons Engaging in Significant Malicious Cyber-Enabled Activities," as amended by Executive Order 13757 of December 28, 2016, "Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities," (E.O. 13694, as amended), for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, an activity described in subsection (a)(ii)(D) of Section 1 of E.O. 13694, as amended.

   Designated pursuant to Section 2(a)(vii) of Executive Order 13722 of March 15, 2016, "Blocking Property of the Government of North Korea and the Workers' Party of Korea, and Prohibiting Certain Transactions With Respect to North Korea" (E.O. 13722) for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, LAZARUS GROUP, a person whose property and interests are blocked pursuant to E.O. 13722.

2. TIAN, Yinyin (Chinese Simplified: 田寅寅) (a.k.a. "snowsjohn"; a.k.a. "tianyinyin0404"), Nanjing, Jiangsu, China (Chinese Simplified: 南京, 江苏, China); DOB 12 Jul 1986; nationality China; Email Address 417136259@qq.com; Gender Male; Digital Currency Address - XBT 134r8iHv69xdT6p5qVKTsHrcUEuBVZAYak; alt. Digital Currency Address - XBT 15YK647qtoZQDzNrvY6HJL6QwXduLHfT28; alt. Digital Currency Address - XBT

1PfwHNxUnkpfkK9MKjMqzR3Xq3KCtq9u17; alt. Digital Currency Address - XBT 14kqryJUxM3a7aEi117KX9hoLUw592WsMR; alt. Digital Currency Address - XBT 1F2Gdug9ib9NQMhKMGGJczzMk5SuENoqrp; alt. Digital Currency Address - XBT 3F2sZ4jbhvDKQdGbHYPC6ZxFXEau2m5Lqj; alt. Digital Currency Address - XBT 1AXUTu9y3H8w4wYx4BjyFWgRhZKDhmcMrn; alt. Digital Currency Address - XBT 1Hn9ErTCPRP6j5UDBeuXPGuq5RtRjFJxJQ; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Phone Number 8613621583465; Identification Number 321284198607120616 (China) (individual) [DPRK3] [CYBER2] (Linked To: LAZARUS GROUP).

Designated pursuant to section 1(a)(iii)(B) of Executive Order 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, an activity described in subsection (a)(ii)(D) of Section 1 of E.O. 13694, as amended.

Designated pursuant to Section 2(a)(vii) of Executive Order 13722 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, LAZARUS GROUP, a person whose property and interests are blocked pursuant to E.O. 13722.

Dated: March 2, 2020.

Andrea Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2020–04528 Filed 3–4–20; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Advisory Group to the Commissioner of Internal Revenue; Charter Renewal

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: The Charter for the Taxpayer Advocacy Panel Committee (TAP), has been renewed for a two-year period beginning February 20, 2020.

FOR FURTHER INFORMATION CONTACT: Ms.Terrie English, Taxpayer Advocacy Panel Director, at *TaxpayerAdvocacyPanel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given under section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), and with the approval of the Secretary of the Treasury to announce the charter renewal for the Taxpayer Advocacy Panel Committee (TAP). The TAP purpose is to provide a taxpayer perspective to the Internal Revenue Service (IRS) on critical tax administrative programs. The TAP shall provide listening opportunities for taxpayers to independently identify suggestions or comments to improve IRS customer service through grass roots outreach efforts, and have direct access to elevate improvement recommendations to the appropriate operating divisions. The TAP shall also serve as a focus group to provide suggestions and/or recommendations directly to IRS management on IRS strategic initiatives.

Dated: March 2, 2020.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2020–04515 Filed 3–4–20; 8:45 am]

BILLING CODE 4830–01–P

FEDERAL REGISTER

Vol. 85 Thursday,

No. 44 March 5, 2020

Part II

The President

Executive Order 13907—Establishment of the Interagency Environment Committee for Monitoring and Enforcement Under Section 811 of the United States-Mexico-Canada Agreement Implementation Act

Federal Register
Vol. 85, No. 44
Thursday, March 5, 2020

Presidential Documents

Title 3—

The President

Executive Order 13907 of February 28, 2020

Establishment of the Interagency Environment Committee for Monitoring and Enforcement Under Section 811 of the United States-Mexico-Canada Agreement Implementation Act

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and section 811 of the United States-Mexico-Canada Agreement Implementation Act (Act) (Public Law 116–113), it is hereby ordered as follows:

Section 1. *Establishment of Interagency Environment Committee.* The Interagency Environment Committee for Monitoring and Enforcement (Committee) is hereby established to coordinate United States efforts to monitor and enforce environmental obligations consistent with title VIII of the Act and, with respect to Mexico and Canada, to carry out assessments of their environmental laws and policies, to carry out monitoring actions with respect to the implementation and maintenance of their environmental obligations, and to request enforcement actions as provided for in section 814 of the Act.

Sec. 2. *Membership.* The Committee shall be composed of the United States Trade Representative (USTR) and representatives of the Department of State, the Department of the Treasury, the Department of Justice, the U.S. Fish and Wildlife Service in the Department of the Interior, the U.S. Forest Service and the Animal and Plant Health Inspection Service in the Department of Agriculture, the National Oceanic Atmospheric Administration in the Department of Commerce, U.S. Customs and Border Protection in the Department of Homeland Security, the Environmental Protection Agency, and the United States Agency for International Development, and representatives from other Federal agencies, as the President determines to be appropriate. The USTR shall serve as Chair. The Chair may invite representatives from other executive departments or agencies, as appropriate, to participate as members or observers. Each executive department, agency, and component represented on the Committee shall ensure that the necessary staff are available to assist their respective representatives in performing the responsibilities of the Committee.

Sec. 3. *Committee Decision-making.* The Committee shall endeavor to make any decision on an action or determination under sections 812, 813, and 814 of the Act by consensus, which shall be deemed to exist where no Committee member objects to the proposed action or determination. If the Committee is unable to reach a consensus on a proposed action or determination and the Chair determines that allotting further time will cause a decision to be unduly delayed, the Committee shall decide the matter by majority vote of its members.

Sec. 4. *Implementing Measures.* The heads of the executive departments and agencies set forth in section 2 of this order, in consultation with the Committee, may prescribe such regulations as are necessary to carry out the authorities of the respective department or agency as provided for under subtitle A of title VIII of the Act.

Sec. 5. *General Provisions.* (a) Each executive department and agency shall bear its own expenses incurred in connection with the Committee's functions described in sections 811, 812, 813, 814, and 816 of the Act.

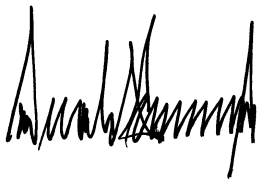
(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
February 28, 2020.

[FR Doc. 2020–04730
Filed 3–4–20; 11:15 am]
Billing code 3295–F0–P

FEDERAL REGISTER

Vol. 85 Thursday,

No. 44 March 5, 2020

Part III

The President

Notice of March 4, 2020—Continuation of the National Emergency With Respect to Zimbabwe

Federal Register
Vol. 85, No. 44
Thursday, March 5, 2020

Presidential Documents

Title 3—

The President

Notice of March 4, 2020

Continuation of the National Emergency With Respect to Zimbabwe

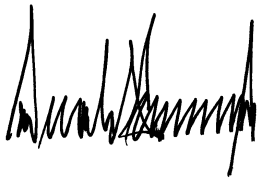
On March 6, 2003, by Executive Order 13288, the President declared a national emergency and blocked the property of certain persons, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions. These actions and policies had contributed to the deliberate breakdown in the rule of law in Zimbabwe, to politically motivated violence and intimidation in that country, and to political and economic instability in the southern African region.

On November 22, 2005, the President issued Executive Order 13391 to take additional steps with respect to the national emergency declared in Executive Order 13288 by ordering the blocking of the property of additional persons undermining democratic processes or institutions in Zimbabwe.

On July 25, 2008, the President issued Executive Order 13469, which expanded the scope of the national emergency declared in Executive Order 13288 and authorized the blocking of the property of additional persons undermining democratic processes or institutions in Zimbabwe.

The actions and policies by certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, the national emergency declared on March 6, 2003, and the measures adopted on that date, on November 22, 2005, and on July 25, 2008, to deal with that emergency, must continue in effect beyond March 6, 2020. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13288.

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



THE WHITE HOUSE,
March 4, 2020.

[FR Doc. 2020–04743
Filed 3–4–20; 11:15 am]
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