

Signed in Washington, DC.

**Arthur F. Rosenfeld,**

*Director, Office of Labor-Management Standards.*

[FR Doc. 2020-06079 Filed 3-27-20; 8:45 am]

**BILLING CODE 4510-86-C**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 1

[Docket No.: PTO-P-2020-0018]

#### Waiver of Original Handwritten Signature Requirement Due to the COVID-19 Outbreak

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Waiver of regulations.

**SUMMARY:** The United States Patent and Trademark Office (USPTO or Office) considers the effects of the COVID-19 outbreak to be an extraordinary situation. Therefore, pursuant to the Office's authority, the USPTO is waiving its only regulatory requirements for an original handwritten signature personally signed in permanent dark ink or its equivalent for certain correspondence with the Office of Enrollment and Discipline and certain payments by credit card. In both instances, the Office will accept copies of handwritten signatures. The USPTO has no other requirements for original handwritten, ink signatures.

**DATES:** March 30, 2020.

**FOR FURTHER INFORMATION CONTACT:** For information concerning correspondence with the Office of Enrollment and Discipline: William Covey, Office of Enrollment and Discipline, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at (571) 272-4097 or by email at [William.Covey@uspto.gov](mailto:William.Covey@uspto.gov). For information concerning payments by credit cards: Matthew Lee, Office of Finance, United States Patent and Trademark Office, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; by telephone at (571) 272-6343 or by email at [Matthew.Lee@uspto.gov](mailto:Matthew.Lee@uspto.gov).

**SUPPLEMENTARY INFORMATION:** The USPTO considers the effects of the COVID-19 outbreak to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146(a)(5) for affected persons doing business before the Office. Accordingly, the USPTO is *sua sponte* waiving the requirements of 37 CFR 1.4(e)(1) and (2) for an original handwritten signature

personally signed in permanent dark ink or its equivalent for correspondence requiring a person's signature and relating to (1) registration to practice before the USPTO in patent cases, enrollment and disciplinary investigations, or disciplinary proceedings; and (2) payments by credit cards where the payment is not being made via the Office's electronic filing systems. The Office notes that the requirements of 37 CFR 1.4(e)(1) and (2) are the only USPTO requirements for original handwritten, ink signatures, and the USPTO has no other requirements for original handwritten, ink signatures. The USPTO's requirements concerning signature methods are set forth in 37 CFR 1.4 and 37 CFR 2.193.

In light of the waiver of the requirements of 37 CFR 1.4(e)(1), the Office of Enrollment and Discipline will accept the signature methods described in 37 CFR 1.4(d). In light of the waiver of the requirements of 37 CFR 1.4(e)(2), the Office of Finance will accept the signature methods described in 37 CFR 1.4(d). Persons providing such submissions to the Office are reminded that, pursuant to 37 CFR 1.4(d)(4), such submissions constitute a certification under 37 CFR 11.18(b) and that violations of 37 CFR 11.18(b) may be subject to disciplinary action pursuant to 37 CFR 11.18(d). And, in circumstances where deemed appropriate, the Office of Enrollment and Discipline and the Office of Finance may request that signatures be ratified/confirmed pursuant to 37 CFR 1.4(h).

The USPTO already permits persons to provide true copies of handwritten signatures or electronic signatures that meet the requirements of 37 CFR 2.193(c) on each piece of Trademark correspondence that requires a signature. 37 CFR 2.193(a). Likewise, the USPTO already permits persons to provide a direct or indirect copy of an original handwritten signature (37 CFR 1.4(d)(1)(ii)) or S-signatures that meet the requirements of 37 CFR 1.4(d)(2) on each piece of Patent correspondence that requires a signature. 37 CFR 1.4(d)(1). This waiver is effective until further notice is provided by the Office. Such notice may take place by publication of a document in the **Federal Register** and the USPTO's website.

**Andrei Iancu,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2020-06186 Filed 3-27-20; 8:45 am]

**BILLING CODE 3510-16-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2018-0786; FRL-10006-43-Region 6]

#### Air Plan Approval; Oklahoma; Infrastructure for the 2015 Ozone National Ambient Air Quality Standards

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is approving elements of a State Implementation Plan (SIP) submission from the State of Oklahoma for the 2015 Ozone (O<sub>3</sub>) National Ambient Air Quality Standard (NAAQS). Oklahoma's October 25, 2018, submittal addressed how the existing SIP provides for implementation, maintenance, and enforcement of the 2015 O<sub>3</sub> NAAQS (infrastructure SIP or i-SIP). The i-SIP ensures that the Oklahoma SIP is adequate to meet the state's responsibilities under the CAA for this NAAQS.

**DATES:** This rule is effective on April 29, 2020.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R06-OAR-2018-0786. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <https://www.regulations.gov> or in hard copy at the EPA Region 6 Office, 1201 Elm Street, Suite 500, Dallas, Texas 75270.

**FOR FURTHER INFORMATION CONTACT:** Robert M. Todd, EPA Region 6 Office, Infrastructure & Ozone Section, 1201 Elm Street, Suite 500, Dallas, TX 75270, 214-665-2156, [todd.robert@epa.gov](mailto:todd.robert@epa.gov). To inspect the hard copy materials, please schedule an appointment with Mr. Todd or Mr. Bill Deese at 214-665-7253.

**SUPPLEMENTARY INFORMATION:** Throughout this document "we," "us," and "our" means the EPA.

## I. Background

The background for this action is discussed in detail in our January 2, 2020 proposal (85 FR 54). In that document we proposed to approve the Oklahoma SIP for compliance with CAA sections 110(a)(1) and 110(a)(2)(A) through (C), 110(a)(2)(E) through (H) and 110(a)(2)(J) through (M). We also proposed approving the Oklahoma SIP for compliance with CAA sections 110(a)(2)(D)(i)(II), Interference with Prevention of Significant Deterioration and 110(a)(2)(D)(ii), Interstate Pollution Abatement (which refers to CAA section 126) and International Air Pollution (which refers to CAA section 115). We are not acting on the remaining portions of the October 25, 2018, submittal addressing CAA section 110(a)(2)(D)(i)(I), and 110(a)(2)(D)(i)(II), which will be addressed in a subsequent action. We did not receive any comments regarding our proposal.

## II. Final Action

We are approving Oklahoma's October 28, 2018, Infrastructure SIP submission for the 2015 Ozone NAAQS as it applies to CAA sections 110(a)(1) and 110(a)(2)(A) through (C), 110(a)(2)(D)(i)(II) (the Prevention of Significant Deterioration portion), 110(a)(2)(D)(ii), 110(a)(2)(E) through (H) and 110(a)(2)(J) through (M). The submission addressed how Oklahoma's existing SIP provides for implementation, maintenance, and enforcement of the 2015 Ozone NAAQS.

## III. Statutory and Executive Order Reviews

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

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address, as 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, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General

of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 29, 2020. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone.

Dated: March 19, 2020.

**Kenley McQueen,**

*Regional Administrator, Region 6.*

40 CFR part 52 is amended as follows:

### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

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

#### Subpart LL—Oklahoma

■ 2. In § 52.1920 (e), the table titled "EPA Approved Nonregulatory Provisions and Quasi-Regulatory Measures in the Oklahoma SIP" is amended by adding an entry for "Infrastructure for the 2015 Ozone NAAQS" at the end of the table.

The amendment reads as follows:

#### § 52.1920 Identification of plan.

\* \* \* \* \*

(e) \* \* \*

## EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE OKLAHOMA SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA approval date	Comments
* Infrastructure for the 2015 Ozone NAAQS.	* Statewide .....	* October 25, 2018 ..	* 3/30/2020, [Insert <b>Federal Register</b> citation].	* Does not address 110(a)(2)(D)(i)(I). No action on 110(a)(2)(D) (i)(II) (visibility portion).

[FR Doc. 2020-06159 Filed 3-27-20; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 48 CFR Parts 1516 and 1552

[EPA-HQ-OARM-2018-0610; FRL-10006-81-OMS]

#### Environmental Protection Agency Acquisition Regulation (EPAAR); Award Term Incentive

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is issuing a final rule to amend EPA Acquisition Regulation (EPAAR) award term incentive policy, procedures, and clauses to remove ambiguity and provide clarity with respect to what is required for a contractor to successfully earn award terms.

**DATES:** This final rule is effective on March 30, 2020.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-HQ-OARM-2018-0610. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Shakethia Allen, Policy, Training, and Oversight Division, Acquisition Policy and Training Branch (3802R), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202-564-5157; email address: [allen.shakethia@epa.gov](mailto:allen.shakethia@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. Background

Award terms are a form of incentive contract, offering additional periods of performance without a new competition, rather than additional profit or fee as a reward for achieving prescribed performance measures. Award term incentives were developed in 1997 by the Department of the Air Force and are not described in the Federal Acquisition Regulation (FAR). In order to assist EPA contracting officers seeking to use award term incentives, it is necessary to amend the EPAAR to provide clear language of the requirements needed to successfully award and earn award terms.

The proposed rule was published in the **Federal Register** (84 FR 11920) on March 29, 2019, providing for a 60-day comment period. Interested parties were afforded the opportunity to participate in the making of this rule. There was one comment received during the 60-day period, but it is unrelated to the subject procurement.

### II. Final Rule

The final rule amends EPAAR Part 1516—*Types of Contracts*, Subpart 1516.4—*Incentive Contracts*, 1516.406 *Contract Clauses*, 1516.401–70 *Award Term Incentives*, and 1516.401–270 *Definition*. The final rule also amends EPAAR Part 1552—*Solicitation Provisions and Contract Clauses*, 1552.216–78 —*Award Term Incentive Plan*.

1. EPAAR 1516.406 establishes the prescription for use of related EPAAR clauses, including 1552.216–77, *Award Term Incentive*, 1552.216–78, *Award Term Incentive Plan*, and 1552.216–79, *Award Term Availability of Funds*, in solicitations and contracts when award term incentives are contemplated.

2. EPAAR 1516.401–270 defines *Acceptable Quality Level* (AQL) as the minimum percent of deliverables which are compliant with a given performance standard that would permit a contractor to become eligible for an award term incentive.

3. EPAAR 1516.401–70 sets forth the overall framework governing award term incentives including the prescribed performance measures; *i.e.*, the acceptable quality levels (AQL) which must be achieved by a contractor to become eligible for an award term.

4. EPAAR 1552.216–78 sets forth the performance criteria and evaluation periods which will serve as the basis for the EPA's decision on whether the contractor is eligible for an award term incentive.

### III. Statutory and Executive Order Reviews

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

This action is not a “significant regulatory action” under the terms of Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under the E.O.

#### *B. Paperwork Reduction Act*

This action does not impose an information collection burden, as defined at 5 CFR 1320.3(b), under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

*C. Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et. seq.*

The Regulatory Flexibility Act generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute; unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions. For purposes of assessing the impact of this final rule on small entities, “small entity” is defined as: (1) A small business that meets the definition of a small business found in the Small Business Act and codified at