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Title 3—

The President

Proclamation 10041 of May 24, 2020

Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting 2019 Novel Coronavirus

By the President of the United States of America

A Proclamation

In Proclamation 9994 of March 13, 2020 (Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID–19) Outbreak), I declared a national emergency recognizing the threat that the novel (new) coronavirus known as SARS–CoV–2 poses to our Nation's healthcare systems. It is the policy of the United States to respond to the ongoing, unprecedented outbreak of COVID–19 (the disease caused by SARS–CoV–2) with every tool and resource available to the United States Government. Consistent with this policy, I have suspended and limited the entry of aliens recently present in certain foreign jurisdictions where significant COVID–19 outbreaks have occurred. These jurisdictions include the People's Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau), the Islamic Republic of Iran, the Schengen Area, the United Kingdom (excluding overseas territories outside of Europe), and the Republic of Ireland.

The Centers for Disease Control and Prevention (CDC), a component of the Department of Health and Human Services, working in close coordination with the Department of Homeland Security, has determined that the Federative Republic of Brazil is experiencing widespread, ongoing person-to-person transmission of SARS–CoV–2. As of May 23, 2020, the World Health Organization reported that the Federative Republic of Brazil had 310,087 confirmed cases of COVID–19, which is the third highest number of confirmed cases in the world.

The potential for undetected transmission of the virus by infected individuals seeking to enter the United States from the Federative Republic of Brazil threatens the security of our transportation system and infrastructure and the national security, and I have determined that it is in the interests of the United States to take action to restrict and suspend the entry into the United States, as immigrants or nonimmigrants, of all aliens who were physically present within the Federative Republic of Brazil during the 14-day period preceding their entry or attempted entry into the United States. The free flow of commerce between the United States and the Federative Republic of Brazil remains an economic priority for the United States, and I remain committed to facilitating trade between our nations.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America, including sections 212(f) and 215(a) of the Immigration and Nationality Act, 8 U.S.C. 1182(f) and 1185(a), and section 301 of title 3, United States Code, hereby find that the unrestricted entry into the United States of persons described in section 1 of this proclamation would, except as provided for in section 2 of this proclamation, be detrimental to the interests of the United States, and that their entry should be subject to certain restrictions, limitations, and exceptions. I therefore hereby proclaim the following:

Section 1. *Suspension and Limitation on Entry*. The entry into the United States, as immigrants or nonimmigrants, of all aliens who were physically present within the Federative Republic of Brazil during the 14-day period preceding their entry or attempted entry into the United States is hereby suspended and limited subject to section 2 of this proclamation.

Sec. 2. *Scope of Suspension and Limitation on Entry.*

(a) Section 1 of this proclamation shall not apply to:

(i) any lawful permanent resident of the United States;

(ii) any alien who is the spouse of a U.S. citizen or lawful permanent resident;

(iii) any alien who is the parent or legal guardian of a U.S. citizen or lawful permanent resident, provided that the U.S. citizen or lawful permanent resident is unmarried and under the age of 21;

(iv) any alien who is the sibling of a U.S. citizen or lawful permanent resident, provided that both are unmarried and under the age of 21;

(v) any alien who is the child, foster child, or ward of a U.S. citizen or lawful permanent resident, or who is a prospective adoptee seeking to enter the United States pursuant to the IR–4 or IH–4 visa classifications;

(vi) any alien traveling at the invitation of the United States Government for a purpose related to containment or mitigation of the virus;

(vii) any alien traveling as a nonimmigrant pursuant to a C–1, D, or C–1/D nonimmigrant visa as a crewmember or any alien otherwise traveling to the United States as air or sea crew;

(viii) any alien

(A) seeking entry into or transiting the United States pursuant to one of the following visas: A–1, A–2, C–2, C–3 (as a foreign government official or immediate family member of an official), E–1 (as an employee of TECRO or TECO or the employee's immediate family members), G–1, G–2, G–3, G–4, NATO–1 through NATO–4, or NATO–6 (or seeking to enter as a nonimmigrant in one of those NATO categories); or

(B) whose travel falls within the scope of section 11 of the United Nations Headquarters Agreement;

(ix) any alien who is a member of the U.S. Armed Forces and any alien who is a spouse or child of a member of the U.S. Armed Forces;

(x) any alien whose entry would not pose a significant risk of introducing, transmitting, or spreading the virus, as determined by the Secretary of Health and Human Services, through the CDC Director or his designee;

(xi) any alien whose entry would further important United States law enforcement objectives, as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees, based on a recommendation of the Attorney General or his designee; or

(xii) any alien whose entry would be in the national interest, as determined by the Secretary of State, the Secretary of Homeland Security, or their designees.

(b) Nothing in this proclamation shall be construed to affect any individual's eligibility for asylum, withholding of removal, or protection under the regulations issued pursuant to the legislation implementing the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, consistent with the laws and regulations of the United States.

Sec. 3. *Implementation and Enforcement.* (a) The Secretary of State shall implement this proclamation as it applies to visas pursuant to such procedures as the Secretary of State, in consultation with the Secretary of Homeland Security, may establish. The Secretary of Homeland Security shall implement this proclamation as it applies to the entry of aliens pursuant to such procedures as the Secretary of Homeland Security, in consultation with the Secretary of State, may establish.

(b) Consistent with applicable law, the Secretary of State, the Secretary of Transportation, and the Secretary of Homeland Security shall ensure that any alien subject to this proclamation does not board an aircraft traveling to the United States.

(c) The Secretary of Homeland Security may establish standards and procedures to ensure the application of this proclamation at and between all United States ports of entry.

(d) An alien who circumvents the application of this proclamation through fraud, willful misrepresentation of a material fact, or illegal entry shall be a priority for removal by the Department of Homeland Security.

Sec. 4. *Termination.* This proclamation shall remain in effect until terminated by the President. The Secretary of Health and Human Services shall recommend that the President continue, modify, or terminate this proclamation as described in section 5 of Proclamation 9984, as amended.

Sec. 5. *Effective Date.* This proclamation is effective at 11:59 p.m. eastern daylight time on May 28, 2020. This proclamation does not apply to persons aboard a flight scheduled to arrive in the United States that departed prior to 11:59 p.m. eastern daylight time on May 28, 2020.

Sec. 6. *Severability.* It is the policy of the United States to enforce this proclamation to the maximum extent possible to advance the national security, public safety, and foreign policy interests of the United States. Accordingly:

(a) if any provision of this proclamation, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this proclamation and the application of its provisions to any other persons or circumstances shall not be affected thereby; and

(b) if any provision of this proclamation, or the application of any provision to any person or circumstance, is held to be invalid because of the lack of certain procedural requirements, the relevant executive branch officials shall implement those procedural requirements to conform with existing law and with any applicable court orders.

Sec. 7. *General Provisions.* (a) Nothing in this proclamation shall be construed to impair or otherwise affect:

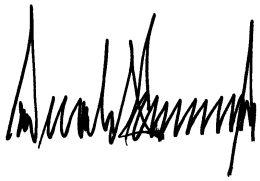
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of May, in the year of our Lord two thousand twenty, and of the Independence of the United States of America the two hundred and forty-fourth.



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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.

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DEPARTMENT OF AGRICULTURE

7 CFR Parts 6, 11, 25, 1530, 1580, 1940, 2500, 2903, and 4288

[Docket No. USDA–2020–0004]

Department of Agriculture Regulations for Grants and Agreements; Update of Citations

AGENCY: Office of the Chief Financial Officer, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations of several United States Department of Agriculture agencies to correct outdated citations to the Department's grants and agreements regulations.

DATES: Effective May 28, 2020.

FOR FURTHER INFORMATION CONTACT: Mr. Tyson Whitney, Director, Transparency & Accountability Reporting Division, Office of the Chief Financial Officer, USDA, 1400 Independence Avenue SW, Washington, DC 20250–2011; phone (202) 720–8978.

SUPPLEMENTARY INFORMATION: The regulations in 2 CFR chapter IV set forth the United States Department of Agriculture's (USDA) regulations for grants and agreements. The regulations in part 417 were established in a final rule published May 25, 2010 (75 FR 29185), the regulations in part 421 in a final rule published December 8, 2011 (76 FR 76610), and the remainder of the chapter (parts 400, 415, 416, 418, and 422) in a final rule published December 19, 2014 (79 FR 75982). The regulations in 2 CFR chapter IV updated and replaced provisions that had previously been found in 7 CFR parts 3015 through 3019, 3021, and 3052.

The regulations of several USDA agencies in title 7 refer to and cite the grants and agreements regulations. Following the publication of the various final rules establishing the regulations in 2 CFR chapter IV, those agencies updated their regulations so that they referred to the new grants and agreements regulations in title 2 rather than the predecessor regulations in Title 7. However, we have identified a number of instances where the necessary updates were inadvertently overlooked. This final rule makes those updates.

Effective Date

This rule relates to internal agency management and makes various nonsubstantive changes to the regulations in title 7, Code of Federal Regulations to correct outdated citations to the Department's grants and agreements regulations. Accordingly, notice and other public procedure on this rule are unnecessary and contrary to the public interest. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity to comment are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Orders 12866, 12988, and 13771. Finally, this action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 501) and, thus, is exempt from the provisions of that Act.

Paperwork Reduction Act

This final rule contains no new reporting, recordkeeping, or third-party disclosure requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects

7 CFR Part 6

Agricultural commodities, Dairy, Cheese, Imports, Procedural rules, Application requirements, Tariff-rate quota, Reporting and recordkeeping requirements.

7 CFR Part 11

Administrative practice and procedure, Agriculture, Agricultural commodities, Crop insurance, Ex parte communications, Farmers, Federal aid programs, Guaranteed loans, Insured loans, Loan programs, Price support programs, Soil conservation.

7 CFR Part 25

Community development, Economic development, Empowerment zones, Enterprise communities, Housing, Indians, Intergovernmental relations, Reporting and recordkeeping requirements, Rural development.

7 CFR Part 1530

Polyhydric alcohol, Raw and refined sugar, Re-exports.

7 CFR Part 1580

Agricultural commodity imports; Reporting and recordkeeping requirements; and Trade adjustment assistance.

7 CFR Part 1940

Administrative practice and procedure, Agriculture, Allocations, Grant programs—Housing and community development, Loan programs—Agriculture, Rural areas.

7 CFR Part 2500

Farmers, Federal aid programs, Grants administration, Grant programs—agriculture, Ranchers, Socially disadvantaged groups.

7 CFR Part 2903

Agricultural commodities, Energy, Fuel, Fuel additives.

7 CFR Part 4288

Administrative practice and procedure, Biobased products, Energy, Reporting and recordkeeping requirements.

Accordingly, 7 CFR parts 6, 11, 25, 1530, 1580, 1940, 2500, 2903, and 4288 are amended as follows:

PART 6—IMPORT QUOTAS AND FEES

Subpart—General Provisions

■ 1. The authority citation for part 6, Subpart—General Provisions, continues to read as follows:

Authority: Sec. 8, 65 Stat. 75; 19 U.S.C. 1365.

[Subpart Redesignated as Subpart A]

■ 2. Redesignate ''Subpart—General Provisions'' as ''Subpart A—General Provisions''.

Subpart—Dairy Tariff-Rate Quota Import Licensing

■ 3. The authority citation for Subpart—Dairy Tariff-Rate Quota Import Licensing continues to read as follows:

Authority: Additional U.S. Notes 6, 7, 8, 12, 14, 16–23 and 25 to Chapter 4 and

General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97–258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103–465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

[Subpart Redesignated as Subpart B]

■ 4. Redesignate ''Subpart—Dairy Tariff-Rate Quota Import Licensing'' as ''Subpart B—Subpart—Dairy Tariff-Rate Quota Import Licensing''.

■ 5. Section 6.31 is revised to read as follows:

§ 6.31 Debarment and suspension.

The provisions in 2 CFR parts 417 and 421 apply to this subpart.

Subpart—Price-Undercutting of Domestic Cheese by Quota Cheeses

■ 6. The authority citation for Subpart—Price-Undercutting of Domestic Cheese by Quota Cheeses continues to read as follows:

Authority: Sec. 702, Pub. L. 96–39, 93 Stat. 144, 19 U.S.C. 1202 note.

[Subpart Redesignated as Subpart C]

■ 7. Redesignate ''Subpart—Price-Undercutting of Domestic Cheese by Quota Cheeses'' as ''Subpart C—Price-Undercutting of Domestic Cheese by Quota Cheeses''.

PART 11—NATIONAL APPEALS DIVISION

■ 8. The authority citation for part 11 continues to read as follows:

Authority: 5 U.S.C. 301; Title II, Subtitle H, Pub. L. 103–354, 108 Stat. 3228 (7 U.S.C. 6991 *et seq.*); Reorganization Plan No. 2 of 1953 (5 U.S.C. App.).

Subpart A—[Amended]

■ 9. The heading for subpart A is amended by removing the word ''Divison'' and adding the word ''Division'' in its place.

§ 11.1 [Amended]

■ 10. In § 11.1, the in definition of *Participant,* paragraph (4) is amended by removing the citation ''7 CFR parts 1407 and 3017'' and adding the citation ''7 CFR part 1407 and 2 CFR part 417'' in its place.

PART 25—RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES

■ 11. The authority citation for part 25 continues to read as follows:

Authority: 5 U.S.C. 301; 26 U.S.C. 1391; Pub. L. 103–66, 107 Stat. 543; Pub. L. 105–34, 111 Stat. 885; Sec. 766, Pub. L. 105–277, 112 Stat. 2681–37; Pub. L. 106–554 [Title I of H.R. 5562], 114 Stat. 2763.

§ 25.603 [Amended]

■ 12. In § 25.603, paragraph (e) is amended in the certification text by removing the citation ''7 CFR parts 25, 3015, 3016, 3017, 3018, 3019 and 3052'' and adding the citation ''7 CFR part 25, 2 CFR part 200, and 2 CFR chapter IV'' in its place.

■ 13. In § 25.622, paragraph (c) is revised to read as follows:

§ 25.622 Other considerations.

* * * * *

(c) *Other USDA regulations.* This program is subject to the provisions of the following regulations, as applicable:

(1) 2 CFR part 400, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;

(2) 2 CFR part 415, General Program Administrative Regulations;

(3) 2 CFR part 416, General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments;

(4) 2 CFR part 417, Nonprocurement Debarment and Suspension;

(5) 2 CFR part 418, New Restrictions on Lobbying;

(6) 2 CFR part 421, Requirements for Drug-Free Workplace (Financial Assistance); and

(7) 2 CFR part 422, Research Institutions Conducting USDA-Funded Extramural Research; Research Misconducts.

PART 1530—THE REFINED SUGAR RE-EXPORT PROGRAM, THE SUGAR CONTAINING PRODUCTS RE-EXPORT PROGRAM, AND THE POLYHYDRIC ALCOHOL PROGRAM

■ 14. The authority citation for part 1530 continues to read as follows:

Authority: Additional U.S. note 6 to chapter 17 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202); 19 U.S.C. 3314; Proc. 6641, 58 FR 66867, 3 CFR, 1994 Comp., p. 172; Proc. 6763, 60 FR 1007, 3 CFR, 1995 Comp., p. 146.

■ 15. In § 1530.111, paragraph (b) is revised to read as follows:

§ 1530.111 Enforcement and penalties.

* * * * *

(b) The Administrator of the Foreign Agricultural Service, USDA, may suspend or revoke a license upon recommendation of the Licensing Authority. Suspension of a license will be governed by 2 CFR part 417, subpart G, and debarment will be governed by 2 CFR part 417, subpart H.

PART 1580—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

■ 16. The authority citation for part 1580 continues to read as follows:

Authority: 19 U.S.C. 2401.

■ 17. In § 1580.504, paragraph (a) is revised to read as follows:

§ 1580.504 Debarment, suspension, and penalties.

(a) *Generally.* The regulations governing nonprocurement debarment and suspension, 2 CFR part 417, and requirements for drug-free workplace (financial assistance), 2 CFR part 421, apply to this part.

* * * * *

PART 1940—GENERAL

■ 18. The authority citation for part 1940 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; and 42 U.S.C. 1480.

■ 19. In § 1940.968, paragraphs (h)(3) and (m) are revised to read as follows:

§ 1940.968 Rural Economic Development Review Panel Grant (Panel Grant).

* * * * *

(h) * * *

(3) *Management assistance.* Grantees will be provided management assistance as necessary to assure that grant funds are used for eligible purposes for the successful operation of the panel. Grants made under this subpart will be administered under and are subject to the U.S. Department of Agriculture regulations in 2 CFR parts 416 and 417, as appropriate.

* * * * *

(m) *Costs.* Costs incurred under this grant program are subject to cost principles established in 2 CFR part 200, subpart E.

* * * * *

PART 2500—OAO FEDERAL FINANCIAL ASSISTANCE PROGRAMS—GENERAL AWARD ADMINISTRATIVE PROCEDURES

■ 20. The authority citation for part 2500 continues to read as follows:

Authority: 7 U.S.C. 6934, 7 U.S.C. 2279.

■ 21. In § 2500.003, paragraphs (d) through (j) are revised to read as follows:

§ 2500.003 Other applicable statutes and regulations.

* * * * *

(d) 2 CFR part 415, General Program Administrative Regulations.

(e) 2 CFR part 416, General Program Administrative Regulations for Grants

and Cooperative Agreements to State and Local Governments.

(f) 2 CFR part 417, Nonprocurement Debarment and Suspension.

(g) 2 CFR part 418, New Restrictions on Lobbying. Imposes prohibitions and requirements for disclosure and certification related to lobbying on awardees of Federal contracts, grants, cooperative agreements, and loans.

(h) 2 CFR part 200, subparts B—General Provisions, C—Pre-Federal Award Requirements and Contents of Federal Awards, and D—Post-Federal Award Requirements, as adopted by USDA through 2 CFR part 400.

(i) 2 CFR part 421, Requirements for Drug-Free Workplace (Financial Assistance).

(j) 2 CFR part 200, subpart F—Audit Requirements, as adopted by USDA through 2 CFR part 400.

* * * * *

PART 2903—BIODIESEL FUEL EDUCATION PROGRAM

■ 22. The authority citation for part 2903 continues to read as follows:

Authority: 7 U.S.C. 8104; 5 U.S.C. 301.

■ 23. Section 2903.21 is revised to read as follows:

§ 2903.21 Applicable Federal statutes and regulations.

Several Federal statutes and regulations apply to grant applications considered for review and to project grants awarded under this program. These include, but are not limited to:

(a) 7 CFR part 1, subpart A—USDA implementation of the Freedom of Information Act.

(b) 7 CFR part 3—USDA implementation of OMB Circular No. A–129 regarding debt collection.

(c) 7 CFR part 15, subpart A—USDA implementation of Title VI of the Civil Rights Act of 1964, as amended.

(d) 2 CFR part 417, Nonprocurement Debarment and Suspension.

(e) 2 CFR part 418, New Restrictions on Lobbying. Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans.

(f) 2 CFR part 200, subparts B—General Provisions, C—Pre-Federal Award Requirements and Contents of Federal Awards, and D—Post-Federal Award Requirements, as adopted by USDA through 2 CFR part 400.

(g) 2 CFR part 421, Requirements for Drug-Free Workplace (Financial Assistance).

(h) 2 CFR part 200, subpart F—Audit Requirements, as adopted by USDA through 2 CFR part 400. Title 29 U.S.C. 794 (sec. 504, Rehabilitation Act of 1973) and 7 CFR part 15b (USDA implementation of statute)—prohibiting discrimination based upon physical or mental handicap in federally assisted programs. Title 35 U.S.C. 200 *et seq.*—Bayh-Dole Act, controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in federally assisted programs (implementing regulations are contained in 37 CFR part 401).

PART 4288—PAYMENT PROGRAMS

■ 24. The authority citation for part 4288 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

§ 4288.136 [Amended]

■ 25. In § 4288.136, the introductory text is amended by removing the words ''to 7 CFR part 3017, Government-wide Debarment and Suspension'' and adding the words ''with 2 CFR part 417'' in their place.

Stephen L. Censky,

Deputy Secretary, U.S. Department of Agriculture.

[FR Doc. 2020–09568 Filed 5–27–20; 8:45 am]

BILLING CODE 3410–90–P

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 457

RIN 0563–AC66

[Docket ID FCIC–19–0007]

Common Crop Insurance Regulations; Canola and Rapeseed Crop Insurance Provisions

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule with request for comments.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) amends the Common Crop Insurance Regulations, Canola and Rapeseed Crop Insurance Provisions. The intended effect of this action is to clarify policy provisions and for consistency with other crop provisions that offer coverage on both fall and spring-planted acreage of the crop. The changes will be effective for the 2021 and succeeding crop years.

DATES:

Effective: May 28, 2020.

Comments date: FCIC will accept written comments on this final rule until close of business July 27, 2020. FCIC may consider the comments received and may conduct additional rulemaking based on the comments.

ADDRESSES: We invite you to submit comments on this rule. In your comments, include the date, volume, and page number of this issue of the **Federal Register** and the title of rule. You may submit comments by any of the following methods, although FCIC prefers that you submit comments electronically through the Federal eRulemaking Portal:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and search for Docket ID FCIC–19–0007. Follow the online instructions for submitting comments.
- *Mail:* Director, Product Administration and Standards Division, Risk Management Agency, United States Department of Agriculture, P.O. Box 419205, Kansas City, MO 64133–6205.

All comments received, including those received by mail, will be posted without change and publicly available on *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Francie Tolle, telephone (816) 926–7730, email *Francie.Tolle@usda.gov*.

SUPPLEMENTARY INFORMATION:

Background

FCIC amends the Common Crop Insurance Regulations by revising 7 CFR 457.161 Canola and Rapeseed Crop Insurance Provisions to be effective for the 2021 and succeeding crop years.

The changes to 7 CFR 457.161 Canola and Rapeseed Crop Insurance Provisions are as follows:

1. Section 1—FCIC is revising the definition of ''harvest'' to incorporate a new term, ''pushed'', that is being added to section 1. The definition specifies that canola that is swathed prior to combining is not considered harvested. The revised definition says that canola that is swathed or pushed prior to combining is not considered harvested.

FCIC is adding the definition of ''latest final planting date'' to specify the final planting date for those counties that have only spring-planted acreage, only fall-planted acreage, or both spring-planted and fall-planted acreage.

FCIC is adding a definition of ''prevented planting'' to specify it is the same definition found in the Basic Provisions except that the references to ''final planting date'' contained in the definition in the Basic Provisions are replaced with the ''latest final planting date.'' This is consistent with other crop provisions that have both fall and spring planted acreage.

FCIC is adding a definition of ''pushed.'' Pushed is a method by which

the stems of the canola are mechanically bent prior to maturity. When the stems are pushed, the stems and pods remain intact to ripen naturally while being protected from weather events. This process is not harmful to the canola and is completed prior to harvest.

2. Section 3—FCIC is revising paragraphs (b)(1) and (b)(2) to replace the phrase ''insured fall planted acreage'' with the phrase ''insurable fall planted acreage.'' This subsection provides guidance regarding the date by which producers can make changes to their insurance coverage depending on whether they have insured fall planted acreage. The previous provisions stated that if producers have insured fall planted acreage, no changes can be made after the fall sales closing date. If producers do not have insured fall planted acreage, then they can make changes up until the spring sales closing. According to section 6 of the Crop Provisions, all the producer's acreage of the crop in the county must be insured. Therefore, if the producer plants fall planted acreage and it is insurable, then it must be insured. FCIC received input from insurance companies that the phrase ''insured fall planted acreage'' indicates that if producers planted fall planted acreage but did not insure it, then they have until the spring sales closing date to make changes to the insurance coverage on the spring-planted acreage. That is not the intent of the provisions. Therefore, FCIC is revising the language to indicate that if there is insurable fall planted acreage, then no changes may be made after the fall sales closing date.

3. Section 5—FCIC is revising the table to make two changes: (1) To specify what the cancellation and termination dates are for each state and county where canola insurance is available; and (2) to specify the cancellation and termination dates in two separate columns.

The wording does not list specific states, but rather identifies the cancellation and termination dates based on whether a county has or does not have fall planted types listed in the actuarial documents (or all counties for Alabama and Georgia):

a. Counties without fall-planted types on the actuarial documents have a cancellation and termination date of March 15; and

b. Counties with fall-planted types on the actuarial documents have a cancellation and termination date of August 31.

The wording of this table caused confusion when insured producers and their insurance providers were seeking written agreements in counties where canola and rapeseed crop insurance is not available (because the county does not appear in the actuarial documents). A written agreement provides insurance for insurable crops when coverage or rates are currently unavailable in the county, or is used to modify existing terms and conditions in the crop insurance policy when specifically permitted by the policy. Section 18(e)(2)(ii) of the Common Crop Insurance Policy, Basic Provisions (Basic Provisions) had specified that written agreements must be provided on or before the cancellation date to insure a crop in a county that does not have actuarial documents for the crop (If the Crop Provisions do not provide a cancellation date for the county, the cancellation date for other insurable crops in the same State that have similar final planting and harvesting dates will be applicable). According to the Canola and Rapeseed Crop Provisions and section 18 of the Basic Provisions, the written agreement must be submitted by March 15 for counties without fall-planted types on the actuarial documents and August 31 for counties with fall-planted types on the actuarial documents.

In an example that was brought to our attention, an insured producer planted fall canola in a county for which there is no canola and rapeseed crop insurance coverage. This county falls within the category of not having fall-planted types listed on the actuarial documents; therefore, the deadline to submit the written agreement would be the March 15th cancellation date. However, the insured producer planted the crop months prior to the deadline and may be able to adversely select against insurance due to information the insured has about their crop prior to the attachment of insurance. With the revised changes to the table, the deadline for the written agreement in this county would default to the provisions in section 18(e)(2)(ii) of the Basic Provisions: (If the Crop Provisions do not provide a cancellation date for the county, the cancellation date for other insurable crops in the same State that have similar final planting and harvesting dates will be applicable). In this example, according to section 18 of the Basic Provisions, the cancellation date would have been more-appropriately aligned with the counties in the states with an August 31st cancellation date.

In Idaho, there are six counties that have only spring-planted types of canola. In the remaining counties in Idaho, and in all counties in Oregon and Washington, there are fall and spring-planted types. The six counties in Idaho are now specifically named in the table and fall within the cancellation and termination dates of March 15th. The remaining counties in Idaho and all counties in Oregon and Washington have a Special Provisions statement that changes the termination date from August 31 to October 31. By adding a separate column for the termination dates in the table, FCIC can incorporate the termination date addressed in the Special Provisions statement. The Special Provisions statement will no longer be needed.

4. Section 10—FCIC is revising paragraph (d) for consistency with other crops that have both fall and spring planted acreage. The provisions state that the production guarantee, premium, projected and harvest prices and replant payments will be based on the crop type that is replanted and insured. The provisions do not address situations when a damaged winter crop type is replanted to a spring crop type, but retains insurance based on the winter crop type; and when the replanted acreage is planted at a reduced seeding rate into a partially-damaged stand of the insured crop. These situations are addressed in other crop provisions that have both fall and spring planted acreage; therefore, these situations are added to these crop provisions for consistency.

5. Section 14—FCIC is adding a sentence at the beginning to clarify in counties for which the Special Provisions designate a spring final planting date, the prevented planting production guarantee will be based on the approved yield for spring-planted acreage of the insured crop. This change is consistent with other crop provisions that have both fall and spring planted acreage.

Effective Date and Notice and Comment

The Administrative Procedure Act (APA, 5 U.S.C. 553) provides that the notice and comment and 30-day delay in the effective date provisions do not apply when the rule involves specified actions, including matters relating to contracts. This rule governs contracts for crop insurance policies and therefore falls within that exemption.

For major rules, the Congressional Review Act requires a delay the effective date of 60 days after publication to allow for Congressional review. This rule is not a major rule under the Congressional Review Act, as defined by 5 U.S.C. 804(2). Therefore, this final rule is effective May 28, 2020. Although not required by APA or any other law, FCIC has chosen to request comments on this rule.

Executive Orders 12866, 13563, 13771 and 13777

Executive Order 12866, ''Regulatory Planning and Review,'' and Executive Order 13563, ''Improving Regulation and Regulatory Review,'' direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasized the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The requirements in Executive Orders 12866 and 13563 for the analysis of costs and benefits apply to rules that are determined to be significant. Executive Order 13777, ''Enforcing the Regulatory Reform Agenda,'' established a federal policy to alleviate unnecessary regulatory burdens on the American people.

The Office of Management and Budget (OMB) designated this rule as not significant under Executive Order 12866, ''Regulatory Planning and Review,'' and therefore, OMB has not reviewed this rule and analysis of the costs and benefits is not required under either Executive Order 12866 or 13563.

Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs,'' requires that in order to manage the private costs required to comply with Federal regulations that for every new significant or economically significant regulation issued, the new costs must be offset by the elimination of at least two prior regulations. As this rule is designated as not significant, it is not subject to Executive Order 13771. In a general response to the requirements of Executive Order 13777, USDA created a Regulatory Reform Task Force, and USDA agencies were directed to remove barriers, reduce burdens, and provide better customer service both as part of the regulatory reform of existing regulations and as an ongoing approach. FCIC reviewed this regulation and made changes to improve any provision that was determined to be outdated, unnecessary, or ineffective.

Clarity of the Regulation

Executive Order 12866, as supplemented by Executive Order 13563, requires each agency to write all rules in plain language. In addition to your substantive comments on this rule, we invite your comments on how to make the rule easier to understand. For example:

- Are the requirements in the rule clearly stated? Are the scope and intent of the rule clear?
- Does the rule contain technical language or jargon that is not clear?
- Is the material logically organized?
- Would changing the grouping or order of sections or adding headings make the rule easier to understand?
- Could we improve clarity by adding tables, lists, or diagrams?
- Would more, but shorter, sections be better? Are there specific sections that are too long or confusing?
- What else could we do to make the rule easier to understand?

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601–612), as amended by SBREFA, generally requires an agency to prepare a regulatory analysis of any rule whenever an agency is required by APA or any other law to publish a proposed rule, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. This rule is not subject to the Regulatory Flexibility Act because as noted above, this rule is exempt from APA and no other law requires that a proposed rule be published for this rulemaking initiative.

Environmental Review

In general, the environmental impacts of rules are to be considered in a manner consistent with the provisions of the National Environmental Policy Act (NEPA, 42 U.S.C. 4321–4347) and the regulations of the Council on Environmental Quality (40 CFR parts 1500–1508). FCIC conducts programs and activities that have been determined to have no individual or cumulative effect on the human environment. As specified in 7 CFR 1b.4, FCIC is categorically excluded from the preparation of an Environmental Analysis or Environmental Impact Statement unless the FCIC Manager (agency head) determines that an action may have a significant environmental effect. The FCIC Manager has determined this rule will not have a significant environmental effect. Therefore, FCIC will not prepare an environmental assessment or environmental impact statement for this action and this rule serves as documentation of the programmatic environmental compliance decision.

Executive Order 12372

Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' requires consultation with State and local officials that would be directly affected by proposed Federal financial assistance. The objectives of the Executive Order are to foster an intergovernmental partnership and a strengthened Federalism, by relying on State and local processes for State and local government coordination and review of proposed Federal financial assistance and direct Federal development. For reasons specified in the final rule related notice regarding 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983), the programs and activities in this rule are excluded from the scope of Executive Order 12372.

Executive Order 12988

This rule has been reviewed under Executive Order 12988, ''Civil Justice Reform.'' This rule will not preempt State or local laws, regulations, or policies unless they represent an irreconcilable conflict with this rule. Before any judicial actions may be brought regarding the provisions of this rule, the administrative appeal provisions of 7 CFR part 11 are to be exhausted.

Executive Order 13132

This rule has been reviewed under Executive Order 13132, ''Federalism.'' The policies contained in this rule do not have any substantial direct effect on States, on the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government, except as required by law. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with the States is not required.

Executive Order 13175

This rule has been reviewed in accordance with the requirements of Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments.'' Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

FCIC has assessed the impact of this rule on Indian Tribes and determined that this rule does not, to our knowledge, have Tribal implications that require Tribal consultation under

E.O. 13175. The regulation changes do not have Tribal implications that preempt Tribal law and are not expected have a substantial direct effect on one or more Indian Tribes. If a Tribe requests consultation, FCIC will work with the USDA Office of Tribal Relations to ensure meaningful consultation is provided where changes, additions and modifications identified in this rule are not expressly mandated by Congress.

The Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA, Pub. L. 104–4) requires Federal agencies to assess the effects of their regulatory actions of State, local, and Tribal governments or the private sector. Agencies generally must prepare a written statement, including cost benefits analysis, for proposed and final rules with Federal mandates that may result in expenditures of $100 million or more in any 1 year for State, local or Tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the more cost effective or least burdensome alternative that achieves the objectives of the rule. This rule contains no Federal mandates, as defined in Title II of UMRA, for State, local, and Tribal governments or the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Federal Assistance Program

The title and number of the Federal Domestic Assistance Program listed in the Catalog of Federal Domestic Assistance to which this rule applies is No. 10.450—Crop Insurance.

Paperwork Reduction Act of 1995

In accordance with the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35, subchapter I), the rule does not change the information collection approved by OMB under control numbers 0563–0053.

E-Government Act Compliance

FCIC is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

List of Subjects in 7 CFR Part 457

Acreage allotments, Crop insurance, Reporting and recordkeeping requirements.

For the reasons discussed above, FCIC amends 7 CFR part 457 as follows:

PART 457—COMMON CROP INSURANCE REGULATIONS

■ 1. The authority citation for 7 CFR part 457 continues to read as follows:

Authority: 7 U.S.C. 1506(l), 1506(o).

■ 2. In § 457.161:
■ a. Revise the introductory text;
■ b. Amend section 1 by:
■ i. Revising the definition of ''Harvest''; and
■ ii. Adding in alphabetical order the definitions of ''Latest final planting date'', ''Prevented planting'', and ''Pushed'';
■ c. Revise section 3(b);
■ d. Revise section 5;
■ e. Revise section 10(d); and
■ f. Revise section 14.

The revisions and additions read as follows:

§ 457.161 Canola and Rapeseed crop insurance provisions.

The Canola and Rapeseed Crop Insurance Provisions for the 2021 and succeeding crop years are as follows:

* * * * *

1. Definitions.

* * * * *

Harvest. Combining or threshing for seed. A crop that is swathed or pushed prior to combining is not considered harvested.

Latest final planting date. (a) The final planting date for spring-planted acreage in all counties for which the Special Provisions designate a final planting date for spring-planted acreage only;

(b) The final planting date for fall-planted acreage in all counties for which the Special Provisions designate a final planting date for fall-planted acreage only; or

(c) The final planting date for spring-planted acreage in all counties for which the Special Provisions designate final planting dates for both spring-planted and fall-planted acreage.

* * * * *

Prevented planting. As defined in the Basic Provisions, except that the references to ''final planting date'' contained in the definition in the Basic Provisions are replaced with the ''latest final planting date.''

* * * * *

Pushed. Mechanical bending of the stem prior to maturity that leaves the stems and pods intact to ripen naturally while being protected from weather events.

* * * * *

3. Insurance Guarantees, Coverage Levels, and Prices for Determining Indemnities.

* * * * *

(b) * * *

(1) If you do not have any insurable fall planted acreage of the insured crop, you may change your coverage level, or your percentage of projected price (if you have yield protection), or elect revenue protection or yield protection, until the spring sales closing date; or

(2) If you have any insurable fall planted acreage of the insured crop, you may not change your coverage level, or your percentage of projected price (if you have yield protection), or elect revenue protection or yield protection, after the fall sales closing date.

* * * * *

5. Cancellation and Termination Dates.

The cancellation and termination dates are as follows, unless otherwise specified in the actuarial documents:

State and county	Cancellation date	Termination date
All counties in Alabama and Georgia	September 30	September 30.
Blaine, Bonneville, Fremont, Jefferson, Madison, and Teton counties Idaho; and all counties in Minnesota, Montana, and North Dakota.	March 15	March 15.
All counties in Illinois, Indiana, Kansas, Kentucky, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.	August 31	August 31.
All other Idaho counties, Oregon, and Washington	August 31	October 31.

* * * * *

10. Replanting Payment.

* * * * *

(d) Replanting payments will be calculated using your projected price and your production guarantee for the crop type that is replanted and insured.

(1) For example, if damaged Spring Oleic Canola is replanted to Spring High Erucic Rapeseed, your projected price applicable to Spring High Erucic

Rapeseed will be used to calculate any replanting payment that may be due. A revised acreage report will be required to reflect the replanted type.

(2) Notwithstanding section 10(d)(1), the following will have a replanting payment based on your production guarantee and your projected price for the crop type initially planted:

(i) Any damaged winter crop type that is replanted to a spring crop type, but that retains insurance based on the winter crop type; and

(ii) Any acreage replanted at a reduced seeding rate into a partially damaged stand of the insured crop.

* * * * *

14. Prevented Planting.

In counties for which the Special Provisions designate a spring final planting date, your prevented planting production guarantee will be based on your approved yield for spring-planted acreage of the insured crop. Your prevented planting coverage will be a percentage specified in the actuarial documents of your production guarantee for timely planted acreage. If you have additional coverage and pay an additional premium, you may increase your prevented planting coverage if such additional coverage is specified in the actuarial documents.

Martin Barbre,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 2020–10240 Filed 5–27–20; 8:45 am]

BILLING CODE 3410–08–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Parts 5 and 7

[Docket No. OCC–2020–0020]

RIN 1557–AE94

Director, Shareholder, and Member Meetings

AGENCY: Office of the Comptroller of the Currency, Treasury (OCC).

ACTION: Interim final rule and request for comment.

SUMMARY: The Office of the Comptroller of the Currency (OCC) is amending its regulations on activities and operations of national banks and corporate activities of Federal savings associations to provide that these institutions may permit telephonic and electronic participation at all board of directors, shareholder, and as applicable, member, meetings. This Interim Final Rule (IFR) will update the OCC's regulations to conform with modern technologies and enable national banks and Federal savings associations to hold these meetings without violating social distancing restrictions imposed in response to the coronavirus disease 2019 (COVID–19) emergency.

DATES: The effective date of this interim final rule is May 28, 2020. Comments on the interim final rule must be received no later than July 13, 2020.

ADDRESSES:

OCC: Commenters are encouraged to submit comments through the Federal eRulemaking Portal or email, if possible. Please use the title ''Director, Shareholder, and Member Meetings'' to facilitate the organization and distribution of the comments. You may submit comments by any of the following methods:

• *Federal eRulemaking Portal—Regulations.gov Classic or Regulations.gov Beta:*

Regulations.gov Classic: Go to *https://www.regulations.gov/.* Enter ''Docket ID OCC–2020–0020'' in the Search Box and click ''Search.'' Click on ''Comment Now'' to submit public comments. For help with submitting effective comments please click on ''View Commenter's Checklist.'' Click on the ''Help'' tab on the *Regulations.gov* home page to get information on using *Regulations.gov,* including instructions for submitting public comments.

Regulations.gov Beta: Go to *https://beta.regulations.gov/* or click ''Visit New *Regulations.gov Site*'' from the *Regulations.gov* Classic homepage. Enter ''Docket ID OCC–2020–0020'' in the Search Box and click ''Search.'' Public comments can be submitted via the ''Comment'' box below the displayed document information or by clicking on the document title and then clicking the ''Comment'' box on the top-left side of the screen. For help with submitting effective comments please click on ''Commenter's Checklist.'' For assistance with the *Regulations.gov* Beta site, please call (877) 378–5457 (toll free) or (703) 454–9859 Monday–Friday, 9 a.m.–5 p.m. ET or email *regulations@erulemakinghelpdesk.com.*

• *Email: regs.comments@occ.treas.gov.*

• *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

• *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

• *Fax:* (571) 465–4326.

Instructions: You must include ''OCC'' as the agency name and ''Docket ID OCC–2020–0020'' in your comment. In general, the OCC will enter all comments received into the docket and publish the comments on the *Regulations.gov* website without change, including any business or personal information provided such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this rulemaking action by any of the following methods:

• *Viewing Comments Electronically—Regulations.gov Classic or Regulations.gov Beta:*

Regulations.gov Classic: Go to *https://www.regulations.gov/.* Enter ''Docket ID OCC–2020–0020'' in the Search box and click ''Search.'' Click on ''Open Docket Folder'' on the right side of the screen. Comments and supporting materials can be viewed and filtered by clicking on ''View all documents and comments in this docket'' and then using the filtering tools on the left side of the screen. Click on the ''Help'' tab on the *Regulations.gov* home page to get information on using *Regulations.gov.* The docket may be viewed after the close of the comment period in the same manner as during the comment period.

Regulations.gov Beta: Go to *https://beta.regulations.gov/* or click ''Visit New *Regulations.gov Site*'' from the *Regulations.gov* Classic homepage. Enter ''Docket ID OCC–2020–0020'' in the Search Box and click ''Search.'' Click on the ''Comments'' tab. Comments can be viewed and filtered by clicking on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Results'' options on the left side of the screen. Supporting materials can be viewed by clicking on the ''Documents'' tab and filtered by clicking on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Results'' options on the left side of the screen.'' For assistance with the *Regulations.gov* Beta site, please call (877) 378–5457 (toll free) or (703) 454–9859 Monday–Friday, 9 a.m.–5 p.m. ET or email *regulations@erulemakinghelpdesk.com.*

The docket may be viewed after the close of the comment period in the same manner as during the comment period.

FOR FURTHER INFORMATION CONTACT: Frances C. Augello, Special Counsel, or

Heidi M. Thomas, Special Counsel, Chief Counsel's Office, (202) 649–5490, or Donald W. Dwyer, Thrift Licensing Lead Expert, (202) 649–6260, for persons who are deaf or hearing impaired, TTY, (202) 649–5597, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219.

SUPPLEMENTARY INFORMATION:

I. Background

The OCC recognizes the recent disruptions and significant challenges faced by national banks and Federal savings associations as a result of the coronavirus disease 2019 (COVID–19) emergency. Health and safety advisories declared in response to the COVID–19 emergency, including those relating to social distancing, are impeding the ability of national banks and Federal savings associations to hold in-person meetings, such as board of director, shareholder, and member meetings. However, neither the National Bank Act or the Home Owners' Loan Act, as applicable, nor OCC regulations require that director, shareholder, or member meetings take place in person.[1] Furthermore, remote communication tools such as telephone or internet-based conferencing are available to institutions so that they may comply with internal and regulatory meeting requirements within the parameters of the social distancing guidelines. The OCC is issuing this IFR to clarify that national banks and Federal savings associations may use remote communication tools to conduct these meetings. Specifically, this IFR allows national banks and Federal savings associations to permit remote participation by shareholders, directors, and as applicable, members at shareholder, board of directors, and member meetings. Under this authority, institutions could hold in-person meetings with some participants attending remotely or hold these meetings exclusively by means of remote communication.

The amendments made by this IFR will enable national banks and Federal savings associations to conduct necessary meetings remotely during the COVID–19 emergency as well as during any other future emergency when in-person meetings may not be feasible. Because these amendments will be permanent and will not expire after the COVID–19 emergency has ended, they also will provide national banks and Federal savings associations, on an ongoing basis, with more flexibility in planning and holding director, shareholder, and, as applicable, member meetings; could permit greater director, shareholder, and member participation at these meetings for those participants not able to attend in person; and may reduce the burden and costs of in-person meetings for national banks and Federal savings associations, as well as meeting participants. The OCC expects that national banks and Federal savings associations allowing remote participation will provide fair treatment and transparency for shareholders or members participating telephonically or electronically.

II. Description of the Interim Final Rule

Federal Savings Associations (§§ 5.21, 5.22)[2]

Member and Shareholder Meetings. Twelve CFR 5.21 governs the procedures and requirements for charters and bylaws of Federal mutual savings associations. Paragraph (j)(2)(i) of § 5.21 requires the association's bylaws to indicate that the association will provide for and conduct an annual meeting of its members for the election of directors and any other business of the association. Paragraph (j)(2)(i) also provides that the annual meeting must be held at any convenient place the board of directors may designate, and at a date and time within 150 days after the end of the association's fiscal year.[3] Paragraph (j)(2)(ii) of § 5.21 requires the bylaws to include procedures for calling and conducting special meetings of Federal mutual savings association members.

Section 5.22 governs the procedures and requirements for Federal stock savings association charters and bylaws and generally parallels § 5.21. Paragraph (k)(1) of § 5.22 provides that all annual and special meetings of shareholders must be held at any convenient place the board of directors may designate.

To clarify that both a Federal mutual savings association and a Federal stock savings association may use remote communication tools to conduct these meetings, the OCC is amending §§ 5.21(j)(2)(i) and (j)(2)(ii) and 5.22(k)(1) to permit an association's bylaws to provide for telephonic or electronic participation of members and shareholders, as applicable, at both annual and special meetings. This amendment also provides that members or shareholders participating telephonically or electronically in an annual or special meeting will be deemed present in person for purposes of the quorum requirement in §§ 5.21(j)(2)(v) or 5.22(k)(5), as applicable.[4] As noted below, OCC regulations and model bylaw provisions governing annual and special meetings of the board of directors of Federal mutual savings associations and special meetings of the board of directors of Federal stock savings associations currently permit ''telephonic and electronic participation.'' The OCC is using the phrase ''telephonic and electronic participation'' in its amendments to the shareholder meeting provisions and maintaining the use of this phrase in its board of director provisions to provide consistent terminology for Federal savings associations and to avoid the cost and burden of any bylaw changes that could result from modifying this terminology in this IFR. The OCC requests comment on whether this terminology is appropriate in light of current technology or whether the OCC should use a different phrase in describing remote participation at shareholder and board of directors meetings.

This IFR also requires Federal savings associations to have procedures in place for telephonic and electronic participation at member or shareholder meetings and provides associations with a choice of procedures to follow. The procedures available to Federal mutual savings associations and those available to Federal stock savings associations differ only with respect to the State law procedures they may choose. As explained below, this difference is

[1] Although the National Bank Act does not specifically address the manner in which a national bank's board of directors must conduct its meetings, it does authorize national banks ''[t]o prescribe by its board of directors, bylaws not inconsistent with law, regulating the manner . . . its general business [is to be] conducted.'' 12 U.S.C. 24 (Sixth). In a 1999 interpretive letter, the OCC stated that ''[t]his authority to prescribe bylaws to conduct a national bank's general business is sufficiently broad to permit a national bank to adopt procedures governing the practice of conducting board meetings, including the ability to conduct regular board meetings by telephone or video conferencing.'' OCC Interpretive Letter No. 860 (Apr. 5, 1999).

[2] On March 5, the OCC issued a proposal to amend 12 CFR part 5 to update and clarify its policies and procedures for corporate activities and transactions involving national banks and Federal savings associations, eliminate unnecessary requirements consistent with safety and soundness, and make other technical and conforming changes. 85 FR 18728 (Apr. 2, 2020). This proposed rule includes amendments to §§ 5.21 and 5.22. The OCC will reconcile these proposed changes with the amendments made by this IFR when issuing the part 5 final rule.

[3] On May 12, 2020, the OCC issued guidance to institutions considering changes to the date, time or location of their annual meetings as a result of the COVID–19 emergency. *See* OCC Bulletin 2020–51.

[4] Section 5.21(j)(2)(v) provides that any number of members present and voting, represented in person or by proxy, at a regular or special meeting of the members constitutes a quorum. Section 5.22(k)(5) provides that a majority of the outstanding shares of the association entitled to vote, represented in person or by proxy, constitutes a quorum at a meeting of shareholders.

based on the State corporate governance procedures available to each type of entity under current OCC regulations.

With respect to Federal mutual savings associations, the IFR amends § 5.21(j)(2)(i) (annual meetings of members) and § 5.21(j)(2)(ii) (special meetings of members) to require the association to follow the procedures for telephonic or electronic participation of: (1) The State corporate governance procedures it is permitted to elect pursuant to § 5.21(j)(3)(iii), if those State corporate governance procedures include telephonic or electronic participation procedures; (2) the Delaware General Corporation Law [5] (with ''member'' substituting for ''stockholder''); or (3) the Model Business Corporation Act [6] (with ''member'' substituting for ''shareholder''), provided that such procedures are not inconsistent with applicable Federal statutes and regulations and safety and soundness. With certain exceptions, § 5.21(j)(3)(iii) provides that a Federal mutual savings association may elect to follow the corporate governance procedures of the laws of the State where the home office of the institution is located. Therefore, pursuant to this IFR, a Federal mutual savings association has the choice of following either the procedures for remote participation of the laws of its home State if these procedures exist, the procedures for remote participation under Delaware General Corporation Law, or the procedures for remote participation under the Model Business Corporation Act. To inform members of its choice of procedures, the IFR requires the association to indicate the use of these procedures in its bylaws.

With respect to Federal stock savings associations, § 5.22(k)(1) as amended by this IFR requires the association to elect to follow, pursuant to § 5.22(j)(2)(iii), corporate governance procedures for shareholder meetings that include procedures for telephonic or electronic participation. With certain exceptions, § 5.22(j)(2)(iii) provides that a Federal stock association may elect to follow the corporate governance procedures of: (1) The laws of the State where the home office of the association is located; (2) the laws of the State where the association's holding company, if any, is incorporated or chartered; (3) the Delaware General Corporation Law; or (4) the Model Business Corporation Act, provided that such procedures are not inconsistent with applicable Federal statutes and regulations and safety and soundness. This amendment, therefore, permits a Federal stock savings association to choose from any of the sources listed in § 5.22(j)(2)(iii) for its telephonic and electronic participation procedures. As with the amendments for Federal mutual savings associations, this IFR requires a Federal stock savings association to indicate in its bylaws which procedures it will use to inform its shareholders of these procedures.

As a result of these amendments, this IFR will ensure that if a Federal savings association's bylaws provide for telephonic or electronic participation at member or shareholder meetings, the Federal savings association must have procedures in place for this remote participation even if it has not elected to follow any particular corporate governance law pursuant to §§ 5.21(j)(3)(iii) or 5.22(j)(2)(iii), or if the corporate governance law it has elected to follow does not contain procedures for remote participation at meetings.

As indicated above, the IFR requires a Federal savings association to amend its bylaws if it wishes to utilize remote means of communication for its meetings. Current §§ 5.21(j)(3) and 5.22(j)(2) provide that, in general, a Federal savings association must submit an amendment to its bylaws to the OCC 30 days prior to adoption by its board of directors and that the amendment is effective 30 days after filing with the OCC. However, pursuant to §§ 5.21(j)(3)(i)(B) and 5.22(j)(2)(i)(B), if an association adopts a bylaw amendment that includes the language of the OCC's model or optional bylaws without change and files the bylaw with the OCC within 30 days after adoption, the bylaw is effective upon adoption. To permit Federal savings associations to utilize the remote communication provisions included in this IFR as quickly as possible during the COVID–19 emergency, the OCC is issuing concurrent with this IFR optional model bylaw provisions for telephonic and electronic participation at shareholder and member meetings.[7]

The OCC also is considering updating the member and shareholder meeting notice requirements contained in §§ 5.21 and 5.22. Section 5.21(j)(2)(iii) requires a Federal mutual savings association to publish a notice of the annual or special meeting in a newspaper of general circulation in the city or county in which the principal place of business of the association is located or to mail the notice postage prepaid to each of its members of record. This provision also requires the Federal mutual savings association to post notice of the meeting in a conspicuous place in each of its offices during the 14 days immediately preceding the date on which the meeting convenes. The OCC requests comment on whether it should amend this provision to permit a Federal mutual savings association to deliver the meeting notice to a member electronically if the member receives electronic communications. In addition, the OCC requests comment on whether it should amend this provision to permit the Federal mutual savings association to post the notice of the meeting on its website instead of in its offices. Section 5.22(k)(2) requires a Federal savings association to deliver a written notice of a shareholder meeting either personally or by mail to each shareholder of record entitled to vote at the meeting. If mailed, the notice is deemed delivered when deposited in the mail, addressed to the shareholder at the address appearing on the stock transfer books or records of the association as of the record date, with postage thereon prepaid. As with § 5.21(j)(2)(iii), the OCC requests comment on whether it should amend § 5.22(k)(2) to permit the Federal stock savings association to deliver the meeting notice to the shareholder electronically if the shareholder receives electronic communications and that this electronic notice be deemed delivered when sent to the shareholder's electronic address appearing on the books or records of the association as of the record date. The OCC believes that

[5] Delaware law provides that stockholders and proxyholders not physically present at a stockholders meeting may, by means of remote communication, participate in the meeting and be deemed present in person and vote at the meeting provided that: (1) The corporation implements reasonable measures to verify that each person deemed present and permitted to vote remotely is a stockholder or proxyholder, (2) the corporation implements reasonable measures to provide such stockholders and proxyholders a reasonable opportunity to participate in the meeting and to vote on matters submitted to the stockholders, including an opportunity to read or hear the proceedings of the meeting substantially concurrently with such proceedings, and (3) if any stockholder or proxyholder votes or takes other action at the meeting by means of remote communication, a record of such vote or other action is maintained by the corporation. 8 Del. C. § 211.

[6] The Model Business Corporation Act provides that shareholders participating in a shareholders' meeting by means of remote communication shall be deemed present and may vote at such meeting if the corporation has implemented reasonable measures to: (1) Verify that each person participating remotely as a shareholder is a shareholder; and (2) provide such shareholders a reasonable opportunity to participate in the meeting and to vote on matters submitted to the shareholders, including an opportunity to communicate, and to read or hear the proceedings of the meeting, substantially concurrently with such proceedings. Section 7.09, The Model Business Corporation Act (as amended 2019).

[7] Model bylaw provisions for mutual savings associations are available at *https://www.occ.gov/static/licensing/model-mutual-fsa-bylaws.pdf.* Model bylaw provisions for stock savings associations are available at *https://www.occ.gov/static/licensing/model-stock-fsa-bylaws.pdf.*

these amendments to the notice provisions would update the OCC's rules to reflect modern communication methods and complement the amendments made by this IFR. The OCC also believes that these amendments would benefit members and shareholders by providing them with notice by means consistent with other communications they receive from the association and allow a Federal savings association to announce a member or shareholder meeting through less costly or burdensome methods.

Board of Directors Meetings. Current § 5.21(j)(2)(ix) provides that the board of directors of a Federal mutual savings association may permit telephonic or electronic participation at its meetings. Current § 5.22(l)(8) permits the bylaws of a Federal stock savings association to provide for electronic participation at special meetings of the board of directors. The OCC's model bylaws for Federal mutual and stock savings associations also permit telephonic or similar communication at meetings of the board of directors.[8] However, current § 5.22(l)(3), which provides requirements for regular meetings of the board of directors of a Federal stock savings association, is silent with respect to electronic participation. To make these provisions consistent with each other, as well as with the model bylaws, the OCC is amending § 5.22(l)(3) to provide that the bylaws of a Federal stock savings association may provide for telephonic or electronic participation of board members at regular meetings. The OCC also is making technical changes to § 5.22(l)(8) by revising it to include telephonic in addition to electronic participation so that it is consistent with the other provisions of this IFR and to specify that this telephonic and electronic participation provision applies to special meetings of the board.

National Banks (§ 7.2003)

As with the amendments to §§ 5.21 and 5.22, the OCC is permitting national banks to provide for telephonic or electronic participation at shareholder and board of directors meetings. To accomplish this, the OCC is combining current 12 CFR 7.2001, which provides procedures for notifying shareholders of shareholder meetings, into current § 7.2003, which provides the rule for annual shareholder meetings that fall on a holiday; adding new telephonic and electronic participation language to 12 CFR 7.2003 as new paragraphs (c) and (d); and retitling § 7.2003 as ''Shareholder meetings; Board of directors meetings.'' The OCC is not making any substantive changes to current § 7.2001, which becomes § 7.2003(a), or current § 7.2003, which becomes § 7.2003(b). Combining §§ 7.2001 and 7.2003 puts all amendments related to shareholder meetings are held in one section.

New paragraph (c) to § 7.2003 permits a national bank to provide for telephonic or electronic participation at shareholder meetings. Further, new paragraph (c) requires a national bank to have procedures for telephonic or electronic participation in shareholder meetings. As with Federal savings associations, a national bank may choose these procedures from several sources: (1) The corporate governance procedures it has elected to follow pursuant to § 7.2000(b),[9] if those elected procedures include telephonic or electronic participation procedures; (2) the Delaware General Corporation Law; or (3) the Model Business Corporation Act. However, these procedures must not be inconsistent with applicable Federal statutes and regulations and safety and soundness. To inform shareholders of its choice of procedures, the IFR requires the national bank to indicate the use of these procedures in its bylaws. In general, Federal law does not require a national bank to file its bylaws and any amendments with, or to seek approval of its bylaws from, the OCC.[10]

As with the amendments to §§ 5.21(j)(2)(i) and (j)(2)(ii) and 5.22(k)(1) for Federal savings associations, this provision will ensure that a national bank has procedures in place for remote participation at shareholder meetings even if the corporate governance law it has elected to follow does not contain procedures for remote participation at shareholder meetings or if it has not elected to follow any particular corporate governance law pursuant to § 7.2000(b).

New paragraph (d) of § 7.2003 provides that a national bank may provide for telephonic or electronic participation at a meeting of its board of directors. This provision codifies OCC Interpretive Letter No. 860[11] and makes the national bank rule consistent with rules for Federal savings associations.

III. Request for Comment

The OCC seeks comment on all aspects of the IFR in addition to those specific requests noted in the **SUPPLEMENTARY INFORMATION**. In addition, please comment on the following:

- Should the OCC limit the ability of national banks and Federal savings associations to hold shareholder or member meetings exclusively by means of remote communication to emergency situations or when extenuating circumstances exist? If so, in what extenuating circumstances should national banks and Federal savings associations have authority to hold meetings exclusively by means of remote communication?
- Would holding shareholder or member meetings exclusively by means of remote communication limit participation by some shareholders or members, and if so, how?
- Should the OCC require national banks and Federal savings associations to provide in-person options for each shareholder or member meeting or require national banks or Federal savings associations to adopt procedures that permit shareholder participation at virtual meetings? If so, why?
- Should the OCC adopt regulatory procedures governing telephonic and electronic participation at shareholder meetings instead of requiring national banks and Federal savings associations to follow State corporate law, Delaware General Corporation Law, or Model Business Corporation Act procedures? If so, what specific procedures should the OCC adopt?
- Should the OCC provide risk management standards to mitigate any security risks arising from telephonic or electronic meetings? If so, what specific standards should the OCC adopt?

IV. Administrative Law Matters

A. Administrative Procedure Act

The OCC is issuing the IFR without prior notice and the opportunity for public comment and the delayed effective date ordinarily prescribed by the Administrative Procedure Act

[8] *See* ''Articles of Association, Charter, and Bylaw Amendments,'' Comptroller's Licensing Manual, (June 2017).

[9] Section 7.2000(b) provides that to the extent not inconsistent with applicable Federal banking statutes or regulations or bank safety and soundness, a national bank may elect to follow the corporate governance procedures of the law of the State in which the main office of the bank is located, the law of the State in which the holding company of the bank is incorporated, Delaware General Corporation Law, or the Model Business Corporation Act. Further, § 7.2000 requires that a national bank designate in its bylaws the body of law selected for its corporate governance procedures.

[10] *See* Articles of Association, Charter, and Bylaw Amendments booklet of the Comptroller's Licensing Manual at page 4 (June 2017). Should it come to the OCC's attention, however, that a national bank's bylaws are inconsistent with a law or regulation or the national bank's articles of association, or the bylaws promote unsafe or unsound operation of the national bank, the OCC will consider appropriate supervisory action to address any concerns. *Id.*

[11] *See* footnote 1.

(APA).[12] Pursuant to section 553(b)(B) of the APA, general notice and the opportunity for public comment are not required with respect to a rulemaking when an ''agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [13]

The OCC believes that the public interest is best served by implementing the IFR immediately upon publication in the **Federal Register**. National banks and Federal savings associations are acutely impacted by the COVID–19 emergency. Health and safety advisories in response to the COVID–19 emergency, including those relating to social distancing, are impeding the ability of national banks and Federal savings associations to hold in-person meetings, such as board of director, shareholder, and member meetings. The IFR amends the OCC's rules to permit telephonic and electronic participation at these meetings, thereby allowing national banks and Federal savings associations to conduct all necessary board of director, shareholder, and member meetings during the COVID–19 emergency. For these reasons, the OCC finds that there is good cause consistent with the public interest to issue the rule without advance notice and comment.[14]

The APA also requires a 30-day delayed effective date, except for: (1) Substantive rules which grant or recognize an exemption or relieve a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause.[15] As described above, the OCC believes it has good cause to issue this rule without a delayed effective date. Therefore, the IFR is exempt from the APA's delayed effective date requirement.[16]

While the OCC believes that there is good cause to issue the rule without advance notice and comment and with an immediate effective date, the OCC is interested in the views of the public and requests comment on all aspects of the IFR.

B. Congressional Review Act

For purposes of the Congressional Review Act, the Office of Management and Budget (OMB) makes a determination as to whether a final rule constitutes a ''major rule.'' [17] If a rule is deemed a ''major rule'' by the OMB, the Congressional Review Act generally provides that the rule may not take effect until at least 60 days following its publication.[18]

The Congressional Review Act defines a ''major rule'' as any rule that the Administrator of the Office of Information and Regulatory Affairs of the OMB finds has resulted in or is likely to result in: (1) An annual effect on the economy of $100,000,000 or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.[19]

The delayed effective date required by the Congressional Review Act does not apply to any rule for which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.[20] For the same reasons set forth above, the OCC is adopting the IFR without the delayed effective date generally prescribed under the Congressional Review Act. In light of the COVID–19 emergency, the OCC believes that delaying the effective date of the rule would be contrary to the public interest.

As required by the Congressional Review Act, the OCC will submit the IFR and other appropriate reports to Congress and the Government Accountability Office for review.

C. Paperwork Reduction Act

Certain provisions of the proposed rulemaking contain ''collection of information'' requirements within the meaning of the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

The OCC reviewed the IFR and determined that it revises certain information collection requirements previously cleared by OMB under OMB Control No. 1557–0014. The OCC has submitted the revised information collection to OMB for review under section 3507(d) of the PRA (44 U.S.C. 3507(d)) and section 1320.11 of the OMB's implementing regulations (5 CFR 1320).

Current Actions

The information collection requirements are as follows:

- National banks and FSAs must have procedures in place for holding remote meetings.
- FSAs will need to amend their bylaws if they wish to utilize remote means of communication for its meetings.
- Depending on which state or law the FSA elects to follow for procedures for remote means of communication, the FSA may have to amend its bylaws and file with the OCC.
- National banks must indicate the use of telephonic or electronic participation at shareholder meetings in their bylaws.
- The OCC is considering allowing alternative/electronic means of notifying members/shareholders of meetings.

The OCC estimates that there will be no change in burden as a result of these changes.

Title of Information Collection: Licensing Manual.

Frequency: Event generated.

Affected Public: Businesses or other for-profit.

Estimated number of respondents: 1,174

Total estimated annual burden for the collection: 12,534 hours.

Comments are invited on:

a. Whether the collections of information are necessary for the proper performance of the agencies' functions, including whether the information has practical utility;

b. The accuracy or the estimate of the burden of the information collections, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of the information collections on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

All comments will become a matter of public record. Comments on aspects of this notice that may affect reporting, recordkeeping, or disclosure

[12] 5 U.S.C. 553.

[13] 5 U.S.C. 553(b)(3)(A).

[14] 5 U.S.C. 553(b)(B); 553(d)(3).

[15] 5 U.S.C. 553(d).

[16] 5 U.S.C. 553(d)(1).

[17] 5 U.S.C. 801 *et seq.*

[18] 5 U.S.C. 801(a)(3).

[19] 5 U.S.C. 804(2).

[20] 5 U.S.C. 808.

requirements and burden estimates should be sent to the addresses listed in the **ADDRESSES** section of this document. A copy of the comments may also be submitted to the OMB desk officer by mail to U.S. Office of Management and Budget, 725 17th Street NW, #10235, Washington, DC 20503; facsimile to (202) 395–6974; or email to *oira_submission@omb.eop.gov,* Attention, Federal Banking Agency Desk Officer.

D. Riegle Community Development and Regulatory Improvement Act of 1994

Pursuant to section 302(a) of the Riegle Community Development and Regulatory Improvement Act (RCDRIA),[21] in determining the effective date and administrative compliance requirements for new regulations that impose additional reporting, disclosure, or other requirements on insured depository institutions (IDIs), each Federal banking agency must consider, consistent with the principle of safety and soundness and the public interest, any administrative burdens that such regulations would place on depository institutions, including small depository institutions, and customers of depository institutions, as well as the benefits of such regulations. In addition, section 302(b) of RCDRIA requires new regulations and amendments to regulations that impose additional reporting, disclosures, or other new requirements on IDIs generally to take effect on the first day of a calendar quarter that begins on or after the date on which the regulations are published in final form, with certain exceptions, including for good cause.[22] For the reasons described above, the OCC finds good cause exists under section 302 of RCDRIA to publish this IFR with an immediate effective date.

As such, the IFR will be effective immediately. Nevertheless, the OCC seeks comment on RCDRIA.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA)[23] requires an agency to consider whether the rules it proposes will have a significant economic impact on a substantial number of small entities.[24] The RFA applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b). As discussed previously, consistent with section 553(b)(B) of the APA, the OCC has determined for good cause that general notice and opportunity for public comment is unnecessary, and therefore the OCC is not issuing a notice of proposed rulemaking. Accordingly, the OCC has concluded that the RFA's requirements relating to initial and final regulatory flexibility analysis do not apply.

Nevertheless, the OCC seeks comment on whether, and the extent to which, the IFR would affect a significant number of small entities.

F. Unfunded Mandates

As a general matter, the Unfunded Mandates Act of 1995 (UMRA)[25] requires the preparation of a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year. However, the UMRA does not apply to final rules for which a general notice of proposed rulemaking was not published.[26] Therefore, because the OCC has found good cause to dispense with notice and comment for this IFR, the OCC has not prepared an economic analysis of the rule under the UMRA.

List of Subjects

12 CFR Part 5

Administrative practice and procedure, Federal savings associations, National banks, Reporting and recordkeeping requirements, Securities.

12 CFR Part 7

Computer technology, Credit, Derivatives, Federal savings associations, Insurance, Investments, Metals, National banks, Reporting and recordkeeping requirements, Securities, Security bonds.

For the reasons set out in the preamble, the OCC amends 12 CFR part 5 and part 7 as follows:

PART 5—RULES, POLICIES, AND PROCIDURES FOR CORPORATE ACTIVITIES

■ 1. The authority citation for part 5 continues to read as follows:

Authority: 12 U.S.C. 1 *et seq.,* 24a, 93a, 215a–2, 215a–3, 481, 1462a, 1463, 1464, 2901 *et seq.,* 3907, and 5412(b)(2)(B).

■ 2. Amend 5.21 by:
■ a. Adding two sentences at the end of paragraph (j)(2)(i)(A);
■ b. Adding a new paragraph (j)(2)(i)(C); and
■ c. Adding two sentences after the second sentence of paragraph (j)(2)(ii).

The additions read as follows:

§ 5.21 Federal mutual savings association charter and bylaws.

* * * * *

(j) * * *

(2) * * *

(i) * * *

(A) * * * The association's bylaws may provide for telephonic or electronic participation of members at an annual meeting. Members participating in an annual meeting telephonically or electronically will be deemed present in person for purposes of the quorum requirement in paragraph (j)(2)(v) of this section.

* * * * *

(C) If the association's bylaws provide for telephonic or electronic participation in member meetings, the association must follow the procedures for telephonic or electronic participation of the State corporate governance procedures it is permitted to elect pursuant to paragraph (j)(3)(iii) of this section, if those State corporate governance procedures include telephonic or electronic participation procedures; the Delaware General Corporation Law, Del. Code Ann. Tit. 8 (1991, as amended 1994, and as amended thereafter) (with ''member'' substituting for ''stockholder''); or the Model Business Corporation Act (with ''member'' substituting for ''shareholder''), provided, however, that such procedures are not inconsistent with applicable Federal statutes and regulations and safety and soundness. The association must indicate the use of these procedures in its bylaws.

(ii) * * * The association's bylaws may provide for telephonic or electronic participation of members at a special meeting pursuant to the procedures specified in paragraph (j)(2)(i)(C) of this section. Members participating in a special meeting telephonically or electronically will be deemed present in person for purposes of the quorum requirement in paragraph (j)(2)(v) of this section. * * *

* * * * *

■ 3. Amend § 5.22 by:
■ a. Revising paragraph (k)(1);
■ b. Adding a sentence at the end of paragraph (l)(3); and
■ c. Revising the last sentence of paragraph (l)(8).

The revisions and additions read as follows:

§ 5.22 Federal Stock savings association charter and bylaws.

* * * * *

[21] 12 U.S.C. 4802(a).

[22] 12 U.S.C. 4802.

[23] 5 U.S.C. 601 *et seq.*

[24] Under regulations issued by the Small Business Administration, a small entity includes a depository institution, bank holding company, or savings and loan holding company with total assets of $600 million or less and trust companies with total assets of $41.5 million or less. *See* 13 CFR 121.201.

[25] 2 U.S.C. 1531 *et seq.*

[26] *See* 2 U.S.C. 1532(a).

(k) *Shareholders of Federal stock savings associations*—(1) *Shareholder meetings.* (i) *In general.* A meeting of the shareholders of the association for the election of directors and for the transaction of any other business of the association shall be held annually within 150 days after the end of the association's fiscal year. Unless otherwise provided in the association's charter, special meetings of the shareholders may be called by the board of directors or on the request of the holders of 10 percent or more of the shares entitled to vote at the meeting, or by such other persons as may be specified in the bylaws of the association.

(ii) *Location of shareholder meetings.* (A) *In general.* All annual and special meetings of shareholders of the association shall be held at any convenient place the board of directors may designate. The association's bylaws may provide for the telephonic or electronic participation of shareholders in these meetings. Shareholders participating in an annual or special meeting telephonically or electronically will be deemed present in person for purposes of the quorum requirement in paragraph (k)(5) of this section.

(B) *Procedures for telephonic or electronic participation.* If the association's bylaws provide for telephonic or electronic participation in shareholder meetings, the association must elect to follow corporate governance procedures for these meetings pursuant to paragraph (j)(2)(iii) of this section that include procedures for telephonic or electronic participation in shareholder meetings. The association must indicate the use of these elected procedures in its bylaws.

(l) * * *

(3) * * * The bylaws may provide for telephonic or electronic participation at these meetings.

* * * * *

(8) * * * The bylaws may provide for telephonic or electronic participation at a special meeting.

* * * * *

PART 7—ACTIVITIES AND OPERATIONS

■ 4. The authority citation for part 7 continues to read as follows:

Authority: 12 U.S.C. 1 *et seq.,* 25b, 29, 71, 71a, 92, 92a, 93, 93a, 95(b)(1), 371, 371d, 481, 484, 1463, 1464, 1465, 1818, 1828(m), 3102(b), and 5412(b)(2)(B).

§ 7.1001 [Reserved]

■ 6. Remove and reserve § 7.1001.

■ 7. Revise § 7.2003 to read as follows:

§ 7.2003 Shareholder meetings; Board of directors meetings.

(a) *Notice of shareholders' meetings.* A national bank must mail shareholders notice of the time, place, and purpose of all shareholders' meetings at least 10 days prior to the meeting by first class mail, unless the OCC determines that an emergency circumstance exists. Where a national bank is a wholly-owned subsidiary, the sole shareholder is permitted to waive notice of the shareholder's meeting. The articles of association, bylaws, or law applicable to a national bank may require a longer period of notice.

(b) *Annual meeting for election of directors.* When the day fixed for the regular annual meeting of the shareholders falls on a legal holiday in the State in which the bank is located, the shareholders' meeting must be held, and the directors elected, on the next following banking day.

(c) *Virtual participation at shareholder meetings*—(1) *In general.* A national bank may provide for telephonic or electronic participation at shareholder meetings.

(2) *Procedures.* A national bank must follow the procedures for telephonic or electronic participation in a shareholder meeting of the corporate governance procedures it has elected to follow pursuant to § 7.2000(b), if those elected procedures include telephonic or electronic participation procedures; the Delaware General Corporation Law, Del. Code Ann. Tit. 8 (1991, as amended 1994, and as amended thereafter); or the Model Business Corporation Act, provided, however, that such procedures are not inconsistent with applicable Federal statutes and regulations and safety and soundness. The national bank must indicate the use of these procedures in its bylaws.

(d) *Virtual participation at board of directors meetings.* A national bank may provide for telephonic or electronic participation at a meeting of its board of directors.

Brian P. Brooks,

First Deputy Comptroller, Comptroller of the Currency.

[FR Doc. 2020–11525 Filed 5–27–20; 8:45 am]

BILLING CODE 4810–33–P

FEDERAL RESERVE SYSTEM

12 CFR Part 252

[Regulation YY; Docket No. R–1534]

RIN 7100–AE 38

Single-Counterparty Credit Limits for Bank Holding Companies and Foreign Banking Organizations

AGENCY: Board of Governors of the Federal Reserve System (Board).

ACTION: Final rule to extend compliance dates.

SUMMARY: The Board is adopting a final rule to amend the compliance dates related to Single-Counterparty Credit Limits for Bank Holding Companies and Foreign Banking Organizations (final SCCL rule). The final rule revises the final SCCL rule to modify the initial compliance dates of January 1, 2020, for a foreign banking organization that has the characteristics of a global systemically important banking organization, and July 1, 2020, for any other foreign banking organization subject to the final SCCL rule to July 1, 2021, and January 1, 2022, respectively, regarding the SCCL applicable to a foreign banking organization's combined U.S. operations only.

DATES: The final rule is effective on May 28, 2020.

FOR FURTHER INFORMATION CONTACT: Constance M. Horsley, Deputy Associate Director, (202) 452–5239; Kathryn Ballintine, Manager, (202) 452–2555; Lesley Chao, Lead Financial Institution Policy Analyst, (202) 974–7063; or Donald Gabbai, Lead Financial Institution Policy Analyst, (202) 452–3358, Division of Supervision and Regulation; or Laurie Schaffer, Deputy General Counsel, (202) 452–2272; Benjamin W. McDonough, Assistant General Counsel, (202) 452–2036; Chris Callanan, Counsel, (202) 452–3594; Lucy Chang, Counsel, (202) 475–6331; or Jeffery Zhang, Attorney, (202) 736–1968, Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

I. Discussion

On August 6, 2018, the Board published in the **Federal Register** a final rule to establish single-counterparty credit limits (SCCL) for bank holding companies and foreign banking organizations (FBOs) with total consolidated assets of at least $250 billion, pursuant to section 165(e) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (final SCCL

rule).[1] The rule was amended as part of the Board's recent tailoring rule establishing risk-based categories for determining prudential standards for large U.S. banking organizations and FBOs.[2] For FBOs, the amended final SCCL rule established separate SCCL applicable to (1) the combined U.S. operations of an FBO that is subject to Category II or III standards or that has total global consolidated assets of $250 billion or more, and (2) any U.S. intermediate holding company (IHC) that is subject to Category II or III standards. With respect to the SCCL applicable to the combined U.S. operations of an FBO, the final SCCL rule established different compliance dates based on whether the FBO has the characteristics of a global systemically important banking organization (GSIB). An FBO that has the characteristics of a GSIB must comply with these SCCL beginning on January 1, 2020, while an FBO that does not have the characteristics of a GSIB must comply beginning on July 1, 2020, unless that time is extended by the Board in writing.[3]

The final SCCL rule allows an FBO to comply with the SCCL applicable to its combined U.S. operations by certifying to the Board that it meets, on a consolidated basis, SCCL standards established by its home country supervisor that are consistent with the large exposures framework published by the Basel Committee on Banking Supervision in 2014 (BCBS Large Exposure Standard). Because the BCBS Large Exposure Standard is consistent with the Board's final SCCL rule, this approach reduces burden.[4]

Following the Board's adoption of the final SCCL rule, many foreign banks and their trade associations noted that, although efforts are underway in many jurisdictions to implement the BCBS Large Exposure Standard, the framework may not be fully implemented in the home countries of FBOs before the initial compliance dates of the final SCCL rule. Foreign banks indicated that it would be significantly burdensome to build systems to permit their combined U.S. operations to report compliance with the Board's final SCCL rule solely for use during the implementation gap period, since those FBOs will eventually be subject instead to a home-country large exposures framework consistent with the BCBS Large Exposure Standard on a consolidated basis.

The home countries of the FBOs whose combined U.S. operations are subject to the Board's final SCCL rule are China, Canada, Switzerland, Japan, the United Kingdom, and member states of the European Union. Those countries generally have made progress over the past year on implementing the BCBS Large Exposure Standard. At this time, China, Canada, and Switzerland have final frameworks that have become effective.[5] The European Union has finalized an SCCL framework that will become effective on June 28, 2021.[6] Japan does not yet have a final effective framework. The United Kingdom is expected to follow the European Union's final framework.[7]

In adopting the final SCCL rule, the Board agreed to defer to home country compliance with the BCBS Large Exposure Standard to prevent application of two largely redundant SCCL frameworks to the combined U.S. operations of FBOs.[8] For the above reasons, on November 20, 2019, the Board issued a proposed rule to modify the initial compliance dates regarding the SCCL applicable to an FBO's combined U.S. operations by 18 months to July 1, 2021, for an FBO that has the characteristics of a GSIB, and January 1, 2022, for any other FBO subject to the final SCCL rule, unless that time is extended by the Board in writing.

The comment period for the Board's proposal to modify the final SCCL rule's initial compliance dates as described above ended on December 20, 2019. The Board received four comment letters on the proposed extension, three of which supported the proposed 18-month extension of time, and one of which was not directly relevant to the proposal. No commenter requested any alternate or additional extension of time for specific events or circumstances, although one commenter suggested that, to the extent certain home countries need additional time to implement the BCBS Large Exposure Standard, the Board should allow individual FBOs to seek reasonable, limited extensions beyond the proposed 18-month period.

Having considered these comments, the Board is adopting the rule as proposed. The 18-month period takes into account the effective date of the EU's framework, and the Board believes it provides a reasonable period for firms to come into compliance with the final SCCL rule, either through direct compliance or certification of compliance with a home-country framework consistent with the BCBS Large Exposure Standard. To the extent an individual FBO believes its specific circumstances warrant an additional, limited extension of time, that FBO may request an extension of time from the Board in writing. The Board will consider such requests on a case-by-case basis.

II. Administrative Law Matters

A. Administrative Procedure Act

The Board is issuing the final rule without the delayed effective date ordinarily prescribed by the Administrative Procedure Act (APA).[9] The APA requires a 30-day delayed effective date, except for (1) substantive rules which grant or recognize an exemption or relieve a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause.[10] Because the rule relieves a restriction, the final rule is exempt from the APA's delayed effective date requirement.[11]

B. Paperwork Reduction Act

Certain provisions of the final rule contain ''collections of information'' within the meaning of the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The Board may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The Board reviewed the final rule under the authority delegated to the Board by OMB. The Board did not receive any specific comments on the PRA for the proposal.

[1] 83 FR 38460 (Aug. 6, 2019). *See also* 12 U.S.C. 5365(e).

[2] 84 FR 59032 (Nov. 1, 2019).

[3] 12 CFR 252.170(c).

[4] 12 CFR 252.172(d).

[5] *See* FINMA Circular 2013/7 ''Intragroup exposure—banks'' and Circular 2019/1 ''Risk diversification—banks'' (effective as of Jan. 1, 2019); IMF, Peoples Republic of China: Detailed Assessment of Observance of Basel Core Principles for Effective Banking Supervision, IMF Country Report No. 17/403 (Dec. 2017); OSFI Guideline B–2, Large Exposure Limits (effective as of Nov. 1, 2019). Although Canada's framework was effective as of November 1, 2019, implementation by Canadian banks will begin in Q1 2020.

[6] See Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012.

[7] An 11-month transition period, due to end on December 31, 2020 was established after the UK formally left the European Union on January 31, 2020. During this 11-month period, the UK will continue to follow all of the European Union's rules and its trading relationship will remain the same.

[8] 83 FR at 38487.

[9] 5 U.S.C. 553.

[10] 5 U.S.C. 553(d).

[11] 5 U.S.C. 553(d)(1).

The final rule contains revisions to the compliance date for the reporting and recordkeeping requirements subject to the PRA. To implement these requirements, the Board is revising the Single-Counterparty Credit Limits (FR 2590; OMB No. 7100–NEW).

Adopted Revision, With Extension, of the Following Information Collection

Report Title: Single-Counterparty Credit Limits.

Agency Form Number: FR 2590.

OMB Control Number: 7100–0377.

Frequency: Quarterly, annual, and event-generated.

Affected Public: Businesses or other for-profit.

Respondents: U.S. global systemically important bank holding companies (GSIBs) and other U.S. bank holding companies (BHCs) or savings and loan holding companies (SLHCs) that are subject to Category I, II, or III standards; foreign banking organizations (FBOs) that are subject to Category II or III standards or that have $250 billion or more in total global consolidated assets; and U.S. intermediate holding companies (IHCs) that are subject to Category II or III standards.

Estimated Number of Respondents: 75.

Estimated Average Hours per Response:

Reporting

One-Time Implementation: 1,273 hours.

Ongoing: 254 hours.

Requests for Temporary Relief: 10 hours.

Recordkeeping

Recordkeeping: 0.25 hours.

Estimated Annual Burden Hours:

Reporting

One-Time Implementation: 95,475 hours.

Ongoing: 76,200 hours.

Requests for Temporary Relief: 30 hours.

Recordkeeping

Recordkeeping: 75 hours.

General description of report: The FR 2590 is being implemented in connection with the Board's single-counterparty credit limits rule (final SCCL rule),[12] which has been codified in the Board's Regulation YY—Enhanced Prudential Standards (12 CFR part 252).[13]

The information collected by the Single-Counterparty Credit Limits reporting form (FR 2590 report) will allow the Board to monitor a covered company's or a covered foreign entity's compliance with the final SCCL rule. As amended by the Board's final tailoring rule, a covered company is any U.S. bank holding company (BHC) or savings and loan holding company (SLHC) that is subject to Category I, II, or III standards.[14] A covered foreign entity is any foreign banking organization (FBO) that is subject to Categories II or III standards or that has total global consolidated assets that equal or exceed $250 billion and any U.S. intermediate holding company (IHC) that is subject to Category II or III standards.[15] In addition to the reporting form, the FR 2590 information collection incorporates notice requirements pertaining to requests that may be made by a covered company or covered foreign entity to request temporary relief from specific requirements of the final SCCL rule. A respondent must retain one exact copy of each completed FR 2590 in electronic form, and these records must be kept for at least three years.

Legal authorization and confidentiality: The FR 2590 is authorized pursuant to section 5(c) of the Bank Holding Company Act of 1956 (BHC Act) (12 U.S.C. 1844(c)), section 165(e) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5365(e)), and section 10(b) of the Home Owners' Loan Act (12 U.S.C. 1467a(b)). With respect to FBOs and their subsidiary IHCs, the FR 2590 is authorized pursuant to section 5(c) of the BHC Act, in conjunction with section 8 of the International Banking Act of 1978 (12 U.S.C. 3106). The FR 2590 is mandatory.

The data collected on the FR 2590 form will be kept confidential under exemption 4 of the Freedom of Information Act (FOIA), which protects from disclosure trade secrets and commercial or financial information (5 U.S.C. 552(b)(4)), and exemption 8 of FOIA, which protects from disclosure information related to the supervision or examination of a regulated financial institution (5 U.S.C. 552(b)(8)).

Regarding notices associated with requests for temporary relief from specific requirements of the SCCL rule, a firm may request confidential treatment under the Board's rules regarding confidential treatment of information at 12 CFR 261.15. The Board will consider whether such information may be kept confidential in accordance with exemption 4 of FOIA (5 U.S.C. 552(b)(4)) or any other applicable FOIA exemption.

Current Actions: The final SCCL rule had an effective date of October 5, 2018, and an initial compliance date of January 1, 2020, for a foreign banking organization that has the characteristics of a global systemically important banking organization, and July 1, 2020, for any other foreign banking organization subject to the rule, unless that time is extended by the Board in writing. The Board is modifying these initial compliance dates to July 1, 2021, and January 1, 2022, respectively, regarding the SCCL applicable to such a foreign banking organization's combined U.S. operations only.[16] There are no proposed changes to the reporting or recordkeeping requirements for such entities, and the burden hours would remain the same.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), generally requires an agency, in connection with a final rulemaking, to prepare and make available for public comment a final regulatory flexibility analysis that describes the impact of a proposed rule on small entities. However, a final regulatory flexibility analysis is not required if the agency certifies that the final rule will not have a significant economic impact on a substantial number of small entities. The Small Business Administration (SBA) has defined ''small entities'' to include banking organizations with total assets of less than or equal to $600 million.[17] The Board has considered the potential impact of the final rule on small entities in accordance with the RFA. Based on its analysis, and for the reasons stated below, the Board certifies that the rule will not have a significant economic impact on a substantial number of small entities.[18]

As discussed in the **SUPPLEMENTARY INFORMATION**, the final SCCL rule generally applies to U.S. bank holding companies subject to Category I, II, or III standards, and foreign banking organizations that are subject to Category II or III standards or that have total global consolidated assets of at least $250 billion. Companies that are subject to the final SCCL rule have

[12] 83 FR 38460 (Aug. 6, 2018).

[13] *See* 12 CFR part 252, subparts H and Q.

[14] 12 CFR 252.70, 252.170; *see also* 84 FR 59032 (Nov. 1, 2019).

[15] *Id.*

[16] The Board is not providing any amendment at this time that would modify the initial compliance dates in the final rule for, or otherwise amend the application of, single-counterparty credit limits applicable to any U.S. intermediate holding company of a foreign banking organization subject to the rule.

[17] *See* 13 CFR 121.201; 84 FR 34261 (July 18, 2019).

[18] 5 U.S.C. 605.

consolidated assets that substantially exceed the $600 million asset threshold at which a banking organization is considered a ''small entity'' under SBA regulations. Because the final SCCL rule does not apply to any small entities for purposes of the RFA, the amendments to the rule to extend the initial compliance dates applicable to FBOs subject to SCCL with respect to their combined U.S. operations would not affect any small entity for purposes of the RFA. The Board's final rule would not impose any new recordkeeping, reporting, or other compliance requirements. In light of the foregoing, the Board believes that the final rule would not have a significant economic impact on a substantial number of small entities.

D. Solicitation of Comments on the Use of Plain Language

Section 722 of the Gramm-Leach-Bliley Act (Pub. L. 106–102, 113 Stat. 1338, 1471, 12 U.S.C. 4809) requires the Federal banking agencies to use plain language in all proposed and final rules published after January 1, 2000. The Board sought to present the final rule in a simple and straightforward manner and did not receive any comments on the use of plain language.

List of Subjects in 12 CFR Part 252

Administrative practice and procedure, Banks, banking, Federal Reserve System, Holding companies, Reporting and recordkeeping requirements, Securities.

Authority and Issuance

For the reasons stated in the preamble, the Board of Governors of the Federal Reserve System amends 12 CFR part 252 as follows:

PART 252—ENHANCED PRUDENTIAL STANDARDS (REGULATION YY)

■ 1. The authority citation for part 252 continues to read as follows:

Authority: 12 U.S.C. 321–338a, 481–486, 1467a, 1818, 1828, 1831n, 1831o, 1831p–1, 1831w, 1835, 1844(b), 1844(c), 3101 *et seq.,* 3101 note, 3904, 3906–3909, 4808, 5361, 5362, 5365, 5366, 5367, 5368, 5371.

■ 2. Section 252.170(c)(1) is revised to read as follows:

§ 252.170 Applicability and general provisions.

* * * * *

(c) *Applicability of this subpart*—(1) *Foreign banking organizations.* (i) A foreign banking organization that is a covered foreign entity as of October 5, 2018, must comply with the requirements of this subpart, including but not limited to § 252.172, beginning on January 1, 2022, unless that time is extended by the Board in writing.

(ii) Notwithstanding paragraph (c)(1)(i) of this section, a foreign banking organization that is a major foreign banking organization as of October 5, 2018, must comply with the requirements of this subpart, including but not limited to § 252.172, beginning on July 1, 2021, unless that time is extended by the Board in writing.

* * * * *

By order of the Board of Governors of the Federal Reserve System, May 1, 2020.

Ann Misback,

Secretary of the Board.

[FR Doc. 2020–09665 Filed 5–27–20; 8:45 am]

P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 702

RIN 3133–AF19

Temporary Regulatory Relief in Response to COVID–19—Prompt Corrective Action

AGENCY: National Credit Union Administration (NCUA).

ACTION: Interim final rule.

SUMMARY: The NCUA Board (Board) is temporarily modifying certain regulatory requirements to help ensure that federally insured credit unions (FICUs) remain operational and liquid during the COVID–19 crisis. Specifically, the Board is issuing two temporary changes to its prompt corrective action (PCA) regulations. The first amends its regulations to temporarily enable the Board to issue an order applicable to all FICUs to waive the earnings retention requirement for any FICU that is classified as adequately capitalized. The second modifies its regulations with respect to the specific documentation required for net worth restoration plans (NWRPs) for FICUs that become undercapitalized. These temporary modifications will be in place until December 31, 2020.

DATES: This rule is effective on May 28, 2020. Comments must be received on or before June 29, 2020.

ADDRESSES: You may submit written comments, identified by RIN 3133–AF19, by any of the following methods (Please send comments by one method only):

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (703) 518–6319. Include ''[Your Name]—Comments on Temporary Regulatory Relief Rule in Response to COVID–19—Prompt Corrective Action'' in the transmittal.
- *Mail:* Address to Gerard Poliquin, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.
- *Hand Delivery/Courier:* Same as mail address.

Public Inspection: You may view all public comments on the Federal eRulemaking Portal at *http://www.regulations.gov* as submitted, except for those we cannot post for technical reasons. The NCUA will not edit or remove any identifying or contact information from the public comments submitted. Due to social distancing measures in effect, the usual opportunity to inspect paper copies of comments in the NCUA's law library is not currently available. After social distancing measures are relaxed, visitors may make an appointment to review paper copies by calling (703) 518–6540 or emailing *OGCMail@ncua.gov.*

FOR FURTHER INFORMATION CONTACT: *Policy and Analysis:* Amanda Parkhill, Director, Policy Division, Office of Examination and Insurance, at (703) 518–6360; *Legal:* Marvin Shaw and Thomas Zells, Staff Attorneys, Office of General Counsel, at (703) 518–6540; or by mail at: National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314.

SUPPLEMENTARY INFORMATION:

I. Background

A. COVID–19 Pandemic

The COVID–19 pandemic has created uncertainty for FICUs and their members. The Board is working with federal and state regulatory agencies, in addition to FICUs, to assist FICUs in managing their operations and to facilitate continued assistance to credit union members and communities impacted by the coronavirus. As part of these ongoing efforts, the Board is temporarily modifying certain regulatory requirements to help ensure that FICUs continue to operate efficiently, to ensure that FICUs maintain sufficient liquidity, and to account for the potential temporary increase in shares that FICUs may experience during the COVID–19 pandemic. Specifically, the temporary amendments in this interim final rule will allow FICUs to better utilize resources by reducing the administrative burden associated with a temporary increase in shares. The Board has concluded that the amendments

will provide FICUs with necessary additional flexibility in a manner consistent with the NCUA's responsibility to maintain the safety and soundness of the credit union system. The temporary amendments are effective upon publication and will be in place through the end of calendar year 2020.

B. Prompt Corrective Action

1. Statutory Provisions

In 1998, Congress enacted the Credit Union Membership Access Act (''CUMAA'').[1] CUMAA amended the Federal Credit Union Act (''the Act'') to require the NCUA to adopt by regulation a system of PCA consisting of minimum capital standards and corresponding remedies to improve the net worth of federally-insured ''natural person'' credit unions.[2] The purpose of PCA is to ''resolve the problems of insured credit unions at the least possible long-term loss to the [National Credit Union Share Insurance Fund ('NCUSIF')].'' [3]

The statute designated three principal components of PCA: (1) A framework combining mandatory actions prescribed by statute with discretionary actions developed by the NCUA; (2) an alternative system of PCA to be developed by the NCUA for FICUs which CUMAA defines as ''new;'' and (3) a risk-based net worth requirement to apply to FICUs which the NCUA defines as ''complex.'' For FICUs other than those meeting the statutory definition of a ''new'' FICU, CUMAA mandated a framework of mandatory and discretionary supervisory actions indexed to five statutory net worth categories. These categories include ''well capitalized,'' ''adequately capitalized,'' ''undercapitalized,'' ''significantly undercapitalized,'' and ''critically undercapitalized.'' The mandatory actions and conditions triggering conservatorship and liquidation are expressly prescribed by statute.[4] To supplement the mandatory actions, the statute directed the NCUA to develop discretionary actions which are ''comparable'' to the ''discretionary safeguards'' available under section 38 of the Federal Deposit Insurance Act, which is the statute that applies PCA to other federally-insured depository institutions.[5]

The Act addresses the earnings retention requirement applicable to FICUs that are not well capitalized.[6] Such FICUs are required to annually set aside as net worth an amount equal to not less than 0.4% of their total assets.[7] The Board has the authority to decrease the earnings retention requirement.[8] To accomplish this, the Board may issue an order, if it determines that the decrease is necessary to avoid a significant redemption of shares and further the purpose of that PCA provision of the Act. The Act also requires the Board to periodically review any order issued under that section.[9]

Separately, 12 U.S.C. 1790d(f) sets forth requirements related to NWRPs, which FICUs must submit to the NCUA and which the NCUA must review when a FICU becomes undercapitalized. The regulatory provisions addressing the procedures and documentation requirements for NWRPs are codified at 12 CFR 702.206 and are detailed below.

2. Regulatory Provisions

In February 2000, the NCUA Board adopted part 702 and subpart L of part 747, establishing a comprehensive system of PCA that combines mandatory supervisory actions prescribed by the statute with discretionary supervisory actions developed by the NCUA (2000 final rule).[10] Each of these supervisory actions index to the five statutory net worth categories noted above. In addition, the 2000 final rule permits the NCUA to impose ''other action to better carry out the purpose of PCA'' than any discretionary supervisory action available in that category.[11] In the proposal that provided the basis for the 2000 final rule, the Board noted that ''Part 702 also amplifies the terms of the statutory exception to the 0.4% minimum set aside. Specifically, the Board stated that it interprets the phrase *by order* to indicate that exceptions to the 0.4% statutory minimum are to be granted on a case-by-case basis.'' [12] The Board has historically interpreted these orders on a case-by-case basis. However, given the current unprecedented situation where many FICUs broadly face similar circumstances that affect net worth, the Board has determined that it is appropriate to implement the changes in this rule, as detailed below.

In this rulemaking, the Board is adopting two changes to the PCA requirements. The first amends § 702.201 of the NCUA's regulations to allow the Board to temporarily waive the earnings retention requirement for an adequately capitalized FICU, and the second modifies § 702.206(c) of the NCUA's regulations with respect to NWRPs.

Section III of this preamble discusses the temporary regulatory amendments in greater detail.

II. Legal Authority

The Board is issuing this interim final rule pursuant to its authority under the Act.[13] The Act grants the Board a broad mandate to issue regulations governing both federal credit unions and, more generally, all FICUs. For example, section 120 of the Act is a general grant of regulatory authority and authorizes the Board to prescribe rules and regulations for the administration of the Act.[14] Section 209 of the Act is a plenary grant of regulatory authority to issue rules and regulations necessary or appropriate for the Board to carry out its role as share insurer for all FICUs.[15] Other provisions of the Act confer specific rulemaking authority to address prescribed issues or circumstances.[16] Accordingly, the Act grants the Board broad rulemaking authority to ensure that the credit union industry and the NCUSIF remain safe and sound. Such specific rulemaking authority is set forth in section 216(b) with respect to PCA.[17]

III. Section-by-Section Analysis

A. Section 702.201—Earnings Retention Requirement for ''Adequately Capitalized'' FICUs

With respect to earnings retention, a FICU that is classified as ''adequately capitalized'' or lower must increase the dollar amount of its net worth quarterly by an amount equivalent to at least 1/10th of a percent of its total assets and must quarterly transfer at least that amount (for a total of 0.4% annually) from undivided earnings to its regular reserve account every quarter until it is ''well capitalized.'' [18] The purpose of this provision is to restore a FICU that is less than well capitalized to a well-

[1] Pubic Law 105–219, 112 Stat. 913 (1998).

[2] 12 U.S.C. 1790d *et seq.*

[3] 12 U.S.C. 1790d(a)(1).

[4] 12 U.S.C. 1790d(e), (f), (g), and (i); 12 U.S.C. 1786(h)(1)(F); 12 U.S.C. 1786(a)(3)(A)(1).

[5] 12 U.S.C. 1790d(b)(1)(A); S. Rep. No. 193, 105th Cong., 2d Sess. 12 (1998) (S. Rep.); H.R. Rep. No. 472, 105th Cong; *see also* 12 U.S.C. 1831o (Section 38 of the Federal Deposit Insurance Act setting forth the PCA requirements for banks).

[6] 12 U.S.C. 1790d(e).

[7] 12 U.S.C. 1790d(e)(1).

[8] 12 U.S.C. 1790d(e)(2).

[9] 12 U.S.C. 1790d(e)(2)(B).

[10] 65 FR 8560 (Feb. 18, 2000).

[11] 12 CFR 702.202(b)(9).

[12] 64 FR 27090 (May 18, 1999).

[13] 12 U.S.C. 1751 *et seq.*

[14] 12 U.S.C. 1766(a).

[15] 12 U.S.C. 1789.

[16] An example of a provision of the Act that provides the Board with specific rulemaking authority is section 207 (12 U.S.C. 1787), which is a specific grant of authority over share insurance coverage, conservatorships, and liquidations.

[17] 12 U.S.C. 1790d(b).

[18] This relief is provided for FICUs that are required to make an earnings retention transfer under §§ 702.201, 702.202, 702.203, 702.204, 702.304, and 702.305.

capitalized position in an incremental manner.

As discussed above, current § 702.201 provides that the Board may waive this requirement on a case-by-case basis upon application by an affected FICU. The Act provides broader authority for the Board to issue an order to waive this requirement and does not require an application or individual orders.[19] In response to the COVID–19 pandemic and resulting economic disruption, the Board has determined that it is appropriate to amend § 702.201 temporarily to provide express regulatory authority for the Board to issue a single order waiving the earnings retention requirement for all FICUs that are classified as adequately capitalized during this time, subject to the applicable Regional Director retaining authority to subsequently require an application if a particular FICU poses undue risk to the NCUSIF or exhibits material safety and soundness concerns. Amending the regulation in this manner will allow the Board to respond to circumstances broadly affecting many FICUs with a single issuance rather than numerous individual waiver approvals. This provision will be effective on May 28, 2020 and will expire on December 31, 2020, consistent with other recent COVID–19 regulatory relief rules that the Board has issued. Separate from this regulatory amendment, the Board intends to issue the order described above, which will be applicable to adequately capitalized FICUs and will grant relief from the earnings retention requirement without requiring those FICUs to submit applications and receive individual waiver approvals, subject to the qualification noted above.

The Board is exercising this authority under 12 U.S.C. 1790d(e)(2) in order to enhance flexibility in the application of the earnings retention requirement to avoid a reduction of shares and thus retain system liquidity and capital adequacy, thereby furthering the purpose of PCA. The Board further notes that during this time, FICU operations have been significantly disrupted because of stay-at-home orders, reduced staff, and related complications. This procedure will lessen the administrative burden on FICUs, and the NCUA in providing this relief, by avoiding the need for numerous waiver applications and responses. The Board notes that qualification in the planned order regarding FICUs that pose undue risk or material safety and soundness concerns will help ensure that the purposes of PCA are maintained during this time.

This approach affords the agency the flexibility to address potential difficulties faced by FICUs during this time of unprecedented economic hardship. The Board also notes that the current, specific requirements on earnings retention waivers are based on a regulatory provision rather than a specific statutory directive.[20] Accordingly, the Board has flexibility to modify the regulatory provision to address the financial circumstances of individual FICUs as well as the broader credit union system. This is consistent with the overall statutory structure of PCA, which combines both mandatory and discretionary provisions.

Credit union members are facing unprecedented pressures and looking to FICUs to provide necessary credit or access to funds, which could place strain on FICU liquidity. Allowing for a broad order relieving adequately capitalized FICUs from this requirement is consistent with the statutory criteria for issuing such an order, namely avoiding a significant redemption of shares and furthering the purpose of 12 U.S.C. 1790d to ''resolve the problems of insured credit unions at the least possible long-term loss to the Fund.'' [21]

Accordingly, the Board is amending § 702.201 to adopt the temporary provision to issue a broadly applicable order. The Board plans to issue through a separate action an order consistent with this new provision to set forth the terms of relief from the earnings retention requirement.

B. Section 702.206(c)—Net Worth Restoration Plans (NWRPs); Contents of NWRP

With respect to NWRPs, the Act provides a broad directive that a FICU that is less than adequately capitalized must submit an applicable net worth restoration plan to the NCUA. The NCUA, by regulation, has provided additional details to flesh out this statutory provision. Section 702.206(a) of the NCUA's regulations specifies the schedule for filing the plan, and § 702.206(c) of the NCUA's regulations outlines the contents of a net worth restoration plan.[22]

The Board has decided that it is appropriate to waive the net worth restoration plan content requirements for FICUs that become classified as undercapitalized (has a net worth ratio of 4 percent to 5.99 percent) predominantly as a result of share growth. In these cases, the FICU may submit a significantly simpler net worth restoration plan to the applicable Regional Director noting that the FICU fell to undercapitalized because of share growth. Specifically, a FICU would be required to attest that its reduction in capital was caused by share growth and that such share growth is a temporary condition due to the COVID–19 pandemic. Federally insured, state-chartered credit unions must comply with applicable state requirements when submitting NWRPs for state supervisory authority approval.

When reviewing NWRPs submitted under this authority, the Regional Director will determine if the decrease in the net worth ratio was predominantly a result of share growth. To assess the reason for the decrease, the Regional Director will analyze the numerator and denominator of the net worth ratio. If there is no change or an increase in the numerator and an increase in the denominator, this would indicate that the decrease in the net worth ratio was due to share growth. If there is an increase in the denominator and a decrease in the numerator, the Regional Director will analyze whether the decrease in the numerator would have caused the credit union to fall to a lower net worth classification if there were no change in the denominator. If so, the credit union's net worth decline would not be predominantly due to share growth and the credit union

[19] *See* 1 U.S.C. 1 (providing that unless context indicates otherwise, words importing the singular also apply to several persons or parties).

[20] The Board notes that 12 U.S.C. 1790d(e)(1) requires earnings retention. However, additional provisions in 12 CFR part 702, including those related to timing and the content of the application, supplement this statutory provision.

[21] 12 U.S.C. 1790d(a)(1).

[22] 12 CFR 702.206(c). Under the current regulation, an NWRP must—

- Specify—
  - ○ A quarterly timetable of steps the credit union will take to increase its net worth ratio so that it becomes ''adequately capitalized'' by the end of the term of the NWRP, and to remain so for four (4) consecutive calendar quarters. If ''complex,'' the credit union is subject to a risk-based net worth requirement that may require a net worth ratio higher than six percent (6%) to become ''adequately capitalized'';
  - ○ The projected amount of earnings to be transferred to the regular reserve account in each quarter of the term of the NWRP as required under § 702.201(a), or as permitted under § 702.201(b);
  - ○ How the credit union will comply with the mandatory and any discretionary supervisory actions imposed on it by the NCUA Board under this subpart;
  - ○ The types and levels of activities in which the credit union will engage; and
  - ○ If reclassified to a lower category under § 702.102(b), the steps the credit union will take to correct the unsafe or unsound practice(s) or condition(s);
- Include pro forma financial statements, including any off-balance sheet items, covering a minimum of the next two years; and
- Contain such other information as the NCUA Board has required.

would not be eligible to submit a streamlined NWRP.

The Board has determined that it is appropriate to modify the regulation addressing NWRPs given the disruption caused by the COVID–19 pandemic. The Board believes that it will be able to fulfill its statutory duty to evaluate the net worth restoration plan even if the plan is more concise and streamlined than plans submitted prior to the COVID–19 crisis. Such a streamlined approach is acceptable because the more extensive information required under the current requirements may not be practicable or useful under the current situation. Further, the current requirement addresses methods for the Board to evaluate the plan and not for approval. The Board believes it can determine if a plan is acceptable even if it lacks some of the detailed submissions that the current regulation specifies. The Board further notes that if a FICU temporary falls below being adequately capitalized (or lower) because of share growth, the risk is limited and net worth will likely increase as the shares are withdrawn.

IV. Regulatory Procedures

A. Administrative Procedure Act

The Board is issuing the interim final rule without prior notice and the opportunity for public comment and the delayed effective date ordinarily prescribed by the Administrative Procedure Act (APA).[23] Pursuant to the APA, general notice and the opportunity for public comment are not required with respect to a rulemaking when an ''agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [24]

The Board believes that the public interest is best served by implementing the interim final rule immediately upon publication in the **Federal Register**. The Board notes that the COVID–19 pandemic is unprecedented. It is a rapidly changing and difficult to anticipate how the disruptions caused by the pandemic will manifest themselves within the financial system and how individual FICUs may be impacted. Because of the widespread impact of a pandemic and the speed with which disruptions have transmitted throughout the United States, the Board believes it is has good cause to determine that ordinary notice and public procedure are impracticable and that moving expeditiously in the form of an interim final rule is in the best of interests of the public and the FICUs that serve that public. The temporary regulatory changes are proactive steps that are designed to alleviate potential liquidity and resource strains including strains on capital adequacy and are undertaken with expedience to ensure the maximum intended effects are in place at the earliest opportunity.

The Board values public input in its rulemakings and believes that providing the opportunity for comment enhances its regulations. Accordingly, the Board is soliciting comments on its rules even when not required under the APA, such as for the rules it issues on an interim-final basis. The amendment made by the interim final rule will automatically expire at the close of December 31, 2020, and are limited in number and scope. For these reasons, the Board finds that there is good cause consistent with the public interest to issue the rule without advance notice and comment.[25]

The APA also requires a 30-day delayed effective date, except for (1) substantive rules which grant or recognize an exemption or relieve a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause.[26] Because the rule relieves currently codified limitations and restrictions, the interim final rule is exempt from the APA's delayed effective date requirement. As an alternative basis to make the rule effective without the 30-day delayed effective date, the Board finds there is good cause to do so for the same reasons set forth above regarding advance notice and opportunity for comment.

B. Congressional Review Act

For purposes of the Congressional Review Act,[27] the Office of Management and Budget (OMB) makes a determination as to whether a final rule constitutes a ''major'' rule. If the OMB deems a rule to be a ''major rule,'' the Congressional Review Act generally provides that the rule may not take effect until at least 60 days following its publication.

The Congressional Review Act defines a ''major rule'' as any rule that the Administrator of the Office of Information and Regulatory Affairs of the OMB finds has resulted in or is likely to result in (A) an annual effect on the economy of $100,000,000 or more; (B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions, or (C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.[28]

For the same reasons set forth above, the Board is adopting the interim final rule without the delayed effective date generally prescribed under the Congressional Review Act. The delayed effective date required by the Congressional Review Act does not apply to any rule for which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.[29] In light of current market uncertainty, the Board believes that delaying the effective date of the rule would be contrary to the public interest for the same reasons discussed above.

As required by the Congressional Review Act, the Board will submit the final rule and other appropriate reports to Congress and the Government Accountability Office for review.

C. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) applies to rulemakings in which an agency by rule creates a new paperwork burden on regulated entities or modifies an existing burden (44 U.S.C. 3507(d)). For purposes of the PRA, a paperwork burden may take the form of a reporting, recordkeeping, or a third-party disclosure requirement, referred to as an information collection.

The amendment to § 702.201 is decreasing the earnings retention requirement for all FICUs that are classified as adequately capitalized during this time. Currently, FICUs must request a waiver for each quarterly transfer made from undivided earning to its regular reserve account until well capitalized. By the actions of this rule the waiver requirement is temporary suspended for adequately capitalized credit unions and the information collection requirement will be reduced

[23] 5 U.S.C. 553.

[24] 5 U.S.C. 553(b)(3).

[25] For the same reasons, the Board is not providing the usual 60-day comment period before finalizing this rule. *See* NCUA Interpretive Ruling and Policy Statement (IRPS) 87–2, as amended by IRPS 03–2 and IRPS 15–1. 80 FR 57512 (Sept. 24, 2015), *available at https://www.ncua.gov/files/publications/irps/IRPS1987-2.pdf.*

[26] 5 U.S.C. 553(d).

[27] 5 U.S.C. 801–808.

[28] 5 U.S.C. 804(2).

[29] 5 U.S.C. 808.

from 113 respondents providing three waivers annually to 23 respondents.

Section 702.206 provides that a FICU that is less than adequately capitalized must submit an applicable NWRP to the NCUA. The temporary rule allows a FICU that becomes undercapitalized to submit a significantly simpler NWRP to NCUA, which will reduce the estimated burden associated with the preparation from 27 hours to 2 hours. This would affect an estimated 31 FICUs that would fall under the category of undercapitalized.

The information collection requirements of part 702 (subparts A through D) are currently covered by OMB control number 3133–0154. These temporary amendments will reduce the number of estimated responses from 482 to 155, with a decrease in the estimated total burden hours by 2,854, for a total information collection burden of 569 hours.

NCUA has obtain emergency approval from the Office of Management and Budget for a 6-month period. During this time the Agency will accept public comments on the information collection requirements and take appropriate action in the final request for PRA approval.

OMB Control Number: 3133–0154.

Title of information collection: Prompt Corrective Actions, 12 CFR 702 (Subparts A–D).

Estimated number of respondents: 89.

Estimated number of responses per respondent: 1.74.

Estimated total annual responses: 155.

Estimated burden per response: 3.67.

Estimated total annual burden: 569.

The NCUA invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information 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; and (e) estimates of capital or start-up costs and cost of operation, maintenance, and purchase of services to provide information.

All comments are a matter of public records. Interested persons are invited to submit written comments on the information collection to Dawn Wolfgang, National Credit Union Administration, 1775 Duke Street, Suite 6032, Alexandria, Virginia 22314; Fax No. 703–519–8579; or email at *PRAComments@ncua.gov.* Given the limited in-house staff because of the COVID–19 pandemic, email comments are preferred.

D. Executive Order 13132

Executive Order 13132 [30] encourages independent regulatory agencies to consider the impact of their actions on state and local interests. The NCUA, an independent regulatory agency, as defined in 44 U.S.C. 3502(5), voluntarily complies with the Executive order to adhere to fundamental federalism principles. The interim final rule 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. The Board has therefore determined that this rule does not constitute a policy that has federalism implications for purposes of the Executive order.

E. Assessment of Federal Regulations and Policies on Families

The NCUA has determined that this interim final rule will not affect family well-being within the meaning of Section 654 of the Treasury and General Government Appropriations Act, 1999.[31]

F. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires that when an agency issues a proposed rule or a final rule pursuant to the APA [32] or another law, the agency must prepare a regulatory flexibility analysis that meets the requirements of the RFA and publish such analysis in the **Federal Register**.[33] Specifically, the RFA normally requires agencies to describe the impact of a rulemaking on small entities by providing a regulatory impact analysis. For purposes of the RFA, the Board considers FICUs with assets less than $100 million to be small entities.[34]

As discussed previously, consistent with the APA,[35] the Board has determined for good cause that general notice and opportunity for public comment is unnecessary, and therefore the Board is not issuing a notice of proposed rulemaking. Rules that are exempt from notice and comment procedures are also exempt from the RFA requirements, including conducting a regulatory flexibility analysis, when among other things the agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest. Accordingly, the Board has concluded that the RFA's requirements relating to initial and final regulatory flexibility analysis do not apply.

Nevertheless, the Board seeks comment on whether, and the extent to which, the interim final rule would affect a significant number of small entities.

List of Subjects in 12 CFR Part 702

Credit unions, Reporting and recordkeeping requirements.

By the NCUA Board, this 21st day of May 2020.

Gerard Poliquin,

Secretary of the Board.

For the reasons set forth above, the Board amends 12 CFR part 702 as follows:

PART 702—CAPITAL ADEQUACY

■ 1. The authority citation for part 702 continues to read as follows:

Authority: 12 U.S.C. 1766(a), 1790d.

■ 2. Amend § 702.201 by redesignating paragraphs (b)(1) and (2) as paragraphs (b)(1)(i) and (ii), respectively, and adding a new paragraph (b)(2) to read as follows:

§ 702.201 Prompt corrective action for "adequately capitalized" credit unions.

* * * * *

(b) * * *

(2) Notwithstanding paragraph (a) of this section, starting on May 28, 2020 and ending on December 31, 2020, for a credit union that is adequately capitalized:

(i) The NCUA Board may issue an administrative order specifying temporary revisions to the earnings retention requirement, to the extent the NCUA Board determines that such lesser amount—

(A) Is necessary to avoid a significant redemption of shares; and

(B) Would further the purpose of this part.

(ii) Despite the issuance of an administrative order under paragraph (b)(2) of the section, the Regional Director may require a credit union to submit an earnings transfer waiver under paragraph (b)(1) if the credit

[30] Executive Order 13132 on Federalism, was signed by former President Clinton on August 4, 1999, and subsequently published in the **Federal Register** on August 10, 1999 (64 FR 43255).

[31] Public Law 105–277, 112 Stat. 2681 (1998).

[32] 5 U.S.C. 553(b).

[33] 5 U.S.C. 603, 604.

[34] NCUA IRPS 15–1. 80 FR 57512 (Sept. 24, 2015).

[35] 5 U.S.C. 553(b)(3)(B).

union poses an undue risk the National Credit Union Share Insurance Fund or exhibits material safety and soundness concerns.

* * * * *

■ 3. Amend § 702.206 by adding paragraph (c)(4) to read as follows:

§ 702.206 Net worth restoration plans.

* * * * *

(c) * * *

(4) Notwithstanding paragraphs (c)(1), (2), and (3) of this section, the Board may permit a credit union that is undercapitalized to submit to the Regional Director a streamlined NWRP plan attesting that its reduction in capital was caused by share growth and that such share growth is a temporary condition due to COVID–19. A streamlined NWRP plan is permitted between May 28, 2020 and December 31, 2020.

* * * * *

[FR Doc. 2020–11384 Filed 5–27–20; 8:45 am]

BILLING CODE 7535–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Chapter I

Transportation Security Administration

49 CFR Chapter XII

Notification of Arrival Restrictions Applicable to Flights Carrying Persons Who Have Recently Traveled From or Were Otherwise Present Within the Federative Republic of Brazil

AGENCY: U.S. Customs and Border Protection (CBP) and U.S. Transportation Security Administration (TSA), Department of Homeland Security (DHS).

ACTION: Notification of arrival restrictions.

SUMMARY: This document announces the decision of the Secretary of Homeland Security to direct all flights to the United States carrying persons who have recently traveled from, or were otherwise present within, the Federative Republic of Brazil (Brazil) to arrive at one of the United States airports where the United States Government is focusing public health resources. This document updates the previous decisions of the Secretary of Homeland Security: To direct all flights to the United States carrying persons who have recently traveled from, or were otherwise present within, the People's Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau) to arrive at one of the United States airports where the United States Government is focusing public health resources (effective February 2, 2020); to direct all flights to the United States carrying persons who have recently traveled from, or were otherwise present within, the Islamic Republic of Iran to arrive at one of the United States airports where the United States Government is focusing public health resources (effective March 2, 2020); to direct all flights to the United States carrying persons who have recently traveled from, or were otherwise present within, the countries of the Schengen Area, to arrive at one of the United States airports where the United States Government is focusing public health resources (effective March 13, 2020); and to direct all flights to the United States carrying persons who have recently traveled from, or were otherwise present within, the United Kingdom, excluding overseas territories outside of Europe, or the Republic of Ireland to arrive at one of the United States airports where the United States Government is focusing public health resources (effective March 16, 2020). Specifically, this document adds two airports (Fort Lauderdale-Hollywood International Airport (FLL) and George Bush Intercontinental/Houston Airport (IAH)) to the list of airports where such flights may land.

DATES: Flights departing after 11:59 p.m. Eastern Daylight Time (EDT) on Tuesday, May 26, 2020, and covered by the arrival restrictions announced or modified in this document are required to land at one of the airports identified in this document. These arrival restrictions will continue until cancelled or modified by the Secretary of Homeland Security and notification is published in the **Federal Register** of such cancellation or modification.

FOR FURTHER INFORMATION CONTACT: Matthew S. Davies, Office of Field Operations, U.S. Customs and Border Protection at 202–325–2073.

SUPPLEMENTARY INFORMATION:

Background

In Proclamation 9994 of March 13, 2020 (Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID–19) Outbreak), President Trump declared a national emergency recognizing the threat that the novel (new) coronavirus known as SARS–CoV–2 poses to the Nation's healthcare systems. The President declared the policy of the United States to respond to the ongoing, unprecedented outbreak of COVID–19 (the disease caused by SARS–CoV–2) with every tool and resource available to the United States Government. Consistent with this policy, the President has suspended and limited the entry of aliens recently present in certain foreign jurisdictions where significant COVID–19 outbreaks have occurred. These jurisdictions include the People's Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau), the Islamic Republic of Iran, the Schengen Area, the United Kingdom (excluding overseas territories outside of Europe), the Republic of Ireland, and, effective at 11:59 p.m. EDT on May 26, 2020, the Federative Republic of Brazil.

The potential for widespread further transmission of this virus by infected individuals seeking to enter the United States threatens the security of our transportation system and infrastructure, and the national security. Noting the President's actions and recent pronouncements by the World Health Organization (WHO) and the Centers for Disease Control and Prevention (CDC) for the novel coronavirus outbreak, including the categorization by WHO of COVID–19 as a pandemic on March 11, 2020, and to assist in preventing the introduction, transmission, and spread of this communicable disease globally and in the United States, DHS, in coordination with CDC and other Federal, state, and local agencies charged with protecting the American public, is implementing enhanced protocols to ensure that all travelers seeking to enter the United States with recent travel from, or who were otherwise recently present within, Brazil are provided appropriate public health services.

DHS previously published similar arrival restrictions in the **Federal Register**. This document does not modify those documents, except that the Secretary is adding two airports to the list of airports where flights subject to those arrival restrictions are permitted to land. The previously published arrival restrictions are as follows:

- Notification of Arrival Restrictions Applicable to Flights Carrying Persons Who Have Recently Traveled From or Were Otherwise Present Within the People's Republic of China, 85 FR 6044 (Feb. 4, 2020);
- Notification of Arrival Restrictions Applicable to Flights Carrying Persons Who Have Recently Traveled From or Were Otherwise Present Within the People's Republic of China, 85 FR 7214 (Feb. 7, 2020);
- Notification of Arrival Restrictions Applicable to Flights Carrying Persons

Who Have Recently Traveled From or Were Otherwise Present Within the People's Republic of China or the Islamic Republic of Iran, 85 FR 12731 (Mar. 4, 2020);

- Notification of Arrival Restrictions Applicable to Flights Carrying Persons Who Have Recently Traveled From or Were Otherwise Present Within the Countries of the Schengen Area, 85 FR 15059 (Mar. 17, 2020); and
- Notification of Arrival Restrictions Applicable to Flights Carrying Persons Who Have Recently Traveled From or Were Otherwise Present Within the United Kingdom or the Republic of Ireland, 85 FR 15714 (Mar. 19, 2020).

Enhanced traveler arrival protocols are part of a layered approach used with other public health measures already in place to detect arriving travelers who are exhibiting overt signs of illness. Additional measures include requiring carriers to distribute a CDC health declaration form to passengers on flights originating in the People's Republic of China, excluding the Special Administrative Regions of Hong Kong and Macau; the Islamic Republic of Iran; specified countries comprising the Schengen Area; the United Kingdom (excluding overseas territories outside Europe); the Republic of Ireland; and Brazil, to support CDC passenger health screening and contact tracing. U.S. Government Representatives will collect this form from passengers upon arrival in the United States. Other measures to protect the public include reporting of ill travelers by carriers during travel to appropriate public health officials for evaluation and referral of ill travelers arriving at a U.S. port of entry by CBP to appropriate public health officials.

To ensure that travelers with recent presence in Brazil are screened appropriately, DHS directs that all flights to the United States carrying persons who have recently traveled from, or were otherwise present within, Brazil arrive at airports where enhanced public health services and protocols have been implemented. Although DHS will continue to work with carriers to ensure that they identify persons who may have traveled from, or who may have otherwise recently been present within, the affected areas prior to boarding, carriers shall comply with the requirements of this document in all cases, including when such persons are identified after boarding but prior to takeoff.

On Friday, January 31, 2020, DHS posted a document on the **Federal Register** public inspection page, announcing the DHS Secretary's decision that arrival restrictions regarding the People's Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau) would go into effect at 5 p.m. Eastern Daylight Time on Sunday, February 2, 2020, at seven airports. The document announcing this decision was published in the **Federal Register** on February 4, 2020 at 85 FR 6044. On Friday, February 7, 2020, DHS published a document adding four airports to the list of airports where flights subject to the arrival restrictions are permitted to land and describing when the arrival restrictions would include those airports. *See* 85 FR 7214. On Friday, March 13, 2020, DHS posted a document on the **Federal Register** public inspection page adding two airports to the list of airports where flights subject to the arrival restrictions are permitted to land. The document announcing this decision was published in the **Federal Register** on March 17, 2020, at 85 FR 15059.

As with actions related to the People's Republic of China, the Islamic Republic of Iran, the countries of the Schengen Area, the United Kingdom, and Ireland, DHS anticipates that airlines will be able to fully support implementation of these arrival restrictions.

Notification of Arrival Restrictions Applicable to All Flights Carrying Persons Who Have Recently Traveled From or Were Otherwise Present Within Brazil

Pursuant to 19 U.S.C. 1433(c), 19 CFR 122.32, 49 U.S.C. 114, and 49 CFR 1544.305 and 1546.105, DHS has the authority to limit the locations where all flights entering the United States from abroad may land. Under this authority and effective for flights departing after 11:59 p.m. Eastern Daylight Time on Tuesday, May 26, 2020, I hereby direct all operators of aircraft to ensure that all flights carrying persons who have recently traveled from, or were otherwise present within, Brazil land only at one of the following 15 airports:

- John F. Kennedy International Airport (JFK), New York;
- Chicago O'Hare International Airport (ORD), Illinois;
- San Francisco International Airport (SFO), California;
- Seattle-Tacoma International Airport (SEA), Washington;
- Daniel K. Inouye International Airport (HNL), Hawaii;
- Los Angeles International Airport, (LAX), California;
- Hartsfield-Jackson Atlanta International Airport (ATL), Georgia;
- Washington-Dulles International Airport (IAD), Virginia;
- Newark Liberty International Airport (EWR), New Jersey;
- Dallas/Fort Worth International Airport (DFW), Texas;
- Detroit Metropolitan Airport (DTW), Michigan;
- Boston Logan International Airport (BOS), Massachusetts;
- Miami International Airport (MIA), Florida;
- Fort Lauderdale-Hollywood International Airport (FLL), Florida; and
- George Bush Intercontinental/Houston Airport (IAH), Texas.

This direction considers a person to have recently traveled from, or otherwise been present within, Brazil if that person departed from, or was otherwise present within, Brazil within 14 days of the date of the person's entry or attempted entry into the United States.

For purposes of this document, crew and flights carrying only cargo (*i.e.,* no passengers or non-crew) are excluded from the applicable measures set forth in this notification.

This direction is subject to any changes to the airport landing destination that may be required for aircraft and/or airspace safety, as directed by the Federal Aviation Administration.

This list of affected airports may be modified by the Secretary of Homeland Security, in consultation with the Secretary of Health and Human Services and the Secretary of Transportation. This list of affected airports may be modified by an updated publication in the **Federal Register** or by posting an advisory to follow at *www.cbp.gov.* The restrictions will remain in effect until superseded, modified, or revoked by publication in the **Federal Register**.

For purposes of this **Federal Register** document, ''United States'' means the States of the United States, the District of Columbia, and territories and possessions of the United States (including Puerto Rico, the U.S. Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam).

The Acting Secretary of Homeland Security, Chad F. Wolf, having reviewed and approved this document, is delegating the authority to electronically sign this document to Chad R. Mizelle, who is the Senior Official Performing the Duties of the General Counsel for DHS, for purposes of publication in the **Federal Register**.

Chad R. Mizelle,

Senior Official Performing the Duties of the General Counsel, U.S. Department of Homeland Security.

[FR Doc. 2020–11576 Filed 5–26–20; 12:00 pm]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1 and 56

[TD 9898]

RIN 1545–BN28

Guidance Under Section 6033 Regarding the Reporting Requirements of Exempt Organizations

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulation.

SUMMARY: This document contains final regulations updating information reporting regulations under section 6033 that are generally applicable to organizations exempt from tax under section 501(a) to reflect statutory amendments and certain grants of reporting relief for tax-exempt organizations required to file an annual Form 990 or 990–EZ information return that have been made since the previous regulations were adopted. The final regulations affect tax-exempt organizations.

DATES:

Effective date: The final regulations contained in this document are effective on May 28, 2020.

Applicability date: For dates of applicability, see § 1.6033–2(l)(2).

FOR FURTHER INFORMATION CONTACT: Office of the Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes) at (202) 317–3150 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

Subject to various exceptions, section 6033(a)(1) of the Internal Revenue Code (Code) requires every organization exempt from taxation under section 501(a) (tax-exempt organization) to file an annual return, stating specifically the items of gross income, receipts, and disbursements, and such other information for the purpose of carrying out the internal revenue laws as the Secretary of the Treasury or his delegate (Secretary) may by forms or regulations prescribe, and keep such records, render under oath such statements, make such other returns, and comply with such rules and regulations as the Secretary may from time to time prescribe. This requirement also applies to certain political organizations described in section 527(e)(1) (section 527 organizations). The annual information returns required under section 6033 are Forms 990, ''Return of Organization Exempt From Income Tax;'' 990–EZ, ''Short Form Return of Organization Exempt From Income Tax;'' 990–PF, ''Return of Private Foundation;'' and 990–BL, ''Information and Initial Excise Tax Return for Black Lung Benefit Trusts and Certain Related Persons.'' Annual returns filed by tax-exempt organizations, section 527 organizations, nonexempt private foundations described in section 6033(d), and section 4947(a)(1) trusts (which are both treated as organizations described in section 501(c)(3) for this purpose) are information returns intended to help ensure that the filing organizations comply with applicable federal tax laws. Most information on these annual returns is available for public inspection under section 6104.

Section 6033(a)(3) provides a list of organizations that are excepted from the filing requirements imposed under section 6033(a)(1). Specifically, section 6033(a)(3)(A)(ii) provides that section 6033(a)(1) shall not apply to any organization (other than a private foundation) that is described in section 6033(a)(3)(C) whose gross receipts are not normally more than $5,000 annually. The list of organizations provided in section 6033(a)(3)(C) includes certain fraternal beneficiary societies, orders or associations described in section 501(c)(8); certain organizations described in section 501(c)(3) (such as religious organizations and educational organizations described in section 170(b)(1)(A)(ii)); and organizations described in section 501(c)(1) that are corporations wholly owned by the United States or any agency or instrumentality thereof or wholly-owned subsidiaries of such corporations.

Section 6033(a)(3)(B) provides discretionary authority to the Secretary to relieve any organization required to file under section 6033(a)(1) (other than supporting organizations described in section 509(a)(3)) from filing an information return where he determines that such filing is ''not necessary to the efficient administration of the internal revenue laws.''

Section 6033(b) provides a list of items that are generally required to be furnished annually by organizations described in section 501(c)(3), ''at such time and in such manner as the Secretary may by forms or regulations prescribe.'' The statutory list of items generally required to be furnished annually has been amended by Congress from time to time to account for additional requirements of organizations described in section 501(c)(3). For example, section 6033(b) was updated by the Taxpayer Bill of Rights 2, Public Law 104–168, in 1996 to include items in sections 6033(b)(10) (relating to taxes imposed on certain lobbying and political expenditures by organizations described in section 501(c)(3)) and 6033(b)(11) (relating to taxes imposed with respect to an organization, an organization manager, or any disqualified person under section 4958).

Section 6033(g) provides that a section 527 organization that has gross receipts of $25,000 or more for a taxable year [1] shall file an annual return containing the information required by section 6033(a)(1) for organizations exempt from taxation under section 501(a). The statute authorizes the Secretary to modify the information required to be reported to require only information that is necessary for purposes of carrying out section 527 and such other information as the Secretary deems necessary to carry out the provisions of section 6033(g).

Section 6033(h) provides additional reporting requirements for controlling organizations, within the meaning of section 512(b)(13). Section 6033(h) requires controlling organizations to include on their returns any (1) interest, annuities, royalties, or rents received from each controlled entity (within the meaning of section 512(b)(13)), (2) any loans made to each such controlled entity, and (3) any transfers of funds between such controlling organization and each such controlled entity.

Section 6033(k) provides additional reporting requirements for sponsoring organizations described in section 4966(d)(1). Section 6033(k) requires each such organization to report on its annual return (1) the total number of donor advised funds (as defined in section 4966(d)(2)) it owns at the end of such taxable year, (2) the aggregate value of assets held in such funds at the end of such taxable year, and (3) the aggregate contributions to and grants made from such funds during such taxable year.

Section 6033(l) provides additional reporting requirements for supporting organizations described in section 509(a)(3). Section 6033(l) requires each supporting organization to report on its annual return: (1) The supported organizations (as defined in section 509(f)(3)) with respect to which such organization provides support; (2) whether the organization meets the requirements of clause (i), (ii), or (iii) of section 509(a)(3)(B); and (3) a

[1] In the case of a qualified State or local political organization described in section 527(e)(5), $25,000 is replaced by $100,000.

certification that the organization meets the requirements of section 509(a)(3)(C).

The general rule regarding confidentiality of returns is found in section 6103, which provides that returns and return information shall be confidential, and, except as authorized by the Code, no person having access to this information shall disclose any return or return information obtained by that person in any manner.

Section 6104 provides an exception to the general rule regarding confidentiality of returns. In general, under section 6104(b), the Secretary must make the annual returns filed under section 6033 available to the public. However, section 6104(b) does not authorize the Secretary to disclose to the public the name or address of any contributor to any tax-exempt organization except a private foundation (as defined in section 509(a), including a trust described in section 4947(a)(1) that is treated as a private foundation) or a section 527 organization. Section 301.6104(b)–1(b)(2) provides that although the names and addresses are not to be disclosed, the amounts of contributions to an organization shall be made available for public inspection unless the disclosure of such information can reasonably be expected to identify any contributor.

In addition to the required disclosure of annual returns by the Secretary, section 6104(d) and § 301.6104(d)–1 require certain tax-exempt organizations to provide their annual information returns to a member of the public upon request. Similar to the restrictions on disclosing contributor information placed on the Secretary by section 6104(b), section 6104(d)(3)(A) provides that an organization, other than a private foundation or a section 527 organization, is not required to disclose the names and addresses of its contributors.

The Treasury Regulations in effect prior to this Treasury Decision (prior regulations), which remain largely unchanged, reflected many of the statutory requirements of section 6033. Consistent with section 6033(a)(1), § 1.6033–2(a)(1) of the regulations provides that ''except as provided in section 6033(a)(3) and paragraph (g) [of § 1.6033–2], every organization exempt from taxation under section 501(a) shall file an annual information return specifically setting forth its items of gross income, gross receipts and disbursements, and such other information as may be prescribed in the instructions, issued with respect to the return.''

Although the information to be reported for any particular tax year is set forth in the forms and instructions for each such year, § 1.6033–2(a)(2)(ii) of the regulations also provides a list of ''information generally required to be furnished by an organization exempt under section 501(a)'' on the annual return, which generally tracks section 6033(b).[2] However, the list in the prior regulations had not been updated to reflect certain information that the statute generally requires to be reported because the statute had been amended following the original issuance of the regulations. Specifically, items in sections 6033(b)(10) (relating to taxes imposed on certain lobbying and political expenditures by organizations described in section 501(c)(3)) and 6033(b)(11) (relating to taxes imposed with respect to an organization, an organization manager, or any disqualified person under section 4958) were not reflected in the prior regulations.

Two provisions of the prior regulations expanded upon the statute with regard to the reporting of certain contributor information. First, section 6033(b)(5) requires organizations described in section 501(c)(3) generally to provide on the annual information return filed with the IRS the names and addresses of persons who contribute $5,000 or more during the taxable year. Section 1.6033–2(a)(2)(ii)(F) of the prior regulations had extended this requirement beyond section 501(c)(3) organizations to all organizations exempt from taxation under section 501(a). Second, § 1.6033–2(a)(2)(iii)(D) of the prior regulations provided that organizations described in section 501(c)(7) (social clubs), section 501(c)(8) (fraternal beneficiary societies), or section 501(c)(10) (domestic fraternal societies) generally must report the name of each person who contributes more than $1,000 to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals.

Incorporating the statutory filing exceptions of section 6033(a)(3), § 1.6033–2(g)(1) provides a list of organizations that are not required to file an annual return under section 6033(a)(1). Within that list, § 1.6033–2(g)(1)(iii) previously provided that certain specified organizations described in section 6033(a)(3)(C) whose gross receipts are generally not more than $5,000 annually are not required to file the return required under section 6033(a)(1). Further, § 1.6033–2(g)(6) provides that the Commissioner may relieve any organization or class of organizations (other than a supporting organization described in section 509(a)(3)) from filing, in whole or in part, the annual return required under section 6033 if the Commissioner ''determines that such returns are not necessary for the efficient administration of the internal revenue laws.''

Accordingly, other than with regard to supporting organizations, section 6033 and the regulations under section 6033 provide the Commissioner with broad discretionary authority to determine what information must be reported and to grant relief, in whole or in part, from the annual filing requirements of tax-exempt organizations if the Commissioner determines that the information is not necessary for the efficient administration of the internal revenue laws.

For decades, the Commissioner has exercised discretion under section 6033(a)(3)(B) and § 1.6033–2(g)(6) to relieve organizations of filing requirements under section 6033 through subregulatory guidance such as revenue procedures and annual information return instructions including, for example, Rev. Proc. 95–48, 1995–2 C.B. 418, which grants reporting relief for governmental units and affiliates of governmental units, and Rev. Proc. 96–10, 1996–1 C.B. 577, which relieves from a filing requirement under section 6033(a) certain organizations that are operated, controlled, or supervised by one or more churches, integrated auxiliaries, or conventions or associations of churches. (Both revenue procedures are discussed further in Part VI of the Summary of Comments and Explanation of Provisions section of this preamble.) Revenue Procedure 83–23, 1983–1 C.B. 687, represents another exercise of this discretion. In that revenue procedure, the Department of the Treasury (Treasury Department) and the IRS increased to $25,000 the minimum amount of gross receipts normally required to be received in a year by an organization exempt under section 501(a) to trigger a filing requirement under section 6033(a). That revenue procedure also expanded the group of

[2] The list in the regulations includes, but is not limited to, gross income for the year; dues and assessments from members and affiliates for the year; expenses incurred within the year attributable to gross income; disbursements (including prior years' accumulations) made within the year for the purposes for which it is exempt; a balance sheet showing its assets, liabilities, and net worth as of the beginning and end of such year; the total of the contributions, gifts, grants and similar amounts received by it during the taxable year; the names and addresses of all officers, directors, or trustees (or any person having responsibilities or powers similar to those of officers, directors or trustees) of the organization; and certain compensation and payment information. See § 1.6033–2(a)(2)(ii).

tax-exempt organizations not required to file an annual information return due to a gross receipts threshold beyond those listed in section 6033(a)(3)(C). Revenue Procedure 2011–15, 2011–3 I.R.B. 322, further increased this gross receipts threshold amount to $50,000 for most organizations exempt under section 501(a).[3] Revenue Procedure 2011–15 also relieved most foreign organizations and organizations formed in a United States possession from a filing requirement under section 6033(a) if their gross receipts from sources within the United States do not exceed the $50,000 threshold and if they have no significant activity (including lobbying and political activity and the operation of a trade or business, but excluding investment activity) in the United States.

Similarly, consistent with past exercises of authority under section 6033 and the prior regulations, the Treasury Department and the IRS issued Rev. Proc. 2018–38, 2018–31 I.R.B. 280, granting tax-exempt organizations required to file the Form 990 or Form 990–EZ, other than organizations described in section 501(c)(3), relief from reporting the names and addresses of contributors on Schedules B, ''Schedule of Contributors,'' filed with Form 990 or 990–EZ (or completing the similar portions of Part IV of the Form 990–BL). Revenue Procedure 2018–38 also provided that organizations described in sections 501(c)(7), (8), or (10) need not provide the names and addresses of persons who contributed more than $1,000 during the taxable year to be used for exclusively charitable purposes on their annual information returns required under section 6033. Revenue Procedure 2018–38 did not affect the information required to be reported on Forms 990, 990–EZ, or 990–PF by organizations described in section 501(c)(3) (which for purposes of section 6033 include nonexempt charitable trusts described in section 4947(a)(1) and nonexempt private foundations described in section 6033(d)) or section 527 organizations.

On July 30, 2019, the United States District Court for the District of Montana set aside Rev. Proc. 2018–38 on procedural grounds because, in the court's view, the notice and comment procedures of the Administrative Procedure Act applied and Rev. Proc. 2018–38 had not been subject to such notice and comment. *See Bullock, et al.* v. *IRS,* 401 F.Supp.3d 1144 (D. Mont. Jul. 30, 2019). However, the court emphasized that its ruling did not implicate the merits of the revenue procedure and that ''the substance'' of the Commissioner's ultimate decision on reporting the names and addresses of contributors ''remains subject to the Commissioner's discretion.'' *Id.* at 1154, 1159.

On September 10, 2019, the Treasury Department and the IRS published a notice of proposed rulemaking (REG–102508–16) in the **Federal Register** (84 FR 47447) containing proposed regulations under section 6033 (2019 proposed regulations). The Treasury Department and the IRS received 8,387 written and electronic comments responding to the 2019 proposed regulations. Comments are available at *www.regulations.gov* or upon request. A public hearing on the 2019 proposed regulations was held on February 7, 2020.

After consideration of all comments received on the 2019 proposed regulations and the testimony presented at the public hearing, this Treasury Decision adopts the proposed regulations with minor modifications, as described in the Summary of Comments and Explanation of Provisions.

Summary of Comments and Explanation of Provisions

I. Overview

The 2019 proposed regulations proposed to modify the regulations under section 6033 to align them with certain statutory amendments to section 6033 that had not previously been reflected in the regulations, and to update them to encompass certain instances in which the Commissioner has previously exercised discretion under the statute and regulations to relieve organizations, in whole or in part, from the filing requirements set forth in section 6033 or in the regulations issued under section 6033.

Specifically, the proposed changes included the following: (1) Adding items listed in section 6033(b)(10) and (11), as applicable, to the list of items generally required to be reported and adding other statutory reporting requirements for controlling organizations, sponsoring organizations, and supporting organizations; (2) amending the gross receipts threshold (with an additional requirement for foreign organizations and United States possession organizations) that triggers a filing requirement under section 6033 for tax-exempt organizations (other than private foundations and supporting organizations); (3) clarifying that section 527 organizations with gross receipts greater than $25,000 generally are subject to the reporting requirements under section 6033(a)(1) as if they were exempt from taxes under section 501(a); and (4) specifying that only organizations described in section 501(c)(3) and section 527 organizations generally would continue to be required to provide names and addresses of contributors on their Forms 990, Forms 990–EZ, and Forms 990–PF.

The following sections address these proposed changes in more detail, summarize the comments received on the proposed changes, provide the responses of the Treasury Department and the IRS to the comments, and describe the final regulation adopted in this Treasury Decision.

II. Items Required in Annual Information Returns

In the 2019 proposed regulations, the Treasury Department and the IRS proposed to amend § 1.6033–2(a)(2)(ii) by adding two new provisions to reflect information to be furnished annually that had been added to section 6033(b) but that had not yet been added to the list in the regulations of items generally required to be reported on an organization's annual information return. These items of information are listed in section 6033(b)(10) (relating to taxes imposed on certain lobbying and political expenditures by organizations described in section 501(c)(3)) and 6033(b)(11) (relating to taxes imposed with respect to an organization, an organization manager, or any disqualified person on any excess benefit transaction under section 4958). In addition, a cross-reference to § 1.6033–2(a)(1) was proposed to be added to the introductory sentence of § 1.6033–2(a)(2)(ii).

The Treasury Department and the IRS also proposed to incorporate into the regulations the statutory reporting requirements found in section 6033(h) for controlling organizations (as defined in section 512(b)(13)), section 6033(k) for sponsoring organizations (as defined in section 4966(d)(1)), and section 6033(l) for supporting organizations (as defined in section 509(a)(3)).

The Treasury Department and the IRS did not receive any comments on these additions to § 1.6033–2. This Treasury Decision adopts these provisions from the 2019 proposed regulations without change.

III. Gross Receipts Filing Threshold

Consistent with the discretionary authority granted by section 6033(a)(1)(B), the Treasury Department and the IRS previously determined that the efficient administration of the tax

[3] An organization that is not required to file an annual return by virtue of Rev. Proc. 2011–15 must submit a Form 990–N e-Postcard annually in electronic format as described in section 6033(i)(1). Rev. Proc. 2011–15, section 3.03.

laws does not require the filing of returns by organizations that are exempt under section 501(a) (other than private foundations and supporting organizations) that normally have less than $50,000 in gross receipts annually, except for foreign organizations and organizations formed in a United States possession that have significant activity (including lobbying and political activity and the operation of a trade or business, but excluding investment activity) in the United States. See Rev. Proc. 2011–15. In the 2019 proposed regulations, the Treasury Department and the IRS proposed to amend § 1.6033–2(g)(1)(iii) to reflect the $50,000 gross receipts filing threshold currently in effect, rather than the $5,000 gross receipts threshold found in section 6033(a)(3)(A)(ii), and the application of the $50,000 threshold to organizations other than those listed in section 6033(a)(3)(C).

The Treasury Department and the IRS received two comments expressing support for amending the regulations to reflect the $50,000 threshold and one comment stating, without explaining why, that organizations with annual gross receipts normally not more than $50,000 but more than $25,000 ought to be required to file a return. As discussed earlier in this section III, the Treasury Department and the IRS increased the filing threshold from $25,000 to $50,000 in 2011 based on a consideration of the needs of tax administration. The Treasury Department and the IRS continue to consider the $50,000 threshold to strike an appropriate balance between the efficient use of resources for both tax-exempt organizations and the IRS, and ensuring compliance with the tax laws by tax-exempt organizations. Organizations with gross receipts below the threshold must continue to file Form 990–N under section 6033(i).

Accordingly, the final regulations provide that the gross receipts threshold for all organizations (other than private foundations and supporting organizations) formed in the United States is $50,000. The final regulations also incorporate the previously granted relief from the filing requirement under section 6033(a) for foreign organizations and organizations formed in a United States possession (other than private foundations and supporting organizations) that is reflected in Rev. Proc. 2011–15.

In the 2019 proposed regulations, the Treasury Department and the IRS also proposed to amend § 1.6033–2(g)(6) to clarify that the Commissioner has authority to provide further relief (including possible further increases in filing thresholds) through forms, instructions to forms, or guidance published in the Internal Revenue Bulletin. The Treasury Department and the IRS did not receive any comments on this proposed clarification, and the final regulations incorporate the language as proposed.

IV. Clarifying the Treatment of Section 527 Organizations

In the 2019 proposed regulations, the Treasury Department and the IRS proposed to add § 1.6033–2(a)(5) to state the current requirement that section 527 organizations, subject to the filing exceptions provided by section 6033(g)(3) or as permitted under section 6033(g)(4), follow the reporting requirements under section 6033(a)(1) in the same manner as tax-exempt organizations, except to the extent that the Commissioner revises those requirements as appropriate to carry out the purposes of section 527. Proposed § 1.6033–2(a)(5) would also state the current requirement that section 527 organizations, like organizations described in section 501(c)(3), must continue to report the names and addresses of certain contributors on the section 527 organizations' annual Forms 990 or Forms 990–EZ.

The Treasury Department and the IRS did not receive comments on this clarification of the treatment of section 527 organizations in § 1.6033–2(a)(5). This Treasury Decision adopts these provisions from the 2019 proposed regulations without change.

The Treasury Department and the IRS received one comment requesting that all qualified state and local political organizations described in section 527(e)(5) be exempted from annual filing requirements. Section 6033(g)(1) generally requires a section 527 organization to file an annual information return if it has annual gross receipts of $25,000 or more for the taxable year (subject to mandatory exceptions in section 6033(g)(3)) but provides a higher threshold of $100,000 or more of gross receipts for qualified state and local political organizations. Under section 6033(g)(4), the Secretary has discretionary authority to relieve any section 527 organization from filing an information return if the Secretary determines that such filing is ''not necessary to the efficient administration of the internal revenue laws.'' Because the filing threshold for qualified state and local political organizations under section 6033(g)(1) already is higher than the threshold that applies to organizations exempt from tax under section 501(a), the Treasury Department and the IRS do not adopt this suggestion.

V. Reporting of Names and Addresses of Contributors

As stated in the 2019 proposed regulations, section 6033 does not specify that the names and addresses of contributors to tax-exempt organizations, other than those described in section 501(c)(3), be reported on annual information returns. Consistent with the Secretary's broad discretion under section 6033(a) to set forth information reporting requirements ''for the purpose of carrying out the internal revenue laws . . . by forms or regulations,'' § 1.6033–2(a)(2)(ii) lists items that are generally required to be included in the annual filings of organizations exempt under section 501(a). In the 2019 proposed regulations, the Treasury Department and the IRS proposed to amend the regulations to specify that the need to provide the names and addresses of substantial contributors will generally apply only to tax-exempt organizations described in section 501(c)(3), and to remove reference to the provision of names of certain contributors to organizations described in sections 501(c)(7), (8), and (10). The proposed regulations did not alter the existing requirement contained in Schedule B of the Form 990 and 990–EZ for tax-exempt organizations to report annually the amounts of contributions from each substantial contributor, or the existing requirement to maintain the names and addresses of substantial contributors should the IRS need this information on a case-by-case basis.

In proposing to exercise this discretion, the Treasury Department and the IRS sought to balance the IRS's need for the information for tax administration purposes against the costs and risks associated with reporting of the information.

The majority of the comments the Treasury Department and the IRS received in response to the 2019 proposed regulations concerned the general requirement for reporting of names and addresses of substantial contributors.[4] This information is reported on Schedule B, ''Schedule of Contributors,'' to Forms 990, 990–EZ, or

[4] No comments were received specifically addressing the removal of the requirement to provide the names of certain contributors to organizations described in sections 501(c)(7), (8), and (10). However, most comments did not distinguish between types of tax-exempt organizations affected by the proposed changes, and some of the issues discussed are applicable to the specific change to reporting requirements of organizations described in sections 501(c)(7), (8), and (10).

990–PF. The next several sections of this preamble summarize and respond to those comments.

a. IRS Need for Annual Reporting of Names and Addresses of Substantial Contributors for Tax Administration Purposes

Some commenters favoring the proposed changes stated that the IRS does not need the names and addresses of substantial contributors to tax-exempt organizations to which the relief extends to be reported annually, and expected that other information contained in Forms 990 or 990–EZ would be adequate for administration of the Code. Commenters favoring the proposed changes also noted that the names and addresses are still required to be maintained and the IRS can obtain that information on examination. These commenters asserted that such an approach is more appropriately tailored to the IRS's need for the information than a blanket reporting requirement.

Several other commenters opposing the proposed changes asserted instead that the IRS would not be as efficient in enforcing federal tax laws without direct access to the names and addresses of substantial contributors to the tax-exempt organizations affected by the proposed rule. These commenters asserted that information contained elsewhere in Forms 990 and 990–EZ were not adequate substitutes for information contained in Schedule B for purposes of evaluating private benefit or enforcing political activity limits on organizations described in section 501(c)(4). Some commenters also asserted that obtaining contributor names and addresses on examination was not a sufficient substitute for having the information on hand for the following reasons. Some commenters suggested that requesting the information on examination could be a ''tip-off'' to the organization that it is under additional scrutiny, leading the organization to hide assets and destroy or falsify evidence. Some commenters suggested that Schedule B contains information that helps the IRS initially determine whether or not it should conduct an examination. And some commenters suggested that requesting information on an *ad hoc* basis is not efficient for the IRS or affected tax-exempt organizations.

The concerns expressed by commenters opposing the proposed changes are misplaced. As explained in the preamble to the 2019 proposed regulations, the IRS does not need the names and addresses of substantial contributors to tax-exempt organizations not described in section 501(c)(3) to be reported annually on Schedule B of Form 990 or Form 990–EZ in order to administer the internal revenue laws. For the specific purpose of evaluating possible private benefit or inurement or other potential issues relating to qualification for exemption, the IRS can obtain sufficient information from other elements of the Form 990 or Form 990–EZ and can obtain the names and addresses of substantial contributors, along with other information, upon examination, as needed. In light of the inefficiencies involved in collecting, maintaining, and redacting this information if it were reported annually, the Treasury Department and the IRS do not agree with comments suggesting that requiring affected tax-exempt organizations to provide name and address information of substantial contributors upon examination is less efficient for the IRS and affected tax-exempt organizations. Moreover, as noted in the proposed regulations, the primary utility of the names and addresses of substantial contributors arises during the examination process. While some commenters suggested that such information could be used before an examination to determine whether an examination is warranted, the IRS takes various factors into account when deciding whether to select a case for examination, and the IRS's process for selection would not be affected by this change. Since examinations are initiated by prescribed correspondence, the taxpayer will already know of the IRS's compliance interest before receiving the request for the particular information.

Therefore, the Treasury Department and the IRS have determined that the annual collection of the names and addresses of substantial contributors to tax-exempt organizations, other than organizations described in section 501(c)(3), is not necessary for the efficient administration of the internal revenue laws. Instead, requiring all tax-exempt organizations to report the amounts of contributions from each substantial contributor on the Schedule B of the Form 990 and 990–EZ, as well as requiring them to maintain the names and addresses of substantial contributors should the IRS need this information on a case-by-case basis, is sufficient for the efficient administration of the Code.

b. Privacy and Risk of Disclosure

Commenters supporting the proposed changes relating to the furnishing of certain contributors' names and addresses expressed general concerns about the privacy of contributors to tax-exempt organizations. While the IRS is statutorily required to maintain the confidentiality of contributor names and addresses pursuant to section 6104(b), some commenters expressed concern that such information may accidentally be disclosed or that IRS systems could be breached. Some commenters also discussed the risk of disclosure by state authorities to the extent contributor names and addresses are shared by the IRS with an appropriate state officer consistent with section 6104(c). A few commenters also expressed concern that politically or ideologically motivated IRS employees could leak contributor names and addresses or select certain contributors for additional tax scrutiny. In contrast, however, some commenters, who opposed the proposed changes eliminating the requirement to report certain contributor names and addresses, asserted that the risk of disclosure is insubstantial.

The IRS takes seriously its duty to protect confidential information as required by section 6103 and to enforce the internal revenue laws with integrity and fairness to all. However, reporting the names and addresses of substantial contributors on an annual basis poses a risk of inadvertent disclosure of information that is not open to public inspection because information on Schedule B generally must be redacted from an otherwise disclosable information return. The IRS has experienced incidents of inadvertent disclosure and has taken other steps to reduce future occurrences of such disclosures. By removing the general requirement to report names and addresses of substantial contributors to tax-exempt organizations not described in section 501(c)(3), the final regulations further reduce the risk of inadvertent disclosure of names and addresses of contributors for such organizations. Without a tax administration need to collect this information on an annual basis, the Treasury Department and the IRS have determined this change in affected tax-exempt organizations' reporting obligations furthers the steps already taken to protect confidential taxpayer information.

c. Harassment of Contributors and Related Constitutional Concerns

Commenters supporting the proposed change also discussed, often in connection with the risk-of-disclosure issue, the concern that supporters of certain causes or organizations face possible reprisals (such as harassment, threats of violence, or economic retribution) if their status as contributors is revealed publicly. Additional commenters discussed the concern that fear of exposure and fear of reprisal may have a ''chilling effect,''

discouraging or deterring potential contributors from giving to certain tax-exempt organizations and reducing public participation in organizations benefiting social welfare. Many of these commenters believed this ''chilling effect'' implicates constitutional rights such as freedom of speech and freedom of association.

Other commenters opposing the proposed change asserted that requiring reporting to the IRS of substantial contributors' names and addresses is constitutional, citing federal appellate court decisions upholding state laws requiring that charitable organizations provide state regulators with copies of unredacted Schedules B.[5]

The Treasury Department and the IRS note that the names and addresses of substantial contributors provided to the IRS are generally required to be kept confidential in accordance with section 6103. By removing the general requirement to report annually names and addresses of substantial contributors to organizations exempt under section 501(a) but not described in section 501(c)(3), the final regulations reduce the risk of inadvertent disclosure of names and addresses of contributors for such organizations and thereby address concerns expressed by some commenters regarding potential adverse consequences of any such public disclosures.

d. Compliance Burden on Affected Tax-Exempt Organizations and Associated Costs on the IRS

Some commenters supporting the proposed changes to the general requirement to report names and addresses of substantial contributors mentioned an expectation that the changes would reduce the compliance burden on affected tax-exempt organizations, allowing such organizations to spend more time and resources on their missions. Commenters also expressed an expectation that the proposed changes would reduce the burden on the IRS associated with the redaction of information as required by section 6104(b).

Other commenters opposed the proposed changes regarding the general requirement to report names and addresses of substantial contributors, stating that both the compliance costs associated with reporting contributor names and addresses and the IRS burden associated with redacting such information are insubstantial. Some commenters further argued that the proposed changes would lead to an increase in compliance costs for tax-exempt organizations as individual states, no longer able to rely on Schedule B information obtained from the IRS, would develop their own disparate reporting requirements.

The Treasury Department and the IRS agree with certain commenters that limiting the general requirement to report names and addresses of substantial contributors will reduce costs with respect to federal tax compliance. While it is true that all tax-exempt organizations will continue to be required to maintain records regarding their substantial contributors, removing the annual reporting requirement will lessen their overall compliance burden. In addition, this change will obviate the need for an affected tax-exempt organization to redact name and address information if the tax-exempt organization must provide its Schedule B to a member of the public if requested under section 6104(b). Particularly for smaller tax-exempt organizations with limited resources, few dedicated staff, and less access to advisors regarding the rules governing tax-exempt organizations eliminating this requirement will be beneficial.

Without a tax administration need for annually reporting name and address information, the Treasury Department and the IRS determined that it is valuable to save tax-exempt organizations the administrative burdens of reporting and redacting it. While some commenters have suggested that some states may choose to impose their own reporting requirements, thereby increasing the compliance burden on tax-exempt organizations, the Treasury Department and the IRS expect that each state can determine the appropriateness of the burdens it may impose in light of its own tax administration needs.

Similarly, the potential burden on the IRS associated with redacting Schedule B information is lessened when fewer organizations are required to report names and addresses on Schedule B. This reduction in burden, when combined with the lack of tax administration need discussed earlier in this preamble, supports specifying that the need to provide the names and addresses of substantial contributors will generally apply only to organizations described in section 501(c)(3), as provided in the statute.

e. Extension of Relief to Organizations Described in Section 501(c)(3)

A few commenters supported the proposed changes, but also requested that the Treasury Department and the IRS extend the relief from reporting the names and addresses of substantial contributors to organizations described in section 501(c)(3). One commenter asserted that the IRS had exceeded its statutory authority by requiring the reporting of the names and addresses of substantial contributors to organizations described in section 501(c)(3) (other than private foundations). That commenter contends that the Secretary only has the authority to request the names and addresses of substantial contributors as that term is defined in section 507(d)(2). This definition, according to the commenter, would limit the existence of substantial contributors solely to contributors to private foundations and would require that a contributor have provided more than two percent of the total contributions to the organization over its lifetime.

The Treasury Department and the IRS do not agree with this interpretation of section 6033(b). Section 507(d)(2) specifically limits the application of the definition of ''substantial contributor'' found therein to section 507(d)(1). Section 6033 does not incorporate the definition of substantial contributor found in section 507(d)(2) and provides the Secretary with broad discretion to prescribe information to be collected on an annual return that is necessary for carrying out the purposes of the Code. Accordingly, consistent with section 6033(b), the Treasury Department and the IRS have the authority to continue to require that organizations described in section 501(c)(3) report the names and addresses of substantial contributors on Schedule B. The Treasury Department and the IRS decline to extend the relief from reporting names and addresses of substantial contributors to organizations described in section 501(c)(3) in this final regulation.

f. Campaign Finance Enforcement

Commenters opposing the proposed changes to the general requirement to report names and addresses of substantial contributors commonly invoked concerns about the use of tax-exempt entities, including by special interests, to anonymously influence elections and enable improper interference in U.S. elections. Commenters asserted that the proposed changes would lead to an increase in the flow of money into U.S. elections

[5] *Citizens United* v. *Schneiderman,* 882 F.3d 374 (2d Cir. 2018); *Center for Competitive Politics* v. *Harris,* 784 F.3d 1307 (9th Cir. 2015).

through organizations described in sections 501(c)(4) and (6). Several commenters also suggested that the changes would make it more difficult to detect foreign spending or federal contractor spending on U.S. elections in violation of federal campaign finance laws. One commenter discussed 52 U.S.C. 30111(f), asserting that Congress had directed the IRS to ''consult and work with'' the Federal Election Commission (FEC) on rulemakings regarding campaign finance matters.

Other commenters supporting the proposed changes stated that there are other, better measures in place to track foreign spending on U.S. elections than Schedule B and that it is unlikely that contributors who are intending to violate campaign finance laws will use foreign addresses or otherwise make clear their violation in a manner subject to reporting to the IRS on Schedule B. Commenters also stated that the IRS generally cannot share Schedule B information with the agencies charged with enforcing campaign finance laws.

As stated in the preamble to the 2019 proposed regulations, the Treasury Department and the IRS reiterate that Congress has not authorized the IRS to enforce campaign finance laws. Schedule B reflects the enforcement needs related to the Code, not the campaign finance laws. Furthermore, section 6103 generally prohibits the IRS from disclosing any names and addresses of organizations' substantial contributors to federal agencies for non-tax investigations, including campaign finance matters, except in narrowly prescribed circumstances.[6]

With regard to coordination with the FEC, section 30111(f) of title 52 does not require the IRS to consult with the FEC on regulations issued by the IRS under the Code. Instead, section 30111 of title 52 authorizes the FEC to prescribe rules, regulations, and forms to carry out the provisions of the Federal Election Campaign Act and requires the FEC to consult with the IRS when ''prescribing such rules under this section.'' This final regulation is prescribed by the IRS, not by the FEC; and, it is prescribed under section 7805 of title 26, not section 30111 of title 52.

Finally, the Treasury Department and the IRS note that the change in reporting of the names and addresses of substantial contributors will have no effect on information currently available to the public. Sections 6103 and 6104 prohibit the IRS from publicly disclosing the names and addresses of contributors to tax-exempt organizations (other than private foundations). With respect to such tax-exempt organizations, any names and addresses of substantial contributors on Schedule B are not made public and disclosure restrictions generally prohibit making such information available for use by other agencies for their enforcement purposes.[7]

g. Impact on States

Some commenters opposing the proposed changes discussed the impact on the state taxing and other authorities that may use Schedule B information shared by the IRS pursuant to sections 6103(d) or 6104(c).[8] In these comments, which included a comment from the attorneys general of nineteen states[9] and the District of Columbia, commenters discussed the states' use of Schedule B information for purposes related to state tax administration, enforcement of state-level campaign finance law, and enforcement of state-level consumer protection law. Commenters claimed that no longer receiving Schedule B information from the IRS would require a reorientation of processes that would cost the states time and money. A few commenters also referenced a history of cooperation between the IRS and state tax regulators in this area.

Other commenters in favor of the proposed changes asserted that states are not allowed to use Schedule B information for non-tax purposes and that states, in any event, did not need Schedule B information for the efficient administration of state tax laws. A comment from eleven state attorneys general[10] asserted that states would not be negatively impacted by the proposed rule because they do not rely on the Schedule B data for enforcement efforts and can receive the information through targeted examinations.

The Treasury Department and the IRS reiterate that the Code limits the purposes for which states may use returns or return information obtained from the IRS. When states receive returns or return information under section 6103(d), the use of that information is limited to the administration of state tax laws. When states receive returns or return information under section 6104(c), the use of that information is limited by statute to administering state laws relating to the solicitation or administration of charitable funds or charitable assets of such organizations. Use of returns or return information received from the IRS under these sections for purposes other than those listed above (for example, for the enforcement of campaign finance laws or consumer protection laws) is not consistent with states' authorized use under sections 6103(d) and 6104(c). While some states may use name and address information for those authorized purposes, the divergent comments from state attorneys general indicate that the desire to obtain such information, and the purpose for doing so, may differ from state to state. To the extent that any state determines that the burdens of collecting and maintaining such information are justified by its own needs, such a state is free to require reporting of such information to the state and to maintain the information at the state's own expense.

h. Conclusion

As explained in the preamble to the 2019 proposed regulations, in exercising the discretion to relieve tax-exempt organizations not described in section 501(c)(3) of the obligation to annually report the names and addresses of substantial contributors, the Treasury Department and the IRS seek to balance the IRS's need for the information for tax administration purposes against the

[6] The confidentiality and disclosure of tax returns and return information in both tax and non-tax investigations is governed by section 6103. Section 6103 contains several provisions authorizing the disclosure of returns and return information to Federal law enforcement agencies under prescribed circumstances after meeting specified procedural requirements. For example, these include disclosures to DOJ for the investigation and prosecution of non-tax Federal crimes via an ex parte court order or via a request from the highest ranking official of a Federal agency or the highest officials within DOJ and in the course of an investigation after referral to and approval by DOJ as a Grand Jury Tax Investigation.

In the context of states, sections 6103 and 6104 authorize disclosure of certain returns and return information to the states for specified purposes. Generally, section 6103(d) authorizes disclosure to state tax agencies for state tax administration purposes only, while section 6104(c) permits disclosure of return information, in the case of organizations other than those described in section 501(c)(1) or (3), to an appropriate state officer to the extent necessary in administering state laws relating to the solicitation or administration of charitable funds or charitable assets of such organizations, if certain requirements are met. Some states may also independently obtain contributor information from the organizations.

[7] See note 6.

[8] Note that some commenters are unclear as to how the states obtained the Schedule B information. Information that a state obtains directly from a tax-exempt organization as part of its state filing is not information disclosed by the IRS under either section 6103 or section 6104.

[9] The nineteen attorneys general represented the states of New Jersey, New York, California, Connecticut, Colorado, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Mexico, Oregon, Pennsylvania, Rhode Island, and Virginia.

[10] The eleven attorneys general represented the states of Arizona, Alabama, Alaska, Indiana, Kansas, Louisiana, Oklahoma, South Carolina, Tennessee, Texas, and West Virginia.

burden and risks associated with reporting of the information.

The Treasury Department and the IRS have concluded that the IRS does not need the names and addresses of substantial contributors to tax-exempt organizations not described in section 501(c)(3) to be reported annually on Schedule B of Form 990 or Form 990–EZ in order to administer the internal revenue laws. In light of the risks and burden associated with requiring the annual reporting of such information, this Treasury Decision revises the regulations under section 6033 to remove the general requirement for tax-exempt organizations not described in sections 501(c)(3) or 527 to report annually the names and addresses of substantial contributors.

This Treasury Decision revises § 1.6033–2(a)(2)(ii)(F) to provide that organizations described in section 501(c)(3) generally are required to provide names and addresses of contributors of more than $5,000 on their Forms 990, 990–EZ, and 990–PF. Similarly, § 1.6033–2(a)(2)(iii)(D) is revised to remove the requirement to provide the names of contributors who contribute over $1,000 for a specific charitable purpose to organizations described in sections 501(c)(7), (8), and (10). Additionally, as discussed earlier in this preamble, section 527 organizations must continue to report the names and addresses of substantial contributors.

Tax-exempt organizations must continue to report the amounts of contributions from each substantial contributor as well as maintain the names and addresses of their substantial contributors in their books and records in accordance with section 6001 and § 1.6001–1(a) and (c) in order to permit the IRS to efficiently administer the internal revenue laws through examinations of specific taxpayers. The records retained will enable organizations to substantiate upon examination the number of certain contributors and the amounts of their contributions and, if needed, to address any concerns identified during the examination for which the identity of the substantial contributors would be relevant.

VI. Rev. Proc. 95–48 and Rev. Proc. 96–10

In the preamble to the 2019 proposed regulations, the Treasury Department and the IRS requested comments on any other grants of section 6033 reporting relief announced in past exercises of the Commissioner's discretion that should be incorporated into the regulations or any other clarifications to reflect statutory changes since the original promulgation of § 1.6033–2. In light of the 2006 amendment to section 6033(a)(3)(B), which proscribes the Commissioner's ability to exercise discretion to relieve from filing any organization described in section 509(a)(3), the Treasury Department and the IRS requested comments on the continued applicability of Rev. Proc. 96–10, 1996–1 C.B. 138, which relieves from a filing requirement under section 6033(a) certain organizations that are operated, controlled, or supervised by one or more churches, integrated auxiliaries, or conventions or associations of churches.

The Treasury Department and the IRS received five comments requesting that the filing exception contained in Rev. Proc. 96–10 be incorporated into the regulations or that the Treasury Department and the IRS simply refrain from obsoleting Rev. Proc. 96–10. One commenter suggested that certain organizations are described in Rev. Proc. 96–10 and continue to rely appropriately on the filing exception provided in that revenue procedure because they are not supporting organizations described in section 509(a)(3).

This Treasury Decision does not incorporate the provisions of Rev. Proc. 96–10 into the final regulations. The Treasury Department and the IRS continue to study the applicability of Rev. Proc. 96–10, which is not withdrawn with the issuance of this Treasury Decision. However, the Treasury Department and the IRS note that organizations for which public charity status is dependent on being described in section 509(a)(3) are not eligible to rely on the filing relief provided in Rev. Proc. 96–10.

The Treasury Department and the IRS also requested comments on Rev. Proc. 95–48, 1995–2 C.B. 418, which grants reporting relief for governmental units and affiliates of governmental units. The Treasury Department and the IRS received one comment asserting that reporting relief granted under Rev. Proc. 95–48 is inappropriate because a government affiliate's decision to seek the benefits of exemption under section 501(c)(3) calls for it accepting the burdens of that status as well. This Treasury Decision does not incorporate the provisions of Rev. Proc. 95–48 into the final regulations and the Treasury Department and the IRS continue to consider whether the reporting relief in this revenue procedure should be updated.

VII. Technical Corrections

This Treasury Decision conforms the paragraph structure throughout § 1.6033–2 to the current Code of Federal Regulations paragraph level structure. Previously, the fourth level of the paragraph structure utilized a lower-case letter (*e.g.,* § 1.6033–2(a)(2)(ii)(a)). This Treasury Decision modifies all fourth level letters to be upper-case (*e.g.,* § 1.6033–2(a)(2)(ii)(A)). For consistency with these amendments, this Treasury Decision also modifies §§ 1.401–1, 56.4911–9, and 56.4911–10 to correct certain cross-references to § 1.6033–2.

Additionally, throughout § 1.6033–2, this Treasury Decision makes certain other non-substantive changes.

VIII. Applicability Dates

Consistent with the applicability dates in the 2019 proposed regulations, the final regulations apply as of May 28, 2020. Pursuant to section 7805(b)(7), an organization may choose to apply the paragraphs listed in § 1.6033–2(l)(2) to returns filed after September 6, 2019.

Effect on Other Documents

The following publication is obsolete as of May 28, 2020: Rev. Proc. 2018–38 (2018–31 I.R.B. 280).

Special Analyses

I. Regulatory Planning and Review

This regulation is not subject to review under section 6(b) of Executive Order 12866 pursuant to the Memorandum of Agreement (April 11, 2018) between the Department of the Treasury and the Office of Management and Budget regarding review of tax regulations.

II. Paperwork Reduction Act

The collection of information contained in these final regulations is reflected in the collection of information for Forms 990 and 990–EZ that have been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3507(c)) under control number 1545–0047. To the extent there is a decrease in burden as a result of this change, the decrease in burden will be reflected in the updated burden estimates for Forms 990 and 990–EZ included in this control number. The requirement to maintain records to substantiate information on the Form 990 or 990–EZ is already contained in the burden associated with the control number for those forms and remains unchanged.

The paperwork burden estimate for tax-exempt organizations is reported under OMB control number 1545–0047,

which represents a total estimated burden time, including all other related forms and schedules for corporations, of 52 billion hours and total estimated monetized costs of $4.17 billion ($2017). The burden estimates provided in the OMB control number are aggregate amounts that relate to the entire package of forms associated with the OMB control number, and will in the future include, but not isolate, the estimated burden of these regulations. These numbers are therefore unrelated to the future calculations needed to assess the burden removed by adoption of these regulations. The Treasury Department and the IRS urge readers to recognize that these numbers are duplicates and to guard against overcounting the burden. No burden estimates specific to these regulations are currently available. The Treasury Department has not estimated the burden related to the requirements under these regulations. The current status of the Paperwork Reduction Act submissions related to these regulations is provided in the following table.

Form	OMB control No.	Status
990 and related forms ...	1545–0047	Sixty-day notice published on 9/24/2019. Thirty-day notice published on 12/31/2019. Approved by OIRA on 2/12/2020.
	Web address: *https://www.irs.gov/forms-pubs/about-form-990.*	

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and return information are confidential, as required by 26 U.S.C. 6103.

III. Regulatory Flexibility Act

It is hereby certified that these final regulations will not have a significant economic impact on a substantial number of small entities. This certification is based on the fact that these regulations reflect statutory requirements and reporting relief previously announced through forms, instructions to forms, or guidance published in the Internal Revenue Bulletin. The collection of information contained in these regulations instead maintains a current recordkeeping obligation while removing a filing burden. Accordingly, this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. chapter 6). Pursuant to section 7805(f), the proposed regulations preceding these final regulations were submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business, and no comments were received.

Drafting Information

The principal authors of these regulations are personnel from the Office of the Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes). However, other personnel from the Treasury Department and the IRS participated in their development.

Statement of Availability of IRS Documents

IRS revenue procedures and other guidance cited in this document are published in the Internal Revenue Bulletin (or Cumulative Bulletin) and are available from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402, or by visiting the IRS website at *http://www.irs.gov.*

List of Subjects

26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 56

Public charity excise taxes.

Amendments to the Regulations

Accordingly, 26 CFR parts 1 and 56 are amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

■ **Par. 2.** In § 1.401–1, revise the last sentence of paragraph (e)(2) to read as follows:

§ 1.401–1 Qualified pension, profit-sharing, and stock bonus plans.

* * * * *

(e) * * *

(2) * * * For information required to be furnished periodically by an employer with respect to the qualification of a plan, see §§ 1.404(a)–2, and 1.6033–2(a)(2)(ii)(I).

■ **Par. 3.** Section 1.6033–2 is amended by:

■ 1. Revising the section heading;

■ 2. In paragraph (a)(2)(ii) introductory text, removing ''The'' and adding ''Subject to paragraph (a)(1) of this section, the'' in its place;

■ 3. Redesignating paragraph (a)(2)(ii)(*a*) through (*l*) as paragraphs (a)(2)(ii)(A) through (L) respectively;

■ 4. In newly redesignated paragraph (a)(2)(ii)(F), revising the first and last sentences;

■ 5. Revising newly redesignated paragraph (a)(2)(ii)(H);

■ 6. Redesignating paragraphs (a)(2)(ii)(K) and (L) as paragraphs (a)(2)(ii)(M) and (N);

■ 7. Adding new paragraphs (a)(2)(ii)(K) and (L);

■ 8. Revising the last sentence of paragraph (a)(2)(iii) introductory text;

■ 9. Redesignating paragraphs (a)(2)(iii)(*a*) through (*d*) as paragraphs (a)(2)(iii)(A) through (D) respectively;

■ 10. Revising the last sentence of newly redesignated paragraph (a)(2)(iii)(B);

■ 11. Revising redesignated paragraph (a)(2)(iii)(C);

■ 12. Revising the first sentence of newly redesignated paragraph (a)(2)(iii)(D)(*1*);

■ 13. Redesignating paragraphs (a)(2)(iv)(*a*) and (*b*) as paragraphs (a)(2)(iv)(A) and (B) respectively;

■ 14. Revising the next to last sentence in paragraph (a)(4);

■ 15. Adding paragraphs (a)(5) through (8);

■ 16. Revising paragraph (d)(5) introductory text and the last sentence of paragraph (d)(5)(ii);

■ 17. Revising paragraph (g)(1)(iii);

■ 18. Removing ''or'' at the end of paragraph (g)(1)(vi);

■ 19. Removing the period at the end of paragraph (g)(1)(vii) and adding ''; or'' in its place;

■ 20. Adding paragraph (g)(1)(viii);

■ 21. Revising paragraph (g)(3);

■ 22. Adding paragraph (g)(5);

■ 23. Adding a sentence at the end of paragraph (g)(6);

■ 24. Redesignating paragraph (k) as paragraph (l);

■ 25. Adding a new paragraph (k); and

■ 26. Revising newly redesignated paragraph (l).

The revisions and additions read as follows:

§ 1.6033–2 Returns by exempt organizations and returns by certain nonexempt organizations.

(a) * * *

(2) * * *

(ii) * * *

(F) The total of the contributions, gifts, grants, and similar amounts received by it during the taxable year, and, in the case of an organization described in section 501(c)(3), the names and addresses of all persons that contributed, bequeathed, or devised $5,000 or more (in money or other property) during the taxable year. * * * For special rules with respect to contributors and donors, see paragraph (a)(2)(iii) of this section.

* * * * *

(H) A schedule showing the compensation and other payments made to each person whose name is required to be listed pursuant to paragraph (a)(2)(ii)(G) of this section during the calendar year ending within the organization's annual accounting period, or during such other period as prescribed by publication, form, or instructions.

* * * * *

(K) In the case of an organization described in section 501(c)(3), the respective amounts (if any) of the taxes imposed on the organization, or any organization manager of the organization, during the taxable year under any of the following provisions (and the respective amounts (if any) of reimbursements paid by the organization during the taxable year with respect to taxes imposed on any such organization manager under any of such provisions):

(*1*) Section 4911 (relating to tax on excess expenditures to influence legislation);

(*2*) Section 4912 (relating to tax on disqualifying lobbying expenditures of certain organizations); and

(*3*) Section 4955 (relating to taxes on political expenditures of section 501(c)(3) organizations), except to the extent that, by reason of section 4962, the taxes imposed under such section are not required to be paid or are credited or refunded.

(L) In the case of organizations described in section 501(c)(3), (4), or (29), the respective amounts (if any) of—

(*1*) The taxes imposed with respect to the organization on any organization manager, or any disqualified person, during the taxable year under section 4958 (relating to taxes on excess benefit transactions); and

(*2*) Reimbursements paid by the organization during the taxable year with respect to taxes imposed under such section, except to the extent that, by reason of section 4962, the taxes imposed under such section are not required to be paid or are credited or refunded.

* * * * *

(iii) * * * In providing the names and addresses of contributors and donors under paragraph (a)(2)(ii)(F) of this section:

* * * * *

(B) * * * In such case, unless the organization has actual knowledge that a particular employee gave more than $5,000 (and in excess of 2 percent if paragraph (a)(2)(iii)(A) of this section is applicable), the organization need report only the name and address of the employer, and the total amount paid over by the employer.

(C) Separate and independent gifts made by one person in a particular year need be aggregated to determine whether his contributions and bequests exceed $5,000 (and are in excess of 2 percent if paragraph (a)(2)(iii)(A) of this section is applicable), only if such gifts are of $1,000 or more.

(D)(*1*) Organizations described in section 501(c)(7), (8), or (10) that receive contributions or bequests to be used exclusively for purposes described in section 170(c)(4), 2055(a)(3), or 2522(a)(3), must attach a schedule with respect to all gifts that aggregate more than $1,000 from any one person showing the total amount of the contributions or bequests from each such person, the specific purpose or purposes for which such amount was received, and the specific use or uses to which such amount was put. * * *

* * * * *

(4) * * * Similarly, for purposes of paragraph (a)(2)(ii)(D) of this section, the purposes for which a section 4947(a)(1) trust or a nonexempt private foundation is organized shall be treated as the purposes for which it is exempt. * * *

(5) Political organizations, as defined by section 527(e)(1), that have gross receipts of $25,000 or more for the taxable year (or in the case of a qualified State or local political organization, as defined in section 527(e)(5), that has gross receipts of $100,000 or more for the taxable year) generally must comply with the requirements of section 6033 and this section in the same manner as organizations exempt from tax under section 501(a), except to the extent that the Commissioner may modify such requirements through forms, instructions to forms, or guidance published in the Internal Revenue Bulletin as appropriate for carrying out the purposes of section 527. For the purposes of this section, all references to organizations exempt from tax under section 501(a) shall include political organizations referred to in section 6033(g), other than those referred to in section 6033(g)(3) and except to the extent the Commissioner exercises discretion under section 6033(g)(4). This discretion may be exercised through forms, instructions to forms, or guidance published in the Internal Revenue Bulletin. In addition to the reporting requirements applicable to organizations exempt under section 501(a), such political organizations generally must report the names and addresses of all persons that contributed, bequeathed, or devised $5,000 or more (in money or other property) during the taxable year.

(6) Each controlling organization (within the meaning of section 512(b)(13)) that is subject to the requirements of section 6033(a) shall include on its annual return such information required by that return regarding—

(i) Any interest, annuities, royalties, or rents received from each controlled entity (within the meaning of section 512(b)(13));

(ii) Any loans made to each such controlled entity; and

(iii) Any transfers of funds between such controlling organization and each such controlled entity.

(7) Every organization described in section 4966(d)(1) shall, on its annual return for the taxable year—

(i) List the total number of donor advised funds (as defined in section 4966(d)(2)) it owns at the end of such taxable year;

(ii) Report the aggregate value of assets held in such funds at the end of such taxable year; and

(iii) Report the aggregate contributions to and grants made from such funds during such taxable year.

(8) Every organization described in section 509(a)(3) shall, on its annual return—

(i) List the supported organizations (as defined in section 509(f)(3)) with respect to which such organization provides support;

(ii) Specify whether the organization meets the requirements of clause (i), (ii), or (iii) of section 509(a)(3)(B); and

(iii) Certify that the organization meets the requirements of section 509(a)(3)(C).

* * * * *

(d) * * *

(5) In providing the information required by paragraphs (a)(2)(ii)(F), (G),

and (H) of this section, such information may be provided: * * *

(ii) * * * A central or parent organization shall indicate whether it has provided such information in the manner described in paragraphs (d)(5)(i) or (ii) of this section, and may not change the manner in which it provides such information without the consent of the Commissioner.

* * * * *

(g) * * *

(1) * * *

(iii) Except as provided in paragraph (g)(1)(viii) of this section, an organization described in section 501(c) (other than a private foundation or a supporting organization described in section 509(a)(3)) the gross receipts of which in each taxable year are normally not more than $50,000 (as described in paragraph (g)(3) of this section);

* * * * *

(viii) A foreign organization (described in paragraph (k)(1) of this section) or a United States possession organization (described in paragraph (k)(2) of this section) (other than a private foundation or a supporting organization described in section 509(a)(3))—

(A) The gross receipts of which in each taxable year from sources within the United States (as determined under paragraph (k)(3) of this section) are normally not more than $50,000 (as described in paragraph (g)(3) of this section); and

(B) That has no significant activity (including lobbying and political activity and the operation of a trade or business, but excluding investment activity) in the United States.

* * * * *

(3) For purposes of paragraphs (g)(1)(iii) and (viii) of this section, the gross receipts (as defined in paragraph (g)(4) of this section) of an organization are normally not more than $50,000 if:

(i) In the case of an organization that has been in existence for 1 year or less, the organization has received, or donors have pledged to give, gross receipts of $75,000 or less during the first taxable year of the organization;

(ii) In the case of an organization that has been in existence for more than one but less than 3 years, the average of the gross receipts received by the organization in its first 2 taxable years is $60,000 or less; and

(iii) In the case of an organization that has been in existence for 3 years or more, the average of the gross receipts received by the organization in the immediately preceding 3 taxable years, including the year for which the return would be required to be filed, is $50,000 or less.

* * * * *

(5) An organization that is not required to file an annual return by virtue of paragraphs (g)(1)(iii) and (viii) of this section must submit an annual electronic notification as described in section 6033(i). See § 1.6033–6.

(6) * * * This discretion may be exercised through forms, instructions to forms, or guidance published in the Internal Revenue Bulletin.

* * * * *

(k) *Foreign organizations and United States possession organizations*—(1) *Foreign organization.* For purposes of this section, a *foreign organization* is any organization not described in section 170(c)(2)(A).

(2) *United States possession organization.* For purposes of this section, a *United States possession organization* is any organization created or organized in a possession of the United States.

(3) *Source of funds.* For purposes of paragraph (g)(1)(viii) of this section, the source of an organization's gross receipts from gifts, grants, contributions or membership fees is determined by applying the rules found in § 53.4948–1(b) of this chapter. For purposes of paragraph (g)(1)(viii) of this section, the source of an organization's gross receipts other than gifts, grants, contributions, and membership fees is determined by applying the rules in sections 861 through 865 and the regulations in this part issued under section 861 through 865. For purposes of applying this paragraph (k)(3) regarding United States possession organizations, a United States person does not include individuals who are *bona fide* residents of a United States possession.

(l) *Applicability date*—(1) *Generally.* This section applies to returns filed on or after January 30, 2020. Section 1.6033–2T (as contained in 26 CFR part 1, revised April 2019) applies to returns filed before January 30, 2020.

(2) Paragraphs (a)(2)(ii)(F), (a)(2)(iii)(D)(*1*), (g)(1)(iii) and (viii), and (g)(3) of this section apply to annual information returns filed after May 28, 2020. Under section 7805(b)(7) an organization may choose to apply the paragraphs listed in this paragraph (l)(2) to returns filed after September 6, 2019.

PART 56—PUBLIC CHARITY EXCISE TAXES

■ **Par. 4.** The authority citation for part 56 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 56.4911–9 [Amended]

■ **Par. 5.** In § 56.4911–9, amend paragraphs (d)(2) and (3) and (d)(4) introductory text by removing the language ''1.6033–2(a)(2)(ii)(*k*)'' and adding in its place ''1.6033–2(a)(2)(ii)(M)''.

§ 56.4911–10 [Amended]

■ **Par. 6.** In § 56.4911–10, amend paragraph (f)(1) by removing the language ''1.6033–2(a)(2)(ii)(*k*)'' and adding in its place ''1.6033–2(a)(2)(ii)(M).''

Sunita Lough,

Deputy Commissioner for Services and Enforcement.

Approved: May 20, 2020.

David J. Kautter,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2020–11465 Filed 5–26–20; 4:15 pm]

BILLING CODE 4830–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 110

[Docket Number USCG–2015–1118]

RIN 1625–AA01

Anchorage Grounds; Lower Chesapeake Bay, Cape Charles, VA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: This final rule establishes new, deep-water anchorage grounds for the Hampton Roads area near Cape Charles, VA, and increases the size and relocates the existing quarantine anchorage from near Cape Charles to further south in the lower Chesapeake Bay. The intended effect is to protect the environment, facilitate safe navigation of maritime commerce and national defense assets, and more safely and effectively support commercial vessel anchoring needs in the lower Chesapeake Bay.

DATES: This rule is effective June 29, 2020.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2015–1118 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or

email Lieutenant Commander Peter Francisco, Waterways Management Division Chief, Sector Virginia, U.S. Coast Guard; telephone 757–668–5581, email *Peter.F.Francisco@uscg.mil;* or Mr. Jerry Barnes, Waterways Management Branch, Fifth Coast Guard District, U.S. Coast Guard; telephone 757–398–6230, email *Jerry.R.Barnes@uscg.mil.*

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I. Table of Abbreviations

AIS Automatic Identification System
ANPRM Advance notice of proposed rulemaking
CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
EPA U.S. Environmental Protection Agency
FR Federal Register
NM Nautical miles
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code
VADEQ Virginia Department of Environmental Quality

II. Background Information and Regulatory History

After considering public responses to a notice of proposed rulemaking (NPRM), including feedback from several public meetings, the Coast Guard is establishing a new commercial anchorage ground, Anchorage R,[1] approximately 3 nautical miles (NM) west of Cape Charles, VA, and is increasing the size and relocating the existing quarantine anchorage from there to a more secluded location in the lower Chesapeake Bay, approximately 6 NM southwest of Fishermans Island, VA. The Coast Guard initiated this rulemaking to address growth in both size and volume of vessels entering the Hampton Roads area, the subsequent need for additional deep draft anchorage space, and the growing trend of deep draft vessels anchoring in the waters of the Chesapeake Bay between York Spit Channel and the town of Cape Charles, VA.

On April 19, 2016, we published an advance notice of proposed rulemaking (ANPRM)[2] to solicit public comments on amending certain anchorage regulations in Hampton Roads for the possible creation of a new anchorage in the lower Chesapeake Bay near Cape Charles, VA. We received 35 written responses to the ANPRM. On June 27, 2016, we published a 45-day extension to the comment period and announced two public meetings.[3] On August 16, 2016, we announced one additional meeting and reopened the comment period.[4] We scheduled the meetings to receive comments on the ANRPM to allow for greater public involvement. The meetings were held in Norfolk, VA, on July 19, 2016; Melfa, VA, on July 20, 2016; and Cape Charles, VA, on August 17, 2016. We heard from 20 speakers at these meetings. On December 16, 2016, we issued a news release[5] to inform the public that a review of comments and an environmental study would be conducted. In November 2017, we completed an environmental review.[6] In January 2018, the Center for Disease Control, the U.S. Navy Fleet Forces Command, and the U.S. Army Corps of Engineers, North Atlantic provided comments[7] identifying and addressing adverse impacts from the proposed anchorage.

On June 22, 2018, after reviewing the oral and written comments in response to the ANPRM, the Coast Guard developed a proposed rule and published a notice of proposed rulemaking (NPRM).[8] The proposed anchorage in the NPRM modified the initially considered anchorage size, shape, and location to place the eastern border of the proposed anchorage further from the coast of Cape Charles and also proposed relocating the existing quarantine anchorage. As part of the NPRM, we announced three public meetings. One meeting was held in Norfolk, VA, on June 25, 2018 and two in Cape Charles, VA on July 10, 2018, one at 1 p.m. and the other at 6 p.m. At the three public meetings, 124 members of the community signed in and 72 members asked questions or stated their opinion of the proposal. The Captain of the Port (COTP), Coast Guard Sector Virginia (formerly named Coast Guard Sector Hampton Roads prior to February 6, 2020[9]), as well as staff from the Fifth Coast Guard District were present to answer questions and solicit public comment for the rulemaking docket. A total of 84 individuals and organizations submitted comments to the docket.

The legal basis and authorities for this rulemaking are found in 33 U.S.C. 471; 33 CFR 1.05–1; and Department of Homeland Security (DHS) Delegation No. 0170.1, which collectively authorize the Coast Guard to propose, establish, and define regulatory anchorage grounds.

III. Discussion of Comments on NPRM and Changes

This section provides a detailed discussion of public comments received during the NPRM's comment period and public meetings. We received 84 written submissions to the docket in response to the NPRM. In addition, we hosted three public meetings to provide forums for obtaining public feedback on the NPRM.[10] We received no comments specifically addressing the relocation and increase in size of Anchorage Q, the quarantine anchorage. Therefore, we made no changes in the regulatory text to Anchorage Q. While some comments were supportive of new Anchorage R, the majority expressed concern with the Coast Guard's proposed action to establish it. The comments we received spanned a range of topics, including

[1] See ''Anchorage Boundary Development'' in the docket.

[2] 81 FR 22939, April 19, 2016.

[3] 81 FR 41487, June 27, 2016.

[4] 81 FR 54531, August 16, 2016.

[5] See ''Fifth District News Press Release'' in the docket.

[6] See ''Preliminary Record of Environmental Consideration'' in the docket.

[7] See ''Comments from U.S. Army Corps of Engineers, U.S. Navy Fleet Forces Command, and Center for Disease Control'' in the docket.

[8] 83 FR 29081, June 22, 2018.

[9] 85 FR 6804, February 6, 2020.

[10] See ''2018 Public Meetings Summary'' in the docket.

consideration of alternative anchorage locations; compliance with the National Environmental Policy Act (NEPA); compliance with the Coastal Zone Management Act (CZMA); risks of solid waste, coal residue, oil, and air pollution; requests for a no-discharge zone; risk of vessels dragging anchor; view from the shore; vessel congestion; negative impact on fisheries; risks of light pollution; risks of sewage discharge, risks of noise pollution; risks from ballast water discharges; security concerns; requests that vessels delay arrival or remain at sea; and requests for the Coast Guard to develop an anchoring management plan.

A. Anchorage Location

Vessels may anchor at any location absent specific restrictions. Many commenters opposed Anchorage R's proximity to Cape Charles, VA, and suggested the Coast Guard review other locations in the Hampton Roads area as alternatives, whether elsewhere in the Chesapeake Bay or offshore in the Atlantic Ocean.

A review of historical automatic identification system (AIS) data shows that vessels have been anchoring in the location of Anchorage R for years. The quarantine anchorage for the Hampton Roads area prior to this final rule, previous Anchorage Q, was located in waters that make up a portion of new Anchorage R. The quarantine anchorage, described in the current 33 CFR 110.168(a)(6) and visible on the 2019 version of U.S. Nautical Chart 12224,[11] was sited immediately east of the northern entrance to York Spit Channel and approximately 3.5 NM west of Cape Charles. We established it in 2005 because the previous quarantine anchorage did not provide adequate depth for visiting ships.

The ''Background and Purpose'' section of that final rule[12] identified anchorage berth K–3 in the Middle Ground waters off Newport News as the previous Hampton Roads quarantine anchorage, explaining that it was discontinued because the U.S. Army Corps of Engineers no longer maintained it. Historical versions of U.S. Nautical Chart 12245 from 2004[13] and earlier show charted depths in anchorage K–3 of less than 25 feet, which is too shallow for use by visiting deep draft vessels. The 2005 final rule further explained that we established the new quarantine anchorage in ''naturally deep water with charted depths in excess of 60 feet.'' This decision to locate the quarantine anchorage so far from its previous location (an approximately 43 NM channel transit) demonstrates that this area was the next best location, given the lack of maintained deep draft anchorages closer to the port, for meeting the port's concerns regarding navigational safety.

Additionally, we reviewed AIS data from 2011 through 2017[14] to identify historical anchoring practices of cargo ships visiting the Hampton Roads area. The data show that deep draft vessels were anchoring outside the maintained federal channel in the vicinity of Anchorage R throughout those years, which contributed to the Coast Guard proposing the anchorage. The AIS data show that deep draft vessels also anchored in designated anchorages closer to port facilities, including Anchorages A and B (in Lynnhaven Roads) which are controlled by the U.S. Navy.[15] The only other area not designated for anchorage where deep draft vessels were shown to anchor was the area of Lynnhaven Roads between Cape Henry Channel and Thimble Shoals Channel, immediately east of Tail of the Horseshoe Lighted Buoy 2T (Light List Number 7065) and approximately 2 NM north of Cape Henry, in the Naval Restricted Area described in 33 CFR 334.320. Beginning in 2015, increased Department of Defense and U.S. Navy use of Anchorages A and B and the finding of unexploded ordnance in the Naval Restricted Area, posing hazards to vessels should unexploded ordnance become fouled in anchors, displaced the vessels anchoring in those locations. This, in addition to growth in both size and volume of vessel traffic entering the Hampton Roads area, resulted in a growing number of vessels needing deep water anchorage grounds. As previously discussed, the best available deep water anchoring location in the Hampton Roads area were the waters east of York Spit Channel. AIS data show the growth of vessels anchoring there from 2011 through 2017.[16] The data also show the reduction of commercial cargo vessels anchoring in the Lynnhaven Roads area beginning in 2015[17] and declining so that no commercial cargo vessels are shown to anchor there in 2017.

It is apparent that deep draft vessels bound for Hampton Roads ports have chosen this area as the best available safe anchorage and will continue anchoring in the waters adjacent to York Spit Channel. Given the additional safety, security, and environmental protections provided by officially designating the waters as anchorage grounds, we are establishing Anchorage R with this rule.

Some commenters recommended we identify offshore anchoring options. We considered establishing an additional offshore quarantine anchorage prior to publishing the NPRM.[18] This notional anchorage was sited approximately 11 NM east of Virginia Beach, VA, immediately northeast of the entrance to the southern traffic separation scheme approaching Chesapeake Bay. We considered this location because it provided suitably deep water, was outside restricted zones, and was still within our geographic authority to establish anchorage grounds. However, the U.S. Army Corps of Engineers noted[19] that the National Oceanic and Atmospheric Administration warned of unexploded ordnance in the area per note B of U.S. Nautical Chart 12221.[20] This could pose dangers to vessels anchoring there. Additionally, U.S. Fleet Forces Command recommended against establishing the offshore anchorage[21] because it would interfere with critical U.S. Navy training activities. Therefore, we determined no viable offshore location is available to meet the anchorage needs of visiting deep draft vessels.

Other commenters requested we clarify why we chose this particular location to establish an anchorage. As explained above, we considered the loss of traditional anchorage areas in the Hampton Roads area, historical anchorage data and practices, the possibility of offshore anchorages, and the concerns for the safety and security of commercial and naval vessels when establishing this anchorage ground. We believe this rule provides additional controls over vessels anchoring there,

[11] See ''NC12224_2019'' in the docket, which is a copy of U.S. Nautical Chart 12224, 28th Edition, corrected through February 26, 2019.

[12] 70 FR 29953, May 25, 2005.

[13] See ''Anchorage K–3'' in the docket, which is an excerpt of U.S. Nautical Chart 12245, 63rd Edition, May 2004.

[14] See ''Historical Anchorage Use'' in the docket.

[15] 33 CFR 110.168(e)(1).

[16] Slides 1–6 of ''Historical Anchorage Use'' in the docket.

[17] Slides 7–12 of ''Historical Anchorage Use'' in the docket.

[18] See graphic on page 2, red outline of Outer Quarantine Anchorage of the ''Record of Environmental Consideration'' in the docket.

[19] See page 1 of ''Comments from U.S. Army Corps of Engineers, U.S. Navy Fleet Forces Command, and Center for Disease Control'' in the docket.

[20] See ''NC12221_2019'' in the docket, which is a copy of U.S. Nautical Chart 12221, 84th Edition, corrected through June 28, 2019. Note B is printed on the tan graphic of land south of Cape Charles in approximate position N 36°12′, W 075°58′.

[21] See page 3 of ''Comments from U.S. Army Corps of Engineers, U.S. Navy Fleet Forces Command, and Center for Disease Control'' in the docket.

and provides an additional level of safety and environmental oversight.

One commenter suggested that due to AIS carriage requirements, only large commercial vessels were considered when determining the location of the anchorage grounds. Among other categories, 33 CFR 164.46(b)(1) specifies that AIS is required for all commercial vessels 65 feet or more in length, and towing vessels of 26 feet or longer and that have more than 600 horsepower. The Coast Guard examined the tracks of pleasure craft, sailing vessels, passenger and other vessels transiting the waters in and near Anchorage R including shallow draft vessels that call on Cape Charles. While AIS carriage is voluntary for many vessels, we believe sufficient data exists, and the location and size of Anchorage R accommodates the needs of large commercial vessels and safeguards routes used by smaller vessels. The southernmost boundary of Anchorage R established by this rule is intended to keep large commercial ships from anchoring within routes used predominately by smaller vessels to navigate to and from Cape Charles Harbor, such as Cherry Stone Channel Inlet. The Coast Guard maintains that applying Hampton Roads anchorage regulations to these waters improves navigation safety.

One comment stated ''[t]here have been six closures of the Cape Charles Beach since the Coast Guard established this vessel anchorage just off the shore of the town of Cape Charles.'' This comment incorrectly characterizes both the Coast Guard regulation and the timeline for establishing the anchorage. As mentioned above, data show vessels have been anchoring in the waters between York Spit Channel and the town of Cape Charles for years without Coast Guard direction or influence. Although this anchorage was suggested in our 2016 ANPRM and proposed in our 2018 NPRM, it will be ''Coast Guard established'' when it becomes effective 30 days after this final rule is published in the **Federal Register**.

B. National Environmental Policy Act (NEPA) Compliance

A number of comments suggested the Coast Guard is not meeting NEPA requirements by addressing the action using a categorical exclusion and not providing an environmental impact statement. The Coast Guard disagrees. In the above paragraphs, we document the practice of vessels anchoring in and around Anchorage R. This practice is not due to Coast Guard implemented plans or actions; rather, it is the result of larger and deeper draft vessels calling on the Port of Virginia and the loss of available deep draft anchorage areas due to naval operations and the potential for unexploded ordinance. Regulations establishing or increasing the size of anchorage grounds generally do not individually or cumulatively have a significant effect on the human environment, and as such, are normally categorically excluded from further review. This is further discussed in Section V.F below. We continue to view the categorical exclusion as appropriate and are making no changes to the rule from the NPRM based on these comments.

C. Coastal Zone Management Act (CZMA) Compliance

Two Commonwealth of Virginia agencies, the Virginia Department of Environmental Quality (VADEQ) [22] and the Marine Resources Commission,[23] responded separately with the presumption that the Coast Guard would conduct a CZMA consistency review with the Commonwealth of Virginia for establishing the anchorage grounds. The VADEQ cited the federal regulations [24] that implement CZMA, 15 CFR 930.31, stating that they viewed this rulemaking as reasonably and foreseeably altering the uses of the coastal zone and should therefore be subject to a federal consistency determination.

Establishing the anchorage grounds does not create the practice of anchoring at Anchorage R, as vessels have been anchoring in the waters between York Spit Channel and the town of Cape Charles, VA for years. This practice will continue regardless of the Coast Guard's action. Any effects associated with this activity are already occurring and will continue to occur. The Coast Guard's ability to limit or preclude this activity is derived from its navigational safety authority. By imposing this rule, we are attempting to increase navigational safety of the existing users by extending existing regulations that govern anchoring practices in the Hampton Roads area to waters currently being used for anchoring by deep draft commercial vessels. Thus, the Coast Guard provided a no effects determination under 15 CFR 930.35, and we sent a letter [25] notifying the VADEQ of our negative determination on November 7, 2019.

Our letter prompted discussions with VADEQ, which included VADEQ forwarding to the Coast Guard via email a letter from the Marine Resources Commission dated December 5, 2019,[26] and a conference call regarding the Coast Guard's negative determination on January 6, 2020.[27] The VADEQ formally objected to our negative determination in a letter [28] dated January 16, 2020, and maintained that insufficient information was supplied to determine if the Coast Guard's action is consistent with the Commonwealth's Fisheries Management and Subaqueous Land Management enforceable policies. We reviewed these policies and did not find any applicable to the Coast Guard's action. Subsequent conversations with the VADEQ yielded no specific examples of inconsistent enforceable policies. It is our assessment that the VADEQ is focused on potential effects rather than on whether or not the Coast Guard's action could be the cause of those effects.[29] We maintain that this administrative safety regulation does not cause any effects on the coastal zone, and that our rule is consistent to the maximum extent practicable with the CZMA enforceable policies promulgated by the Commonwealth of Virginia.

D. General Environmental Concerns

Currently, vessels anchor in the areas surrounding existing Anchorage Q between York Spit Channel and Cape Charles, VA, with no limitation to how many vessels may anchor in the area or how close to shore they may anchor. Numerous concerns submitted in the comments regarding the environment appear to address this current condition. We share these concerns, and by establishing Anchorage R, we are addressing environmental concerns in three ways.

First, creating this anchorage as part of 33 CFR 110.168 means that we are applying to these waters the anchorage regulations applicable to all other anchorage grounds in the Hampton Roads area, found in 33 CFR 110.168(c), ''General regulations.'' These regulations address port coordination and congestion, time limits, and vessel seaworthiness and readiness while also providing the COTP discretion in prescribing conditions and anchoring locations for vessels. The suite of regulations improves the overall safety

[22] See ''Comment Submitted by Bettina Rayfield, Commonwealth of Virginia'' in the docket.

[23] See ''Comment Submitted by Randy Owen, Commonwealth of Virginia, Marine Resources Commission'' in the docket.

[24] 15 CFR 930 subpart C.

[25] See ''USCG letter to VADEQ, Nov 7, 2019'' in the docket.

[26] See ''VAMRC letter, Dec 5, 2019'' in the docket.

[27] See ''USCG letter to VADEQ, Jan 9, 2020'' and ''VADEQ letter to USCG, Jan 10, 2020'' in the docket.

[28] See ''VADEQ letter to USCG, Jan 16, 2020'' in the docket.

[29] See ''USCG letter to VADEQ, Feb 5, 2020'' in the docket.

of the port and vessels anchoring in it. This reduces risks of collisions, groundings, and other incidents, which, in turn, reduces the overall environmental risk in those locations. Second, we are creating two additional requirements for vessels using Anchorage R, which we discuss in further detail in Section III.E below and have published in the regulatory text at the end of this document in § 110.168(e)(10). Third, by establishing the anchorage, we are establishing boundaries for the vessels using those waters, limiting the number of vessels anchoring in the vicinity of Cape Charles to around 30 depending on vessel size, and locating vessels so that they anchor approximately no closer than 3 nautical miles from shore. Thus, we conclude this administrative action positively impacts the environment.

E. Solid Waste, Coal Residue, Oil, and Air Pollution Concerns

A number of comments mentioned concerns regarding pollution from anchoring ships and requested the Coast Guard implement programs to monitor and reduce pollution potential. In the preamble to the NPRM,[30] we described the suite of international and federal treaties, laws, and regulations that protect navigable waters of the United States from pollution discharge from vessels. While those protections remain in place, we are further addressing pollution risks by adding requirements specifically for Anchorage R that were not proposed in the NPRM. New § 110.168(e)(10), ''Anchorage R,'' adds two requirements in addition to the general regulations for vessels using the anchorage. First, no vessel may transfer oil or chemicals in bulk to any other vessel without permission of the COTP. This provides the COTP the ability to control the conditions of lightering or transfer operations. Second, a non-self-propelled vessel (like a barge) must be tended by a towing vessel unless otherwise given permission by the COTP. This reduces the risk of vessels without the means of propulsion of breaking away or dragging anchor and then causing harm to themselves or other vessels by grounding or collision.

One commenter noted that, with winds out of the west, an oil spill from one of the vessels would arrive at the shore (approximately 7 hours) long before the vessel's contracted oil spill response organization is required to show up (24 hours), and suggested the Coast Guard pre-stage additional spill response resources on Virginia's Eastern Shore. Section 311(j) of the Federal Water Pollution Control Act (FWPCA), amended by Section 4202, requires the preparation and submission of response plans by the owners or operators of certain vessels.[31] Plan holders, through their response plans, must address the extremely complex system for assembling, mobilizing, and controlling response resources to maintain statutory compliance as well as being prepared to oil spills within their area of operation. Plan holders are required to submit a response plan to the Coast Guard that identifies and ensures, by contract or other approved means, the availability of response resources (personnel and equipment) necessary to remove, to the maximum extent practicable, a worst case discharge, including a discharge resulting from fire or explosion, and to mitigate or prevent a substantial threat of such a discharge. We believe the additional restrictions placed on anchored vessels by this rule intended to significantly decrease the likelihood of an oil spill, combined with existing laws and regulations in place to prevent, mitigate, and respond to oil spills from vessels, are enough. Thus, we made no changes from the proposed rule to address local oil spill response capability.

F. Sewage Pollution and Requests for No-Discharge Zone

Twenty-three written comments and additional oral comments from public meetings expressed concern about the discharge of sewage into Chesapeake Bay in the area of the proposed anchorage. Regulations allow vessels to discharge treated effluent from Type I or II Marine Sanitation Devices in most parts of Chesapeake Bay. Untreated sewage may not be discharged. Sewage requirements are outlined in Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322), with further regulations issued by the Coast Guard and the EPA found in 33 CFR 159.7 and 40 CFR part 140, respectively.[32] Given the suite of laws and regulations already in place to address sewage from ships, we are making no changes to address sewage concerns.

Fifteen comments expressed concern regarding either incomplete or ineffective treatment of sewage, or of the nutrient levels contained in properly treated effluent, and stated that no sewage discharges should take place at all within the proposed anchorage area. Many of these called for the creation of a no-discharge zone concurrently with the anchorage. The creation of a no-discharge zone is beyond the scope of this rulemaking. The EPA may establish a no-discharge zone for certain geographic areas when requested by a state.[33]

One comment recommended the Coast Guard ensure Regional Response Team III[34] was aware of the recommendations to create a no-discharge zone and to ask the Team to consider creating a no-discharge zone throughout the Chesapeake Bay. The Coast Guard sees that notification to the state, and not the Regional Response Team, is the more appropriate notification to ensure appropriate authorities are aware of the requests. Because Anchorage R is entirely within Commonwealth of Virginia waters, we sent a letter[35] dated November 7, 2019 to the Virginia Department of Environmental Quality,[36] notifying them of this rulemaking and the comments received requesting consideration of a no-discharge zone. Due to the concerns regarding navigation safety and vessel proximity to shore, we are not delaying publication of this rule while other authorities consider the requests for a no-discharge zone.

G. Risk of Vessels Dragging Anchor

Some comments expressed concerns with risks of ships dragging anchor. In the preamble to the NPRM,[37] we described existing regulations intended to minimize the chances of vessels dragging anchor. Some of these regulations apply to all deep draft vessels operating in U.S. waters, but some are specific to the regulations for vessels using Hampton Roads, VA, anchorages, including § 110.168(c)(8), (9), (10), and (15). Additionally, we

[30] See section III.1, second paragraph of ''Anchorage Grounds; Lower Chesapeake Bay, Cape Charles, VA'' on the docket.

[31] Implementing regulations are found in 33 CFR part 155.

[32] See the EPA website providing an overview of vessel sewage discharge laws and regulations: *https://www.epa.gov/vessels-marinas-and-ports/vessel-sewage-discharges-statutes-regulations-and-related-laws-and.*

[33] See the EPA website discussing no discharge zones: *https://www.epa.gov/vessels-marinas-and-ports/vessel-sewage-discharges-no-discharge-zones-ndzs.*

[34] Regional Response Team III is the regional component of the National Response System within which the Chesapeake Bay fully resides. For more information on the Team, visit: *https://www.nrt.org/site/site_profile.aspx?site_id=35.*

[35] See document titled ''USCG letter to VADEQ, Nov 7, 2019'' in the docket.

[36] The Virginia Department of Environmental Quality is the state agency with authority of Virginia's No Discharge Zone Program: *https://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/NoDischargeZoneDesignations.aspx.*

[37] See section III.1, third paragraph of ''Anchorage Grounds; Lower Chesapeake Bay, Cape Charles, VA'' on the docket.

created a new requirement specific to Anchorage R, § 110.168(e)(10)(ii) found in the regulatory text at the end of this document which requires that a non-self-propelled vessel (like a barge) must be tended by a towing vessel unless otherwise given permission by the COTP. This reduces the risk of vessels without the means of propulsion of breaking away or dragging anchor and causing harm to themselves or other vessels by grounding or collision.

One comment expressed concern regarding a cargo vessel grounding of April 15, 2014, where a vessel dragged anchor under gale force winds and grounded off the shore of Virginia Beach, VA. By creating Anchorage R, we are requiring that vessels otherwise anchoring near the town of Cape Charles have a higher state of readiness to prepare for and respond to environmental conditions that could cause them to drag anchor, like the sudden onset of gale force winds, and thus reduce the chances of groundings, collisions, and pollution spills.

H. Concerns About Views From the Shore

We received numerous comments opposing anchorage R due to the negative impacts of view from the shore, including potential decreased property values and diminished tourism appeal. As we note above, vessels have been anchoring in the deep waters between York Spit Channel and Cape Charles of their own volition and without anchorage boundaries to guide them. In the NPRM,[38] we explained how we changed the boundaries of the anchorage described in the ANPRM in an effort to propose an anchorage with boundaries that would keep vessels from anchoring as close to shore as they had been (as close as 1.5 NM, or, 3,000 yards). The eastern boundary of the anchorage is designed to anchor vessels no closer than approximately 2.8 NM from shore. Considering the maximum number of vessels that visited those waters at any one time in 2017 and 2018, we view the design of the anchorage as a balanced fit between view concerns, available water for anchoring, and peak usage. Therefore, we are not changing the boundary of the anchorage from that proposed in the NPRM.

I. Concerns About Vessel Congestion and Anchorage Duration

Many comments noted concern about vessel congestion, suggesting that the port complex should not be extending northward into the Chesapeake Bay. The number of vessels calling on the Hampton Roads area is beyond the Coast Guard's control, and denying vessels calling on the port access to safe anchoring grounds is counter to safety and environmental stewardship. We are establishing Anchorage R to provide controls over those vessels choosing to anchor in the naturally deep water near Cape Charles.

Other comments noted concerns that vessel stays within the anchorage should be limited and specified various lengths. The general regulations for Hampton Roads anchorages (33 CFR 110.168(c)(2)) state that except as otherwise provided, a vessel may not occupy an anchorage for more than 30 days, unless the vessel obtains permission from the COTP. Since no such time limit previously existed for vessels anchoring in the area of Anchorage R (except those within the limits of old Anchorage Q), vessels were able to remain anchored indefinitely. We find that the 30-day limit is sufficient to address anchoring duration.

J. Concerns About Negative Impact on Fisheries

Many comments raised general concerns about impacts to fisheries. We contend that these comments are not applicable to the Coast Guard's action of establishing the anchorage grounds for the same reasons described in the discussions above regarding compliance with the NEPA and the CZMA. The comments pertain to the presence and number of vessels already anchoring in the area, not about the Coast Guard's administrative controls this anchorage will provide. We find that the action of establishing Anchorage R has no adverse effect; the risks to fisheries from anchored vessels in the waters of Anchorage R pre-exist the Coast Guard's designation of the anchorage. We are making no changes based on these comments.

K. Concerns About Light Pollution

A number of comments discussed concerns with potential interference to migrating birds, light trespass, and non-conformance with Northampton County requirements for dark sky-type lighting. Like other pollution or water use concerns, we find the action of establishing Anchorage R has no adverse effect; the existence of the lights from anchored vessels in the waters of Anchorage R pre-exists the Coast Guard's designation of the anchorage. We are making no changes based on light pollution-related comments.

One commenter cited a study concluding that artificial light at night may have a negative effect on nocturnally migrating birds and suggested the Coast Guard incorporate light pollution measures during bird migration periods. We are not able to incorporate such measures with this rulemaking. Vessels operating on U.S. waters are required to follow the Inland Navigation Rules which govern the behavior of vessels underway, at anchor, and in other conditions, including prescribing the lights which vessels must exhibit. These rules[39] require vessels greater than 100 meters (328 feet) in length at anchor to illuminate their decks and exhibit the fore and aft all-around lights required for smaller vessels. Because the Inland Rules are both designed to be in harmony with International Regulations for Preventing Collisions at Sea and put specific responsibility on masters and crew to comply with them,[40] this rulemaking may not counter or interfere with the Inland Rules. The Coast Guard may establish special anchorage areas, which allow anchored vessels to be unlighted,[41] but this type of anchorage is not applicable for use at Anchorage R for two reasons. First, unlighted vessels in these anchorage areas must be 65 feet or less in length; the majority of vessels anchoring in the waters of Anchorage R exceed this length. Second, such areas should be located where general navigation will not be endangered by unlit vessels. The waters of Anchorage R are located adjacent to York Spit Channel, the primary north-south thoroughfare for deep draft vessels transiting the lower Chesapeake Bay. Also, the anchorage ground itself is intended to be navigated by vessels arriving and departing at night, where unlighted vessels would increase navigation risk.

Regarding light trespass and Northampton County lighting requirements, Anchorage R requires vessels to anchor further from the Northampton shoreline and is an improvement over the Coast Guard taking no action. One comment requested the Coast Guard consider adding lighting rules specific to Anchorage R that would be compatible with the Northampton County Zoning Ordinance[42] requirements. As

[38] See section III.4 of ''Anchorage Grounds; Lower Chesapeake Bay, Cape Charles, VA'' on the docket.

[39] Rules for lighting anchored vessels are found in 33 CFR 83 subpart C, ''Lights and Shapes,'' Rules 20, 21, 22, and 30.

[40] Rule 1, ''Application,'' (33 CFR 83.01) describes the how the Inland Navigation Rules interact with the international community and preempt state and local rules ''within the same field.'' Rule 2, ''Responsibility,'' (33 CFR 83.02) describes master and crew responsibilities.

[41] See 33 CFR 109.10.

[42] At the time of this rulemaking, general lighting standards for Northampton County are found in

discussed above, this rulemaking may not counter lighting requirements of the Inland Navigation Rules.

L. Concerns About Noise Pollution Risks

Many comments noted concerns of hearing noises made by ships, adding to the nuisance of the vessels anchoring offshore Cape Charles. We find that the action of establishing Anchorage R has no adverse effect; the existence of the noise produced by anchored vessels in the waters of Anchorage R pre-exists the Coast Guard's designation of Anchorage R as an anchorage ground.

M. Risks of Ballast Water Discharge and Invasive Species Concerns

A number of comments expressed concerns regarding the negative impact on the environment caused by discharge of ballast water in Anchorage R. One specifically warned that the proximity of the anchorage to aquaculture sites increased those sites' exposure to potential nonindigenous shellfish pathogens which could be introduced by ships at anchor discharging ballast water. We find that the action of establishing Anchorage R has no adverse effect; the risks posed by vessels anchoring in the area existed before our designation of the anchorage.

Vessels carry ballast water to add weight in specific locations, allowing the ship to control or maintain trim, draught, stability, or hull stresses it encounters due to adverse sea conditions or changes in cargo weight, fuel and water. We are committed to protecting U.S. waters from invasive species and work closely with the international community to find solutions that minimize ballast water risks while maintaining maritime trade.[43] Commercial vessels such as those that anchor near Cape Charles, VA, as well as those that transit, anchor, moor, or otherwise use waters in the Hampton Roads area must meet federal requirements [44] for ballast water management. These stipulate that ballast water obtained in overseas coastal areas that might contain invasive species be exchanged with ocean water 200 miles from shore or treated with onboard systems to prevent the discharge of viable living organisms.

N. Security Concerns

Some comments asked whether having unattended foreign ships anchored in the Chesapeake Bay is a security concern. Vessel security is of vital importance, which is why the United States enacted the Maritime Transportation Security Act and the Coast Guard issued supporting regulations,[45] and continues to work closely with the international community in the implementation and enforcement of the International Ship and Port Facility Security Code.[46] Together, these requirements ensure seagoing vessels and their operating companies have rigorous security requirements for training, security planning, physical and operational security measures, and record keeping. Furthermore, federal requirements mandate that U.S. vessels in commercial service and foreign vessels entering port must provide an advance notice of arrival [47] to the Coast Guard. The vessel's notice of arrival is vetted by numerous federal agencies to ensure compliance with applicable safety and security laws prior to the vessel and its crews entering U.S. waters. Regarding foreign crewmembers, U.S. Customs and Border Protection (CBP) screen and provide escort protocol for those individuals who are seeking to go ashore. All crewmembers must remain onboard the vessel unless clearance from CBP has been obtained. As noted previously, we view the action of creating Anchorage R as having no adverse effects; security requirements for anchored vessels remain unchanged whether the anchorage exists or not.

O. Requests That Vessels Delay Arrival or Remain at Sea Instead of Anchoring

Five comments recommended the Coast Guard consider requiring ships to remain offshore or otherwise delay their arrival. In Section III.A above, we explained that vessels have been anchoring in the vicinity of Anchorage R with no restrictions and will continue to do so; the logistical, safety, and economic factors that vessels consider when determining whether to delay arrival are outside the scope of this rulemaking. We have protocols for barring or delaying vessels from port entry based on safety, security, and environmental compliance factors. Every arriving vessel, whether destined for a pier or an anchorage, is individually vetted against these factors. However, we do not bar a vessel from port entry based on its intended destination alone.

We received supporting comments describing the importance of having safe, protected anchorage space for conducting maintenance and other activities that would otherwise be too unsafe to conduct in offshore conditions, noting the area of Anchorage R as the best location for such activities in the Hampton Roads area. We made no changes based on these comments.

P. Requests That the Coast Guard Develop an Anchoring Management Plan

Five comments recommended the Coast Guard develop an anchor management plan, some of which proposed specific provisions for the Coast Guard to consider. We agree with the following two proposed provisions and have amended the language of the regulation in this final rule to meet the intent of the proposals:

First, ''[n]o lightering, bunkering, or lube oil transfers shall take place at Cape Charles Anchorage without the permission of the USCG COTP.'' We agree and have included provisions about the transfer of oil in new paragraph (e)(10)(i) of the regulatory text at the end of this document.

Second, ''[t]ugs with barges shall be in attendance of their tows or barges. Any towing vessel that is departing the anchorage but leaving its tow at anchor within the anchorage shall inform the USCG COTP of the estimated time of returning to the barge, continuously monitor VHF Channels 13 and 16, and by any means appropriate monitor the position and status of the tow.'' We agree with the intent of the proposal, and generally believe that no unattended barges should be left at Anchorage R. We have added paragraph (e)(10)(ii) of the regulatory text at the end of this document to address potential dangers presented by unattended barges.

We agree with the intent of the following proposed provisions we have quoted below but, as indicated, we believe that they are already fully addressed by existing, applicable regulations:

''Restrict vessel operation, in a hazardous area or under hazardous conditions, to vessels which have particular operating characteristics or capabilities which are considered necessary for safe operation under the circumstances'' and ''restrict entering or

section 154.2.112 of Northampton Zoning Ordinance, on page 105.

[43] See the USCG website for ballast water management frequently asked questions: *https://www.dco.uscg.mil/Portals/9/MSC/BWMS/Ballast_Water_FAQs.pdf?ver=2018-06-06-123015-850.*

[44] Regulations for ballast water management in waters of the United States are in 33 CFR part 151 subpart D. Further guidance for ballast water management systems at the time of this rulemaking are in Navigation and Vessel Inspection Circular 01–18, ''Ballast Water Management for Control of Non-indigenous Species in Waters of the United States.''

[45] 33 CFR part 104.

[46] See the International Maritime Organization site discussing international maritime security requirements for vessels: *http://www.imo.org/en/OurWork/Security/Guide_to_Maritime_Security/Pages/SOLAS-XI-2%20ISPS%20Code.aspx.*

[47] 33 CFR part 160, subpart C.

departing the anchorage in severe weather conditions.'' Existing regulations require vessels bound for or departing from ports or places within the navigable waters of the United States to notify the Coast Guard of hazardous conditions either on board the vessel or caused by the vessel or its operation. These regulations further provide the COTP the authority to issue special orders to vessels when justified in the interest of safety by reason of weather, visibility, sea conditions, temporary port congestion, other temporary hazardous circumstances, or the condition of the vessel.[48] These regulations are sufficient to insure the safety of the vessels during hazardous conditions, and fully address the intent on the proposed provisions.

''Vessels shall display the appropriate anchoring lights at nights and during periods of low visibility while at anchor.'' This is already required by Rule 30 of the Inland Navigation Rules.[49]

''Vessels required to carry and use Automatic Identification System[50] should operate their AIS while at anchor.'' This is already required by 33 CFR 164.46(d)(2)(v), which mandates ''the continual operation of AIS and its associated devices (*e.g.,* positioning system, gyro, converters, displays) at all times while the vessel is underway or at anchor. . .''

''A vessel must maintain an anchor watch and must have procedures to detect a dragging anchor'' and ''No vessel may anchor in a 'dead ship' state (propulsion or control unavailable for normal operations) without the prior approval of the USCG COTP and must have propulsion available within 30 minutes in case of anchor dragging or other situation.'' This is generally already addressed in navigation safety regulations.[51] Coast Guard Sector Virginia receives requests from vessel operators that desire to go into a ''dead ship'' state and depending on current and expected environmental conditions, the request may be denied or an assist tug may be required to be on site during the dead ship period in order to ensure compliance with that regulation.

''Whenever it is detected that a vessel's anchor is dragging, the person in charge of the vessel shall immediately notify the COTP.'' Any situation where a vessel drags anchor and is unable to make immediate effective corrective action would be considered a hazardous condition, which is required to be reported immediately to the Coast Guard.[52] Also, see the discussion in Section III.G above.

''Prohibiting anchorage of any vessel that has machinery or hull damage that poses a threat to the safety of the port.'' A vessel operator is already required to notify the Coast Guard immediately of any marine casualty or hazardous condition. Existing COTP authority gives the Coast Guard the authority to direct the movement of a vessel in such circumstances, and existing anchorage regulations in § 110.168(c)(3) cover this case.

''Be prepared to get underway as directed by the USCG COTP.'' This is already generally addressed in § 110.168(c)(9) of the Hampton Roads Anchorage regulations.

We do not agree with proposed provisions that would make any requirement that a vessel must notify COTP for routine operations because Coast Guard Sector Virginia does not currently have a Vessel Traffic Service capability as found in some other parts of the country where such routine tracking of vessels would take place through mandatory vessel check-ins.

We do not agree with a proposed provision to implement additional ballast water discharge restrictions. The Coast Guard has established a standard for allowable concentration of living organisms in ships' ballast water discharged into waters of the United States, and we believe this standard is sufficient.[53]

Q. Requests To Extend the Comment Period

Some comments requested an extended comment period. Given the attention focused on this issue by our publication of the ANPRM and public meetings on the ANRPM, the Coast Guard believes that the opportunities provided by the NPRM comment period and accompanying public meetings were sufficient for public comment.

R. Anchorage Proponents

Seven comments supported a new, deep-water anchorage due to the growing maritime infrastructure in the Hampton Roads area. With limited availability of a deep draft anchorage in the existing naval anchorages, we believe this rule enhances navigation safety and more safely and effectively supports commercial vessel anchoring needs in the lower Chesapeake Bay. Five comments were generally supportive of the anchorage. One written comment suggested the anchorage would have a positive impact on fisheries.

IV. Discussion of the Final Rule

The Coast Guard is establishing a new Anchorage R and relocating and increasing the size of the existing Quarantine Anchorage Q. This reflects our consideration of all comments received on the NPRM and our preliminary Record of Environmental Consideration, which we developed after issuing an ANPRM. This rule will more effectively establish a new deep-water anchorage ground for commercial vessels to support the new and projected growth in vessel traffic throughout the Hampton Roads area. Anchorage R will be located in naturally deep water with charted depths between 25 and 101 feet. Depths in the northern portions of the anchorage range from 45 to 101 feet. Depths in the southern portion range from 25 to 45 feet.

The 7.9 NM long eastern boundary of Anchorage R is located generally 3 NM west of Cape Charles, VA. The southernmost boundary is 3.9 NM long and runs parallel with and 500 yards north of the existing Regulated Navigation Area.[54] The western boundary of the anchorage grounds runs parallel along, and no less than 500 yards east of York Spit Channel for 13.9 NM, including an 11.2 NM length between Lighted Buoys 24 and 38 and then continuing northeast for 2.7 NM beyond Lighted Buoy 38. The anchorage is 0.6 NM long at its northern boundary.

The Coast Guard is moving the existing Quarantine Anchorage (Anchorage Q), from the current location 3.5 NM to the west of Cape Charles, VA, and east of York Spit Channel between Lighted Buoys 36 to 38, relocating it 6 NM southwest of Fishermans Point, VA. The new location runs 625 yards west of York Spit Channel between buoys 16 and 18. The eastern boundary of Anchorage Q runs parallel to York Spit Channel for 2.2 NM. The southernmost boundary is 1.3 NM from the emergency restricted area outside the Chesapeake Bay Bridge Tunnel. The westernmost boundary is 2.2 NM. The northernmost boundary is 450 yards southwest of York River Entrance Channel and runs for 1.3 NM. Its size is increasing from approximately 1.1 to 1.7 square miles

We made five changes to the regulatory text from that published in the NPRM. The first two are rules specific to Anchorage R. We added paragraphs (e)(10)(i) and (ii) in response to comments submitted to the docket

[48] 33 CFR 160 subparts B and C.

[49] 33 CFR 83.30.

[50] 33 CFR 164.46.

[51] 33 CFR 164.19.

[52] 33 CFR 160.216.

[53] 33 CFR 151, subpart D.

[54] 33 CFR 165.501.

and reiterated in public meetings addressing environmental vulnerabilities unique to the characteristics of the Cape Charles area, explained in the ''Discussion of Comments'' section above. They restrict bulk transfers of oil and hazardous material and require non-self-propelled vessels to be attended by towing vessels. The other three changes to the regulatory text address that the coordinates for anchorages (Q) and (R) are based on the World Geodetic System (WGS84). In our introductory text of § 110.168(a) ''Anchorages Grounds'' we added ''Unless otherwise stated, . . .'' to the beginning of the sentence. The sentence now reads ''Unless otherwise stated, all coordinates in this section for anchorage grounds are based on North American Datum of 1983 (NAD 83).'' We added the following clarification to both sentences of paragraphs (a)(6) and (7) ''. . ., which are based on the World Geodetic System (WGS84) . . .'' Both sentences now read ''The waters bound by a line connecting the following points, which are based on the World Geodetic System (WGS84):''

The regulatory text, including the coordinates mention above, appears at the end of this document. You may find an illustration of the anchorage grounds in the ''Anchorage Boundary Development'' document in the docket.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on the size, location, and historical vessel traffic data pertaining to the anchorage locations. The regulation would ensure approximately 18 square miles of new anchorage grounds are designated, applying existing regulations for anchorages in the Hampton Roads area to vessels anchoring between York Spit Channel and the town of Cape Charles, VA, and would ensure approximately 1.7 square miles of anchorage grounds are available for vessels that requires an examination by public health, customs, or immigration authorities. This regulatory action provides for needed commercial deep draft anchorage while enhancing the navigational safety and environmental stewardship of large naval and commercial vessels transiting the lower Chesapeake Bay.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to use the anchorage may be small entities, for the reasons stated in section IV.A above, this rule would not have a significant economic impact on any vessel owner or operator. The towns and communities along the west coast of Eastern Shore of Virginia have an economy based on tourism and numerous small entities and businesses. The addition of Anchorage R will regulate and move vessels that are currently anchoring in the general vicinity away from the shore and beaches, lessening impacts these small entities may currently experience. Two comments were received claiming significant impact to small entities, citing the small business and municipalities in the Cape Charles area. The Coast Guard disagrees that this regulation would have a negative effect compared to the alternative that the no action would have to small entities; vessels are already anchoring in this area.

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

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

we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves amending the regulations for Hampton Roads and adjacent water anchorages by establishing an anchorage, Anchorage R, approximately 3 NM west of Cape Charles, VA and increasing the size of and relocating the existing Quarantine Anchorage, Anchorage Q, to a more secluded position that is 6 NM southwest of Fishermans Point, VA. It is categorically excluded from further review under paragraph L59(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

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

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

■ 2. In § 110.168:
■ a. Revise the section heading;
■ b. Add paragraph (a) introductory text;\
■ c. Revise paragraph (a)(6); and
■ d. Add paragraphs (a)(7) and (e)(10).

The additions and revisions to read as follows.

§ 110.168 Hampton Roads, Virginia and adjacent waters.

(a) *Anchorage grounds.* Unless otherwise stated, all coordinates in this section for anchorage grounds are based on North American Datum of 1983 (NAD 83).

* * * * *

(6) *Anchorage Q.* Quarantine Anchorage. The waters bound by a line connecting the following points, which are based on the World Geodetic System (WGS84):

Latitude	Longitude
37°05′40″ N	076°08′12″ W
37°05′40″ N	076°07′19″ W
37°03′46″ N	076°05′58″ W
37°03′46″ N	076°06′51″ W

(7) *Anchorage R.* The waters bound by a line connecting the following points, which are based on the World Geodetic System (WGS84):

Latitude	Longitude
37°19′10″ N	076°05′00″ W
37°12′00″ N	076°05′00″ W
37°09′08″ N	076°08′19″ W
37°11′23″ N	076°08′49″ W
37°19′10″ N	076°05′46″ W

* * * * *

(e) * * *

(10) *Anchorage R.* (i) No vessel using Anchorage R may conduct oil or hazardous material transfer operations subject to 33 CFR part 156 except with permission of the COTP.

(ii) Any non-self-propelled vessel using Anchorage R must have a towing vessel in attendance except with permission of the COTP not to have a towing vessel in attendance.

Dated: May 6, 2020.

Keith M. Smith,

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

[FR Doc. 2020–10100 Filed 5–27–20; 8:45 am]

BILLING CODE 9110–04–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1213

[FDMS No. NARA–20–0009; Agency No. NARA–2020–03f4]

RIN 3095–AC04

Administrative Guidance Procedures

AGENCY: National Archives and Records Administration (NARA).

ACTION: Final rule.

SUMMARY: This rule codifies our policies and procedures for reviewing and clearing administrative guidance documents.

DATES: Effective July 7, 2020, unless we receive adverse comments by June 29, 2020 that warrant revising or rescinding this rulemaking.

ADDRESSES: You may submit comments, identified by RIN 3095–AC04, by either of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Search for RIN 3095–AC04 and follow the site's instructions for submitting comments.
- *Mail* (for paper, flash drive, or CD–ROM submissions. Include RIN 3095–AC04 on the submission): National Archives and Records Administration; Regulation Comments Desk, Suite 4100; 8601 Adelphi Road; College Park, MD 20740–6001.

We may publish any comments we receive without changes, including any personal information you include.

FOR FURTHER INFORMATION CONTACT: Kimberly Keravuori, Regulatory and External Policy Program Manager, by email at *regulation_comments@nara.gov,* or by telephone at 301.837.3151.

SUPPLEMENTARY INFORMATION: This rule codifies internal policies and procedures on developing, reviewing, and clearing guidance documents, which ensure that all guidance documents receive appropriate review before we issue them. This rule also responds to Executive Order 13891, Promoting the Rule of Law Through Improved Agency Guidance Documents (October 9, 2019), which requires Federal agencies to issue final regulations, or amend existing regulations as necessary, to set forth processes and procedures for issuing guidance documents. As a result, this rule incorporates requirements from the E.O. that were not otherwise in our internal procedures, primarily a requirement for a centralized guidance portal on our website and a requirement that the comment period for significant guidance documents be at least 30 days, except when the agency for good cause finds that notice and public comment are impracticable, unnecessary, or contrary to the public interest.

The procedures contained in this rule apply to all guidance documents. We define guidance documents as established by OMB and the E.O.: Any statement we make of agency policy or interpretation concerning a statute, regulation, or technical matter within our jurisdiction that we intend to have general applicability and future effect on the behavior of regulated parties, but which we do not intend to have the force or effect of law in its own right on non-Governmental regulated parties, and for which a statute does not otherwise require us to follow the rulemaking procedures of the Administrative Procedure Act.

We review guidance documents before we issue them so they are written in plain language and do not impose any substantive requirements above and

beyond statute, regulation, or other authority (such as an executive order). Although we have in the past complied with the requirements of the Administrative Procedure Act with regard to the content of our guidance documents and required procedures, we are now incorporating additional steps to show this compliance, as required by the E.O. and OMB's implementing memorandum (OMB M–20–02). This includes labeling each guidance document with a clear and prominent statement that the contents of the guidance document do not have the force and effect of law on the public and are not meant to bind the public beyond what is already required in a law, regulation, or other authority. This regulation also addresses significant guidance documents and their potential to, in some cases, have an economic impact on the public. We conduct a good faith cost assessment to determine economic impact on the public where possible, and submit significant guidance to OMB for review before providing informal notice-and-comment opportunity for the public.

Regulatory Analysis

Administrative Procedure

Under the Administrative Procedure Act, an agency may waive the normal notice and comment procedures if the action is a rule of agency organization, procedure, or practice. See 5 U.S.C. 553(b)(3)(A). Since this rule incorporates internal procedures about our administrative procedures into the Code of Federal Regulations, notice and comment are not necessary.

Executive Order 12866, Regulatory Planning and Review and Executive Order 13563, Improving Regulation and Regulation Review

The Office of Management and Budget (OMB) has reviewed this rulemaking and determined it is not ''significant'' under section 3(f) of Executive Order 12866. It is not significant because it is a rule of agency procedure and practice, describing our procedures for promulgating and processing guidance documents, and we do not anticipate it having an economic impact on the public. It will help ensure transparency, robust public participation, and the quality and fairness of administrative actions.

Regulatory Flexibility Act (5 U.S.C. 601, et seq.)

This requirement does not apply if the agency certifies that the rulemaking will not, if promulgated, have a significant economic impact on a substantial number of small entities (5 U.S.C. 603). We certify, after review and analysis, that this rulemaking will not have a significant adverse economic impact on small entities.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501, et seq.)

The Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*) requires that agencies consider the impact of paperwork and other information collection burdens imposed on the public and, under the provisions of PRA section 3507(d), obtain approval from OMB for each collection of information we conduct, sponsor, or require through regulations. There are no information collection requirements associated with this rule.

Executive Order 13132, Federalism

Executive Order 13132 requires agencies to ensure state and local officials have the opportunity for meaningful and timely input when developing regulatory policies that may have a substantial, direct effect on the states, on the relationship between the Federal Government and the states, or on the distribution of power and responsibilities among the various levels of government. If the effects of the rule on state and local governments are sufficiently substantial, the agency must prepare a Federal assessment to assist senior policy makers. This rulemaking will not have any effects on state and local governments within the meaning of the E.O. Therefore, no Federalism assessment is required.

Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs

Review under E.O. 13771 seeks to reduce Federal regulations that impose private expenditures in order to comply with them, and to control those costs in any such regulations. OMB has reviewed this rulemaking and determined that it is exempt from E.O. 13771 requirements. This rulemaking is exempt because it is not significant under E.O. 12866 and because it is a rule of agency procedure and practice.

Unfunded Mandates Reform Act (Sec. 202, Pub. L. 104–4; 2 U.S.C. 1532)

The Unfunded Mandates Reform Act requires that agencies determine whether any Federal mandate in the rulemaking may result in state, local, and tribal governments, in the aggregate, or the private sector, expending $100 million in any one year. This rule does not contain a Federal mandate that may result in such an expenditure.

List of Subjects in 36 CFR Part 1213

Administrative procedure, Agency administration, Agency guidance, Public notice and comment.

■ For the reasons discussed in the premable, NARA adds part 1213 as follows:

PART 1213—AGENCY GUIDANCE PROCEDURES

Sec.
1213.1 Scope.
1213.2 Definitions.
1213.4 Requirements for review and clearance.
1213.6 Public access to guidance documents.
1213.8 Significant guidance.
1213.10 Petitions for guidance.
1213.12 Rescinded guidance.
1213.14 Exigent circumstances.
1213.16 No judicial review or enforceable rights.

Authority: 44 U.S.C. 2104(a).

§ 1213.1 Scope.

(a) This part prescribes general procedures that apply to guidance documents NARA and its components issue after April 30, 2020, and to all NARA employees and contractors involved in all phases of developing and issuing policy and guidance.

(b) This part does not apply to:

(1) Regulations; although some regulations are subject to rulemaking requirements under 5 U.S.C. 553(a), they do not constitute guidance, so are not covered by this rule. In addition, this rule does not apply to regulations exempt from rulemaking requirements under 5 U.S.C. 553(a) and regulations of agency organization, procedure, or practice;

(2) Decisions of agency adjudications under 5 U.S.C. 554 or similar statutory provisions;

(3) Internal executive branch legal advice or legal advisory opinions addressed to executive branch officials;

(4) Agency statements of specific applicability, including advisory or legal opinions directed to particular parties about circumstance-specific questions (*e.g.,* case or investigatory letters responding to complaints, warning letters), notices regarding particular locations or facilities (*e.g.,* guidance pertaining to using, operating, or controlling a Government facility or property), and correspondence with individual people or entities (*e.g.,* congressional correspondence), except documents ostensibly directed to a particular party but designed to guide the conduct of the broader regulated parties;

(5) Legal briefs, other court filings, or positions taken in litigation or enforcement actions;

(6) Agency statements that do not set forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statute or regulation, including speeches and individual presentations, editorials, media interviews, press materials, or congressional testimony that do not set forth for the first time a new regulatory policy or guidance;

(7) Guidance pertaining to military or foreign affairs functions;

(8) Grant solicitations and awards;

(9) Contract solicitations and awards; or

(10) Purely internal agency policies or guidance directed solely to NARA employees or contractors or to other Federal agencies that we do not intend to have substantial future effect on the behavior of regulated parties.

§ 1213.2 Definitions.

(a) *Guidance* or *guidance document* means any statement of agency policy or interpretation concerning a statute, regulation, or technical matter within our jurisdiction that we intend to have general applicability and future effect on the behavior of regulated parties, but which we do not intend to have the force or effect of law in its own right on non-Governmental regulated parties, and for which we are not otherwise required by statute to satisfy the rulemaking procedures in 5 U.S.C. 553 or 5 U.S.C. 556. The term is not confined to formal written documents; guidance may come in a variety of forms, including (but not limited to) letters, memoranda, circulars, bulletins, advisories, notices, handbooks and manuals, and may include video, audio, and web-based formats. *See* OMB Bulletin 07–02, Agency Good Guidance Practices, 72 FR 3432, 3434, 3439 (January 25, 2007) (''OMB Good Guidance Bulletin'').

(b) *Significant guidance document* means a guidance document that we reasonably anticipate will:

(1) Lead to an annual effect on the economy of $100 million or more or adversely affect in a material way the U.S. economy, a sector of the U.S. economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities;

(2) Create serious inconsistency or otherwise interfere with an action another Federal agency takes or plans;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of those who receive them; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in E.O. 12866, as further amended.

§ 1213.4 Requirements for review and clearance.

(a) NARA's regulatory office must review and clear, according to this subpart, all NARA guidance documents before we issue them.

(b) The regulatory office ensures that each guidance document satisfies the following requirements:

(1) It complies with relevant statutes and regulations, and other applicable authorities;

(2) It identifies or includes:

(i) The term ''guidance'' or its functional equivalent;

(ii) The issuing office's name;

(iii) A unique agency identifier, according to naming conventions we establish, and a z-RIN, if applicable;

(iv) A concise title;

(iv) The issuing or effective date;

(v) A notice about the guidance document's force and effect that is consistent with OMB M–2020–02, Q20;

(vi) An indicator of whether the guidance revises or replaces any previously issued guidance and, if so, sufficient information to identify the previously issued guidance; and

(vii) Appropriate citations to applicable statutes, regulations, and other authorities;

(3) It is consistent with NARA policies, guidance, strategic initiatives, and other authorities, is written in plain and understandable English, and meets other guidance and policy analysis factors; and

(4) It avoids using mandatory language, such as ''shall,'' ''must,'' or ''required,'' unless the language is describing an established statutory or regulatory requirement or is addressed to agency staff or other Federal employees and will not foreclose our ability to consider positions advanced by any affected private parties.

(c) The guidance document must also either contain or be accompanied by an appropriate topic keyword and a short summary of the subject matter covered in the guidance document, for use on the guidance portal.

(d) The regulatory office also assesses whether the guidance document constitutes significant guidance and works with the submitting office to make a good faith cost estimate, as applicable, in accordance with § 1213.8(a). If we determine that a guidance document might be significant, the regulatory office coordinates with OMB's Office of Information and Regulatory Affairs (OIRA), as outlined in § 1213.8(d).

(e) We also assess whether the guidance document might be otherwise important to the agency's interests, if we reasonably anticipate that it might: Relate to a major program, policy, or activity, or a high-profile issue involving the agency or its interests; involve one of NARA's top policy priorities; garner significant press, congressional, or other attention; or raise significant questions or concerns from constituencies such as committees of Congress, states or Indian tribes, the White House or other departments of the executive branch, courts, public interest groups, or leading representatives of industry. When appropriate, we may determine that a particular guidance document that is otherwise of importance to the agency's interests be subject to the informal notice-and-comment procedures described in § 1213.8(f).

(f) The regulatory office submits guidance documents we determine may be significant to OIRA for significance determinations, before clearing the submitting office to issue them.

(f) When we issue a guidance document, we post it on our centralized guidance portal (see § 1213.6(a)).

§ 1213.6 Public access to guidance documents.

(a) We post the cleared document on our centralized guidance portal at *www.archives.gov/guidance.* The portal contains a searchable, indexed database of our various kinds of guidance along with links to each document and an agency-unique identifier, title, date issued, z-RIN, if applicable, topic keywords, brief summary, date added to the portal, and any status information (for example, that it supersedes a previous guidance document). All guidance currently in effect (including guidance originally issued before April 30, 2020) must appear on the portal; if it does not, it is deemed rescinded and without any effect.

(b) The guidance portal notes that guidance documents lack the force and effect of law on the public, except as authorized by law, executive order, or regulation or as incorporated into a contract, and that the guidance is not legally binding on the public, except as established by such law, regulation, or contract. Each guidance document and web page that contains a listing of guidance must also include an appropriate notice about the force and effect of the guidance.

(c) The guidance portal also includes instructions for how the public can comment on guidance documents that

are subject to the informal notice-and-comment procedures described in § 1213.8 and to submit requests that we issue, reconsider, modify, or rescind guidance documents, in accordance with § 1213.10. It also provides contact information for the public to submit complaints that an office is not following the requirements of OMB's Good Guidance Bulletin or is improperly treating a guidance document as a requirement binding on the public.

§ 1213.8 Significant guidance.

(a) *Good faith cost estimates.* Even though not legally binding on the public, some agency guidance may result in a substantial economic impact on the public. For example, the guidance's existence may induce private parties to alter their conduct to conform to recommended standards or practices, thereby incurring costs beyond the costs of complying with existing statutes, regulations, and other authorities. While it may be difficult to predict with precision the economic impact of voluntary guidance on the public, we, to the extent practicable, make a good faith effort to estimate the likely economic cost impact on the public, to determine whether the document might be significant.

(b) *Regulatory impact analyses.* When we, or OIRA, determine that a guidance document will have an economically significant impact on the public, we conduct and publish a regulatory impact analysis of the sort that would accompany an economically significant rulemaking, to the extent reasonably possible.

(c) *Excluded guidance.* Significant guidance documents do not include the categories of documents excluded by § 1213.1(b) or any other category of guidance documents the regulatory office exempts in writing in consultation with OIRA.

(d) *OIRA review of significant guidance.* If OIRA designates a guidance document as significant or economically significant, we submit it to OIRA for review under E.O. 12866 before we issue it, as with regulations; and we process significant guidance in compliance with the applicable requirements for regulations or rules, including significant regulatory actions, set forth in E.O. 12866, E.O. 13563, E.O. 13609, E.O. 13771, and E.O. 13777.

(e) *Signature or approval.* The Archivist of the United States or a senior executive designee signs or approves significant guidance.

(f) *Informal notice-and-comment procedures.* Except as outlined in paragraph (g) of this section, we subject all proposed guidance documents OIRA determines to be significant to the following informal notice-and-comment procedures. We publish a notice in the **Federal Register** announcing that a draft of the proposed guidance document is publicly available and where, either post the draft guidance document on our guidance portal or on *regulations.gov* in a docket with the notice (depending on the nature, size, and scope of the guidance), invite public comment on the draft document for a minimum of 30 days, and prepare and post a public response to major concerns raised in the comments, as appropriate, on our guidance portal or in the docket on *regulations.gov* (whichever location we used to post the draft guidance), either before or when we issue the guidance document.

(g) *Exceptions to notice-and-comment procedures.* The requirements of paragraph (f) of this section do not apply to any significant guidance document or categories of significant guidance documents for which we find, in consultation with OIRA, good cause that notice and public comments are impracticable, unnecessary, or contrary to the public interest (and we will incorporate the finding of good cause and a brief statement of reasons in the guidance).

§ 1213.10 Petitions for guidance.

(a) Any person may petition that we issue, reconsider, modify, or rescind a particular guidance document by using the procedures described here and on our guidance portal at *www.archives.gov/guidance.*

(b) Submit your petition using the contact information and method noted on the guidance portal, which includes an email address or web portal for submitting electronic petitions, a mailing address for submitting hard copy petitions, and the office responsible for coordinating the request. You must submit your petition through one of these means, and the petition must:

(1) Describe the nature of the request and set out the text or substance of the guidance you are requesting or that you wish us to reconsider, modify, or rescind;

(2) Explain your interest in the action you are requesting; and

(3) Contain any information and arguments you have to support the action you are seeking.

(c) We will review your request and make a decision whether to grant the request or deny it in whole or in part. We will provide you with a response to your request and a status update or our decision within 90 days after we receive the petition, if you provide email or mail contact information.

§ 1213.14 Rescinded guidance.

We may not cite, use, or rely on guidance documents that we have rescinded, except to establish historical facts.

§ 1213.16 Exigent circumstances.

In emergency situations or when we are required by statutory deadline, court order, or other exigent circumstances to act more quickly than normal review procedures allow, we notify OIRA as soon as possible and, to the extent practicable, comply with the requirements of this subpart at the earliest opportunity. Whenever practicable, we permit sufficient time to comply with the procedures in this subpart.

§ 1213.18 No judicial review or enforceable rights.

We intend this part to improve our internal management. As a result, it is for the use of NARA personnel only and we do not intend it to, nor does it, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its agencies or other entities, its officers or employees, or any other person.

David S. Ferriero,

Archivist of the United States.

[FR Doc. 2020–09353 Filed 5–27–20; 8:45 am]

BILLING CODE 7515–01–P

LIBRARY OF CONGRESS

U.S. Copyright Office

37 CFR Parts 201 and 202

[Docket No. 2020–2]

Group Registration of Newsletters

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Final rule.

SUMMARY: The U.S. Copyright Office is amending its regulation governing the group registration option for newsletter issues. The final rule eliminates the requirement that newsletters must be published at least two days each week to qualify for a group registration. In addition, the final rule updates the address where complimentary subscriptions should be sent for purposes of satisfying the mandatory deposit requirement for newsletters and other serials.

DATES: Effective June 29, 2020.

FOR FURTHER INFORMATION CONTACT: Robert J. Kasunic, Associate Register of Copyrights and Director of Registration Policy and Practice, *rkas@copyright.gov;* Erik Bertin, Deputy Director of Registration Policy and Practice, *ebertin@copyright.gov;* or Kevin Amer, Deputy General Counsel, *kamer@copyright.gov.* They can be reached by telephone at (202) 707–3000.

SUPPLEMENTARY INFORMATION: The U.S. Copyright Office has established a group registration option that allows a newsletter publisher to register an entire month of issues with one application and one filing fee. A publisher may use this option if each issue is ''an all-new issue or an all-new collective work that has not been previously published.'' [1] In addition, the newsletter ''must usually'' be published ''at least two days each week.'' [2] The word ''usually'' was added to the regulation ''to account for occasional situations where the newsletter suspends publication (*e.g.,* for a holiday).'' [3]

On February 24, 2020, the Office issued a notice of proposed rulemaking (the ''NPRM'') requesting public comment on an amendment that would extend this option to a broader range of publishers.[4] The NPRM noted that it had come to the Office's attention that many newsletters are published just once a week.[5] The requirement that publication must usually occur at least twice a week renders these newsletters ineligible for this group registration option. Some newsletter publishers may be able to use the group registration option for serials (which is specifically intended for publications that are distributed at intervals of a week or longer), but to do so each issue ''must be an all-new collective work.'' [6] Thus, if a newsletter is published once a week, and if the issues in the group do not qualify as all-new collective works, the publisher may not qualify for either the group registration option for newsletters or the group registration option for serials. For these types of newsletters, the publisher must submit a separate application and filing fee for each issue.

To address this issue, the NPRM proposed to eliminate the requirement that newsletters must be published at least two days a week to qualify for the group registration option for newsletters.[7] During the comment period, the Office received no comments concerning the NPRM.[8] Therefore, the Office is proceeding to issue a final rule that is identical to the proposed rule.

Under the final rule, newsletter publishers will still be required to complete and submit an online application and upload a digital deposit to seek a group registration.[9] The online application is labeled ''Daily Newsletters,'' but to be clear, this form may be used to register any newsletter, even if it is not published on a daily basis, as long as all of the issues are published within the same month.

Likewise, newsletter publishers will still be required to comply with the mandatory deposit requirement if the newsletter is published in the United States in a physical form.[10] To satisfy this requirement, the publisher must provide the Library of Congress with up to two complimentary subscriptions to the newsletter.[11] To facilitate this process, the final rule updates the mailing address where complimentary subscription copies of newsletters and other serials should be sent.

List of Subjects

37 CFR Part 201

Copyright, General Provisions.

37 CFR Part 202

Copyright.

Final Regulations

For the reasons set forth in the preamble, the Copyright Office amends 37 CFR parts 201 and 202 as follows:

PART 201—GENERAL PROVISIONS

■ 1. The authority citation for part 201 continues to read as follows:

Authority: 17 U.S.C. 702

■ 2. Revise § 201.1(c)(6) to read as follows:

§ 201.1 Communication with the Copyright Office

* * * * *

(c) * * *

(6) *Mandatory deposit copies.* Mandatory deposit copies of published works submitted for the Library of Congress under 17 U.S.C. 407 and § 202.19 of this chapter (including serial publications that are not being registered) should be addressed to: Library of Congress, U.S. Copyright Office, Attn: 407 Deposits, 101 Independence Avenue SE, Washington, DC 20559–6600, except that mandatory deposit copies submitted as complimentary subscriptions for serial publications that are being registered should be addressed to: Library of Congress, Group Serials Registration, Washington, DC 20540–4161.

* * * * *

PART 202—PREREGISTRATION AND REGISTRATION OF CLAIMS TO COPYRIGHT

■ 3. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 408(f), 702

§ 202.4 [Amended]

■ 4. In § 202.4, amend the third sentence of paragraph (f)(1)(i) by removing ''Publication must usually occur at least two days each week and the'' and adding ''The'' in its place.

Dated: April 27, 2020.

Maria Strong,

Acting Register of Copyrights and Director of the U.S. Copyright Office.

Approved by:

Carla D. Hayden,

Librarian of Congress.

[FR Doc. 2020–09490 Filed 5–27–20; 8:45 am]

BILLING CODE 1410–30–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900–AQ01

Technical Correction to Reimbursement of Qualifying Adoption Expenses for Certain Veterans

AGENCY: Department of Veterans Affairs.

ACTION: Correcting Amendment.

SUMMARY: This final rule will add the Office of Management and Budget approval number for the new collection of information in the Department of Veterans Affairs (VA) regulation that governs the reimbursement of qualifying adoption expenses incurred by a veteran with a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

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[1] 37 CFR 202.4(f)(1)(iii).

[2] *Id.* § 202.4(f)(1)(i).

[3] 83 FR 22902, 22904 (May 17, 2018).

[4] 85 FR 10349 (Feb. 24, 2020).

[5] *Id.* at 10350.

[6] 37 CFR 202.4(d)(1)(iii), (v). *See* 17 U.S.C. 101 (defining ''collective work'' as ''a work, such as a periodical issue, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works in themselves, are assembled into a collective whole'').

[7] *Id.* at 10350. To be eligible for group registration under this rule, the group must consist of at least two issues, and all of the issues included in the group must be published in the same calendar month. 37 CFR 202.4(f)(1)(ii), (v).

[8] The Office received one comment making reference to copyright. It can be accessed at *https://www.copyright.gov/rulemaking/group-newsletters-frequency/.*

[9] 37 CFR 202.4(f)(2), (3).

[10] *Id.* § 202.19(d)(2)(xi).

[11] Newsletters that are published solely in electronic format remain subject to the Library's on-demand mandatory deposit regime for electronic serials. *See id.* 202.19(c)(5), 202.24.

DATES: This final rule is effective May 28, 2020.

FOR FURTHER INFORMATION CONTACT: Patricia M. Hayes, Ph.D. Chief Consultant, Women's Health Services, Patient Care Services, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Ave. NW, Washington, DC 20420. (202) 461–0373. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: In a document published in the **Federal Register** on December 13, 2019, VA adopted as final, with changes, an interim final rule providing for reimbursement of qualifying adoption expenses incurred by certain veterans (84 FR 68046). The Paperwork Reduction Act of 1995 (44 U.S.C. 3507) requires that VA consider the impact of paperwork and other information collection burdens imposed on the public. Under 44 U.S.C. 3507(a), an agency may not collect or sponsor the collection of information, nor may it impose an information collection requirement unless it displays a currently valid Office of Management and Budget (OMB) control number. See also 5 CFR 1320.8(b)(3)(vi). As required by 44 U.S.C. 3507(d), VA submitted the information collection associated with § 17.390 to OMB for its review. OMB approved the new information collection requirements associated with the interim final rule under a 6-month emergency clearance and assigned OMB control number 2900–0860, although the control number did not appear in § 17.390 as revised by the final rule because the OMB control number 2900–0860 expired on March 31, 2019. VA applied to OMB for a renewal of this information collection under a separate document and OMB approved the renewal of this information collection requirement associated with the final rule on March 10, 2020. This document revises § 17.390 by adding the approved OMB control number.

List of Subjects in 38 CFR Part 17

Administrative practice and procedure, Alcohol abuse, Alcoholism, Claims, Day care, Dental health, Drug abuse, Government contracts, Grant programs—health, Grant programs—veterans, Health care, Health facilities, Health professions, Health records, Homeless, Medical and Dental schools, Medical devices, Medical research, Mental health programs, Nursing homes, Reporting and recordkeeping requirements, Travel and transportation expenses, Veterans.

Jeffrey M. Martin,

Assistant Director, Office of Regulation Policy & Management, Office of the Secretary, Department of Veterans Affairs.

For the reasons set forth in the preamble, VA amends 38 CFR part 17 as follows:

PART 17—MEDICAL

■ 1. The authority citation for part 17 continues to read in part as follows:

Authority: 38 U.S.C. 501, and as noted in specific sections.

* * * * *

■ 2. Amend § 17.390 by revising the parenthetical sentence at the end of the section to read as follows:

§ 17.390 Reimbursement for qualifying adoption expenses incurred by certain veterans.

* * * * *

(The Office of Management and Budget has approved the information collection requirement in this section under control number 2900–0860)

[FR Doc. 2020–10012 Filed 5–27–20; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2019–0250; FRL–10009–26]

Flonicamid; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation revises the tolerance for residues of flonicamid in or on Leafy greens subgroup 4–16A, except spinach. Interregional Research Project Number 4 (IR–4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective May 28, 2020. Objections and requests for hearings must be received on or before July 27, 2020 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2019–0250, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805.

Please note that due to the public health emergency, the EPA Docket Center (EPA/DC) and Reading Room was closed to public visitors on March 31, 2020. Our EPA/DC staff will continue to provide customer service via email, phone, and webform. For further information on EPA/DC services, docket contact information and the current status of the EPA/DC and Reading Room, please visit *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Michael Goodis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@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 an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Government Publishing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation

and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2019–0250 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before July 27, 2020. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2019–0250, by one of the following methods:

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

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

II. Summary of Petitioned-For Tolerance

In the **Federal Register** of August 2, 2019 (84 FR 37818) (FRL–9996–78), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 9E8743) by IR–4, Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540. The petition requested that 40 CFR 180.613 be amended by increasing the existing tolerance for residues of the insecticide flonicamid, including its metabolites and degradates, to be determined by measuring only the sum of flonicamid, *N*-(cyanomethyl)-4-(trifluoromethyl)-3-pyridinecarboxamide, and its metabolites, TFNA (4-trifluoromethylnicotinic acid), TFNA-AM (4-trifluoromethylnicotinamide), and TFNG, *N*-(4-trifluoromethylnicotinoyl)glycine, calculated as the stoichiometric equivalent of flonicamid, in or on Leafy greens subgroup 4–16A, except spinach, from 4.0 parts per million (ppm) to 8.0 ppm. That document referenced a summary of the petition prepared by ISK Biosciences Corporation, the registrant, for IR–4 which is available in the docket, *http://www.regulations.gov.* One comment was received on the notice of filing. EPA's response to this comment is discussed in Unit IV.C.

EPA is establishing the tolerance at 8 ppm rather than 8.0 ppm to be consistent with the Organization for Economic Cooperation and Development (OECD) Rounding Class Practice.

III. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

Consistent with FFDCA section 408(b)(2)(D), and the factors specified in FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for flonicamid including exposure resulting from the tolerances established by this action. EPA's assessment of exposures and risks associated with flonicamid follows.

On April 8, 2019, EPA published in the **Federal Register** a final rule establishing tolerances for residues of flonicamid on sunflower subgroup 20B based on the Agency's conclusion that aggregate exposure to flonicamid is safe for the general population, including infants and children. *See* 84 FR 13805 (FRL–9990–52). That document contains a short discussion of the toxicological profile, assumptions for exposure assessment, cumulative risk, and Agency's determination regarding the children's safety factor, which have not changed. In addition, the April 8, 2019 final rule referred to a summary of the toxicological profile and the toxicological endpoints and the points of departure for flonicamid used for human risk assessment in Unit III.B. of the final rule published in the **Federal Register** of July 23, 2018 (83 FR 34775) (FRL–9977–82). Those discussions are also incorporated here, as they have not changed since those documents were published.

EPA's exposure assessments have been updated to include the additional exposure from use of flonicamid in greenhouses on commodities in the Leafy greens subgroup 4–16A, except spinach. EPA relied on tolerance-level residues and an assumption of 100 percent crop treated for all commodities. EPA's aggregate exposure assessment incorporated this additional dietary exposure, as well as exposure in drinking water, although the drinking water exposures are not impacted by this new greenhouse use and thus have not changed since the last assessment. Flonicamid is not registered for any specific use patterns that would result in residential exposure. Further information about EPA's risk assessment and determination of safety supporting the tolerances established in the April 8, 2019 **Federal Register** action, as well as the new flonicamid tolerance can be found at *http://www.regulations.gov* in ''Flonicamid. Human Health Risk Assessment for the Establishment of Permanent Tolerances in or on Sunflower Subgroup 20B,'' dated December 6, 2018 in docket ID number EPA–HQ–OPP–2018–0273 and the document titled, ''Flonicamid. Human Health Risk Assessment for a Petition to Increase the Tolerance for Leafy Greens, Except Spinach (Subgroup 4–16A) to Support Use on Greenhouse-Grown Commodities,'' dated April 28, 2020 in docket ID number EPA–HQ–OPP–2019–0250.

No adverse effects resulting from a single oral exposure was identified and no acute dietary endpoint was selected; therefore, an acute dietary assessment was not conducted. Chronic dietary risks are below the Agency's level of concern: 62% of the chronic population-adjusted dose (cPAD) for children 1 to

2 years old, the group with the highest exposure. Flonicamid is not registered for any use patterns that would result in short- or intermediate-term residential exposures. EPA has concluded that the cPAD is protective of possible cancer effects from flonicamid. Because aggregate exposure to flonicamid is below the cPAD, EPA concludes that there is not an aggregate cancer risk from exposures to flonicamid.

Therefore, based on these risk assessments and information described above, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to flonicamid residues. More detailed information on the subject action to revise the tolerance in or on the Leafy greens subgroup 4–16A, except spinach, can be found in the document entitled, ''Flonicamid. Human Health Risk Assessment for a Petition to Increase the Tolerance for Leafy Greens, Except Spinach (Subgroup 4–16A) to Support Use on Greenhouse-Grown Commodities'' by going to *http://www.regulations.gov.* The referenced document is available in the docket established by this action, which is described under **ADDRESSES**. Locate and click on the hyperlink for docket ID number EPA–HQ–OPP–2019–0250.

IV. Other Considerations

A. Analytical Enforcement Methodology

Adequate enforcement methodology is available to enforce the tolerance expression. FMC Method No. P–3561M, a liquid chromatography-tandem mass spectrometry (LC/MS/MS) method, is an acceptable enforcement method for flonicamid and its metabolites in plant commodities.

The method may be requested from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Rd., Ft. Meade, MD 20755–5350; telephone number: (410) 305–2905; email address: *residuemethods@epa.gov.*

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4). The Codex Alimentarius is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level.

The Codex has established MRLs for flonicamid in or on leaf lettuce at 8.0 ppm and head lettuce at 1.5 ppm. No other Codex MRLs are established for the crops within this subgroup. While the tolerance expression for U.S. flonicamid tolerances is different than the expression for the Codex flonicamid MRLs, the level of the new U.S. tolerance for Leafy greens subgroup 4–16A, except spinach, is harmonized with the Codex MRL for leaf lettuce. Because the U.S. tolerance is for a crop subgroup, it not possible to harmonize with the Codex MRL for head lettuce, which is another commodity in the Leafy greens subgroup 4–16A.

C. Response to Comments

One commenter opposed approval of this tolerance claiming it could have detrimental effects on beneficial insects. Whether a pesticide has detrimental effects on beneficial insects, however, is a question outside the scope of analysis under the FFDCA because it is not relevant to whether tolerances are safe. The existing legal framework provided by section 408 of the FFDCA states that tolerances may be set when persons seeking such tolerances or exemptions have demonstrated that the pesticide meets the safety standard imposed by that statute. This comment provides no information relevant the Agency's safety determination. Concerns about environmental impacts of a pesticide are more appropriately raised in actions related to pesticides being registered under the Federal Insecticide, Fungicide and Rodenticide Act.

V. Conclusion

Therefore, the existing tolerance for residues of flonicamid, including its metabolites and degradates, in or on Leafy greens subgroup 4–16A, except spinach, is modified to be 8 ppm, rather than 4.0 ppm.

VI. Statutory and Executive Order Reviews

This action modifies tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), nor is it considered a regulatory action under Executive Order 13771, entitled ''Reducing Regulations and Controlling Regulatory Costs'' (82 FR 9339, February 3, 2017). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the National Government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary

consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 6, 2020.

Michael Goodis,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.613, revise the entry ''Leafy greens subgroup 4–16A, except spinach'' in the table in paragraph (a)(1) to read as follows:

§ 180.613 Flonicamid; tolerances for residues.

(a) * * *

(1) * * *

Commodity	Parts per million
* * * * *	
Leafy greens subgroup 4–16A, except spinach	8
* * * * *	

* * * * *

[FR Doc. 2020–10565 Filed 5–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 704 and 712

[EPA–HQ–OPPT–2018–0321; FRL–10008–14]

RIN 2070–AK57

Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements Under the Toxic Substances Control Act (TSCA) Section 8(a)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing amendments to the definition of small manufacturer, including a new definition for small government, in accordance with the Toxic Substances Control Act (TSCA). Changes to the small manufacturer definition impact certain reporting and recordkeeping requirements established under TSCA. EPA is also finalizing other minor changes.

DATES: This final rule is effective June 29, 2020.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2018–0321, is available at *http://www.regulations.gov* or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

Please note that due to the public health emergency the EPA Docket Center (EPA/DC) and Reading Room was closed to public visitors on March 31, 2020. Our EPA/DC staff will continue to provide customer service via email, phone, and webform. For further information on EPA/DC services, docket contact information and the current status of the EPA/DC and Reading Room, please visit *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Tyler Lloyd, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–4016; email address: *lloyd.tyler@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you manufacture (defined by statute at 15 U.S.C. 2602(9) to include import) chemical substances, including byproduct chemical substances, and are subject to either of the following: (1) Reporting under the TSCA Chemical Data Reporting (CDR) requirements at 40 CFR part 711 or (2) TSCA reporting and recordkeeping requirements at 40 CFR part 704 or other TSCA reporting requirements which reference the small manufacturer standards at 40 CFR 704.3. Any use of the term ''manufacture'' in this document will encompass ''import'' and the term ''manufacturer'' will encompass ''importer'' unless otherwise stated.

The potentially regulated community consists of entities that produce domestically or import into the United States chemical substances listed on the TSCA Inventory. The Agency's previous experience with TSCA section 8(a) data collections has shown that most respondents affected by this collection activity are from the following North American Industrial Classification System (NAICS) code categories:

- Chemical manufacturing or processing (NAICS code 325); and
- Petroleum and coal products manufacturing (NAICS code 324).

The NAICS codes have been provided to assist you and others in determining whether this action might apply to certain entities. To determine whether you or your business may be affected by this action, you should carefully examine the applicable provisions at 40 CFR 711.8. If you have any questions regarding the applicability of this action to a particular entity, consult the technical contact person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What is the Agency's authority for taking this action?

TSCA section 8(a)(1) authorizes EPA to promulgate rules under which manufacturers and processors of chemical substances must maintain such records and submit such reports as EPA may reasonably require (15 U.S.C.

2607(a)(1)). TSCA section 8(a) generally excludes small manufacturers and processors of chemical substances from the reporting (reporting and recordkeeping) requirements established in TSCA section 8(a). However, EPA is authorized by TSCA section 8(a)(3)(A)(ii) to require TSCA section 8(a) reporting and recordkeeping from small manufacturers and processors with respect to any chemical substance that is the subject of a rule proposed or promulgated under TSCA sections 4, 5(b)(4), or 6; that is the subject of an order in effect under TSCA section 4 or 5(e); that is subject to a consent agreement under TSCA section 4; or that is the subject of relief granted pursuant to a civil action under TSCA section 5 or 7.

TSCA section 8(a)(3)(B) requires EPA, after consultation with the Administrator of the Small Business Administration (SBA), to prescribe by rule the standards for determining the manufacturers and processors which qualify as small manufacturers and processors. In 1988, EPA established the general TSCA section 8(a) small manufacturer definition for use in other rules issued under TSCA section 8(a), which are codified at 40 CFR 704.3. TSCA section 8(a)(3)(C) requires EPA, after consultation with the SBA Administrator and no later than 180 days after June 22, 2016, to review the adequacy of those standards and, after providing public notice and an opportunity for comment, make a determination as to whether revision of the standards is warranted. Pursuant to TSCA section 8(a)(3)(C), in the **Federal Register** of November 30, 2017, EPA announced that it determined that revision of these standards is warranted (82 FR 56824) (FRL–9968–41).

TSCA section 8(a)(5) requires EPA, to the extent feasible when carrying out TSCA section 8, to not require unnecessary or duplicative reporting and to minimize the cost of compliance for small manufacturers and processors.

C. What action is the Agency taking?

EPA is finalizing an amendment to update the size standards definition for small manufacturers for reporting and recordkeeping requirements under TSCA section 8(a). In addition to updating the definition for small manufacturers, EPA is finalizing a definition for small governments as proposed. EPA is also finalizing as proposed a technical correction to the small manufacturer reference at 40 CFR 704.104 for Hexafluoropropylene oxide, which only includes a rule-specific small processor definition and not a small manufacturer definition. When reviewing the small manufacturer size standards, EPA found this to be an inadvertent error. As originally promulgated, 40 CFR 704.104 included the small manufacturer standard via the cross reference in 40 CFR 704.104(c)(2) to the exemption provisions in 40 CFR 704.5, which was lost when the exemptions at 40 CFR 704.5 were amended and the necessary corresponding change was not made at 40 CFR 704.104(c)(2) (52 FR 41297, October 27, 1987 (FRL–3280) and 53 FR 51717, December 22, 1988 (FRL–3368–1)). Lastly, EPA is finalizing the proposed update to the current small manufacturer definition in the Preliminary Assessment Information Rule (PAIR) rule at 40 CFR 712.25 to align it with the updated small manufacturer definition at 40 CFR 704.3. Further details of these amendments are in Unit II.

Because the small manufacturer size standard under TSCA section 8(a) impacts the CDR rule more than other TSCA section 8(a) reporting rules at this time, EPA included amendments to the small manufacturer definition and revisions to CDR as one proposed rule (84 FR 17692; April 25, 2019 (FRL–9982–16)). However, as stated in the proposed rule, EPA recognizes that the changes to the small manufacturer definition will also apply to 8(a) rules other than CDR and EPA is now finalizing these amendments as two separate actions.

D. Why is the Agency taking this action?

EPA previously determined that revision of the TSCA section 8(a) size standards for small manufacturers is warranted (82 FR 56824, November 30, 2017 (FRL–9968–41)). TSCA section 8(a)(3)(C), which was amended in 2016, requires EPA, after consultation with the Administrator of the SBA, to review the adequacy of the standards for determining which manufacturers and processors qualify as small manufacturers and processors for purposes of TSCA sections 8(a)(1) and 8(a)(3). EPA's determination, supporting documents, and comments received can be found at *http://www.regulations.gov* under docket ID No. EPA–HQ–OPPT–2016–0675. In response to the determination, EPA proposed an update to the small manufacturer definition as part of the proposed rule entitled ''TSCA Chemical Data Reporting Revisions and Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements Under TSCA Section 8(a),'' issued in the **Federal Register** on April 25, 2019 (84 FR 17692 (FRL–9982–16)).

In reviewing the TSCA section 8(a) size standards for small manufacturers, EPA also decided to add a definition for small governments in order to reduce report burden for governments reporting under CDR. Additionally, when reviewing the small manufacturer size standards, EPA found an inadvertent error in the small manufacturer reference at 40 CFR 704.104 for Hexafluoropropylene oxide and is taking the opportunity to correct that error. Lastly, EPA is updating to the current small manufacturer definition in the PAIR rule at 40 CFR 712.25, which has not been updated since it was established in 1982, in order to align it with the definition at § 704.3.

E. What are the estimated incremental impacts of this action?

EPA evaluated the costs and benefits of modifying standards for small manufacturers with regard to CDR and other TSCA section 8(a) reporting. This analysis, which is available in the docket, is discussed in Unit II. and is briefly summarized here (Ref. 1).

The modified standards for small manufacturers affect some TSCA section 8(a) rules, including CDR. These rules use the TSCA section 8(a) small manufacturer definition to identify the entities exempted from reporting or subject to other reduced reporting requirements. The amendments are expected to have the greatest impact on CDR and could affect the need to submit, or the number of chemicals reported in, a CDR report for a given site. As discussed in the proposed rule, there is no measurable impact to other current TSCA section 8(a) rules either because EPA has not received any chemical reports for the rule for an extended period of time or because the rule uses a different definition that is not being changed by this amendment (see Unit IV.A. of the proposed rule for a more detailed discussion (84 FR 17692; April 25, 2019)). The amendments, discussed in detail in Unit II., result in a cost savings.

1. *Impact of amendments to the small manufacturer definition.* The final amendment is estimated to eliminate CDR reporting entirely for 127 industry sites and reduce reporting by eliminating the need to report at least one chemical for additional 173 industry sites (Ref. 1). The final amendment is an update of the current two-standard definition (see Unit II.A.). For sites that are considered small under the first standard ($120 million and 100,000 lbs), it is possible to be considered small for chemical substances with production volumes below 100,000 lbs and not small for

chemical substances with production volumes above 100,000 lbs, even when the site's total annual sales are less than $120 million. Such sites will continue to report the chemical substances with production volumes over 100,000 pounds. For sites considered small under the second standard ($12 million) and sites considered small for all of their chemical substances under the first standard, such sites will be eliminated entirely from reporting. This reduction in reporting is in addition to the sites already not reporting because they meet the current small manufacturer definition.

Under the amended definition, incremental future CDR reporting cycle burden reductions and cost savings are estimated at 92,000 hours and $7.0 million, respectively, over a four-year CDR reporting cycle (Ref. 1). On an annualized basis, using a 3 percent and 7 percent discount rate over a 10-year period yields net annualized incremental cost savings of $1.7 million and $1.7 million per year, respectively (rounding to two significant figures results in the same number) (Ref. 1).

2. *Impact of adding a small government definition.* The following government entities reported under CDR during the 2016 reporting period: One site owned by the U.S. Federal Government, four foreign government-owned sites, seven municipalities, one county-level public utility district, and one tribal entity. In total, for the 2016 CDR reporting period, EPA identified 14 government entities who reported to CDR. Under this final amendment to add a small government definition and based on information from the 2016 CDR submission period, four of these government entities would be exempt from the need to report. The burden and cost savings associated with the exempted entities, in future reporting cycles, are included in the estimates for the final definition with incremental future CDR reporting cycle burden reduction and cost savings estimated at 440 hours and $34,000 respectively, over a four-year CDR reporting cycle (Ref. 1). On an annualized basis, using a 3 percent and 7 percent discount rate over a 10-year period yields net annualized incremental cost savings of $8,000 and $7,900 per year, respectively (Ref. 1).

II. Modifications to Small Manufacturer Definition and Size Standards

EPA is finalizing modifications to the TSCA section 8(a) small manufacturer size standards, following EPA's determination on November 30, 2017 that revision to the current size standards is warranted (82 FR 56824). These final standards apply to TSCA section 8(a) rules unless a different standard is identified in the regulatory text of a particular rule. The current chemical-specific TSCA section 8(a) rules that use the small manufacturer definition listed in 40 CFR 704.3 are: §§ 704.25 (11-Aminoundecanoic acid); 704.33 (P-tert-butylbenzoic acid (P–TBBA), p-tert-butyltoluene (P–TBT) and p-tert-butylbenzaldehyde (P–TBB)); 704.45 (Chlorinated terphenyl); 704.95 (Phosphonic acid, [1,2-ethanediyl-bis[nitrilobis-(methylene)]]tetrakis-(EDTMPA) and its salts); and 704.175 (4,4′-methylenebis(2-chloroaniline) (MBOCA)). As proposed on April 25, 2019 (84 FR 17692), EPA is also finalizing a TSCA section 8(a) definition for small government entities, finalizing a technical correction to the small manufacturer reference at 40 CFR 704.104 for hexafluoropropylene oxide, and finalizing an update to the current small manufacturer definition in the PAIR rule at 40 CFR 712.25, in order to align it with the definition at § 704.3.

A. Scope and Content of the Final Small Manufacturer Definition Update

For the TSCA section 8(a) small manufacturer definition update, EPA is finalizing an update to the current definition based on inflation. This definition applies to chemical manufacturers (including importers), but not to chemical processors. Because the amended definition predominantly impacts the CDR, in which reporting is required by manufacturers and not processors, EPA believes it is not necessary to develop a definition of ''small processor'' for purposes of TSCA section 8(a) at this time and that it is best to continue the past practice of developing definitions for small processors on a rule-by-rule basis, as applicable.

All data in this preamble correspond to impacts to the manufacturing portion of the chemical industry, as evaluated for the CDR. The final definition is as follows:

Small manufacturer definition. When EPA proposed the update to the current small manufacturer definition (84 FR 17692; April 25, 2019), EPA inflated the current definition based on 2017$. EPA is now finalizing the definition based on 2018$, to ensure that the definition is as up-to-date as possible at the time of finalization. EPA applied the same economic analysis for updating the definition with 2018$ that is used in the proposal (84 FR 17692; April 25, 2019). EPA is basing the update of the current two-standard definition at 40 CFR 704.3 on inflation by adjusting the sales standard level for the first part from $40 million to $120 million (originally proposed as $110 million) and for the second part from $4 million to $12 million (originally proposed as $11 million). The impacts of this option are provided in Unit I.E.2. The final definition is set out in the regulatory text below.

Under CDR, sites that meet the small manufacturer definition are exempted from reporting either for the full site (based on the second standard) or for particular chemical substances (based on the first standard), unless the chemical substance the site is manufacturing (including importing) is the subject of one of certain TSCA actions: A rule proposed or promulgated under TSCA section 4, 5(b)(4), or 6, or an order in effect under TSCA section 5(e), or relief that has been granted under a civil action under TSCA section 5 or 7. As part of this rule, EPA is finalizing as proposed the amendment to add TSCA section 4 orders to the list of certain TSCA actions. The authority to issue section 4 orders was added to TSCA when the statute was amended in 2016.

Relative to the 2016 reporting period, EPA estimates that the updated definition will eliminate reporting entirely for 127 industry sites that reported under the 2016 CDR and will reduce reporting by eliminating the need to report at least one chemical for an additional 173 industry sites that reported under the 2016 CDR (Ref. 1). Overall, 1,248 chemical reports from industry sites will no longer be submitted to CDR. In sum, the use of the inflation adjustment definition results in a reduction of two percent of sites, an overall reduction of three percent of chemical reports, and a reduction of 0.09 percent of total volume reported (Ref. 1).

Inflation index. The current small manufacturer definition at 40 CFR 704.3 specifies that EPA will use an inflation index for purposes of determining the need to update the two standards comprising the definition. On April 25, 2019, EPA proposed an amendment to use the Gross Domestic Product (GDP) deflator, or implicit price deflator, instead of the Producer Price Index (PPI) for Chemical and Allied Products, when determining the need to adjust the total annual sales values. As discussed in the proposal, the GDP deflator is less volatile and is broader than the PPI for Chemicals and Allied Products, and therefore EPA believed it would be a better measure for considering future updates to the revenue size standards. After considering comments on this proposed amendment, however, EPA will not be finalizing the change to GDP

as an inflation index. While GDP is less volatile, EPA now recognizes that PPI for Chemicals and Allied Products is a better overall accounting of chemical manufacturers that would be subject to reporting under TSCA section 8(a) because it directly reflects the chemical manufacturing sector as opposed to the U.S. economy as a whole. Instead of using the GDP deflator as proposed, EPA will amend the small manufacturer definition at 40 CFR 704.3 to use a five-year average for the PPI for Chemicals and Allied Products when determining if the small manufacturer definition warrants adjustment. This change will better protect against volatility while continuing to be representative of the chemical manufacturers that fall under the small manufacturer definition. The regulated community had an opportunity to comment on EPA's desire to change to an indicator that was less volatile. Commenters did not comment that changing to a less voltile indicator would be unfavorable but rather commented on which indicator would be best suited for determining if an update was warranted. EPA believes that the change to a 5-year average PPI will be beneficial to the regulated community. In any given year PPI could change drastically. By taking a 5-year average of PPI, EPA could ensure that uncharacteristic market swings do not unduly influence EPA's decision to update the small manufacturer definition. Further discussion of this change can be found in the Response to Public Comment in Unit III.

Small government definition. EPA is also finalizing as proposed a definition for small government. EPA is adding a small government definition to reduce the reporting burden for governments that may lack necessary resources. EPA will use the same definition for small government as the Regulatory Flexibility Act (5 U.S.C. 601(5)): A small governmental jurisdiction is the government of a city, county, town, township, village, school district, or special district with a population of less than 50,000. State and tribal governments are not considered small governments.

EPA estimates 33 government sites report under CDR in a four-year cycle. Under the added definition of small government, reporting will be eliminated entirely for four government sites with an associated six chemical reports.

Application of standards. The size standards in this final rule will apply to all manufacturers of chemical substances subject to TSCA section 8(a) reporting and recordkeeping rules, unless a different standard is identified in the regulatory text of a particular TSCA section 8(a) rule. TSCA section 8(a) rules with different definitions than the current small manufacturer definition at 40 CFR 704.3 are: The nanoscale rule at 40 CFR 704.20; certain chemical-specific rules at 40 CFR 704.43 (chlorinated naphthalenes) and 40 CFR 704.102 (hexachloronorbornadiene); and the Preliminary Assessment Information Rule (PAIR) at 40 CFR part 712. EPA is finalizing an amendment to the current small manufacturer definition in the PAIR rule at 40 CFR 712.25 to use the updated small manufacturing definition at § 704.3. As explained in the proposal (84 FR 17692; April 25, 2019), the other TSCA section 8(a) rules noted previously will retain small manufacturer definitions different than the small manufacturer definition at 40 CFR 704.3. Additionally, because of an inadvertent error, there is currently no applicable definition of ''small manufacturer'' in 40 CFR 704.104 (hexafluoropropylene oxide); EPA is finalizing a correction to cross reference the small manufacturer definition at 40 CFR 704.3, as discussed in the proposal, to correct this error.

B. Agency Objectives

Compliance with TSCA section 8(a) reporting and recordkeeping requirements involves the expenditure of time, money, and personnel resources. These costs have particular impact on entities that have limited financial and personnel resources, such as smaller manufacturers. These smaller manufacturers tend to have fewer administrative personnel and less capability for data compilation and recordkeeping than larger manufacturers.

The information collection authority of TSCA section 8(a) reflects Congressional recognition of EPA's need for sufficient data from the chemical industry to enable the Agency to effectively carry out its TSCA obligations. EPA has concluded that if a manufacturer produces a subject chemical in substantial quantities, it is inappropriate to exempt that company from TSCA section 8(a) reporting requirements. Production data is valuable to EPA as an indicator of potential for chemical exposure and high-volume chemical production reflects a greater potential for environmental release. For this reason, EPA is maintaining the annual production or importation volume modifier of 100,000 lb at any individual site owned or controlled by the manufacturer or importer for the first part of the updated small manufacturer definition.

The standards should not prevent TSCA section 8(a) reporting of information that is representative of manufacturers of different sizes. Manufacturers of different sizes have varying amounts of capital available, and therefore may utilize different production processes, techniques, and equipment. Different methods of production may cause the potential for chemical exposure to vary among manufacturers of different sizes. It is important for the Agency to be able to monitor these differences. To ensure that EPA will receive information from a representative portion of manufacturers regulated under TSCA section 8(a), the structure of the definition and levels of the size standards have been designed to allow the Agency to obtain production, use, and exposure data from a variety of manufacturers.

A final objective for the standards is that they be easily applied by both industry and the Agency. The updated small manufacturer definition uses readily available data. These data enable identification of companies which are small manufacturers. The standards can also be easily enforced because the selected criteria for the small manufacturer definition will enable EPA to monitor compliance with the exemption. For further discussion of EPA's methodology and considerations for developing the size standards in this final rule, see Unit IV. of the proposed rule (84 FR 17692; April 25, 2019) and Unit III. of this action.

III. Response to Public Comment

The Agency reviewed and considered all comments received on the proposed rule. EPA received ten public comments pertinent to the small manufacturer definition update, which included comments from chemical manufacturers, chemical distributors, electric utilities, scrap metal recyclers, petroleum industry representatives, biotechnology companies, and environmental organizations. Copies of all comments are available in the docket for this action (EPA–HQ–OPPT–2018–0321). A discussion of the comments germane to this rulemaking and the Agency's responses follows.

1. *Comment.* Two commenters supported the proposed update to the current two-standard definition at 40 CFR 704.3. (Docket IDs: EPA–HQ–OPPT–2018–0321–0089, EPA–HQ–OPPT–2018–0321–0102.)

Response. EPA acknowledges the comment.

2. *Comment.* Four commenters requested that EPA implement a variable employment-based size

standard for CDR and TSCA section 8(a) that uses different industry specific standards defined by NAICS codes, similar to the final rule for Fees for the Administration of the Toxic Substances Control Act (fees rule) (83 FR 52694, October 17, 2018 (FRL–9984–41)), which is based on the SBA definition for small business, as opposed to the current two-standard revenue-based definition. One commenter further stated that EPA should finalize an employment-based size standard for CDR reporting with the addition of a 100,000 lb volume modifier. Commenters stated that using a definition similar to that in the fees rule would provide consistency and ''more accurately reflect the business size of companies in the chemical industry.'' Another commenter noted that the EPA's economic analysis for the proposed rule (Ref. 2) shows that the ''SBA Only'' definition would provide the least regulatory burden. The same commenter requested to know why a ''definition that is variable and maintained by another agency would be unwieldy.'' (Comment IDs: EPA–HQ–OPPT–2018–0321–0091, EPA–HQ–OPPT–2018–0321–0096, EPA–HQ–OPPT–2018–0321–0097, EPA–HQ–OPPT–2018–0321–0104.)

Response. Using a variable employment-based size standard similar to the fees rule leads to a reduction of information that would hamper EPA's ability to carry out the Agency's obligation under TSCA. As discussed in the proposal, EPA examined the utility of several criteria for ''small'' including a definition based on SBA's definition for small businesses. EPA's decision to finalize the update to the small manufacturer definition as proposed (using 2018$ rather than 2017$) is a result of EPA balancing Agency data needs under TSCA section 8(a) for implementing TSCA against the burden imposed on the regulated community. EPA also considered comments on the 2017 determination and the 2019 proposed rule, held multiple meetings with SBA to obtain input, and developed new analyses to understand the impact of the updated definition on the CDR requirements.

The economic analysis for the proposed rule (Ref. 2) evaluated an unmodified SBA-based definition (''SBA Only'') in addition to SBA-based definitions that included production volume modifiers of 100,000 lb, 50,000 lb, and 25,000 lb (SBA+100k, SBA+50k, SBA+25k). The purpose of the production volume modifier was similar to its purpose in the existing definition: To balance the need to minimize the reporting and recordkeeping burden on small manufacturers with EPA's need for exposure-related information that will be reported under TSCA section 8(a). EPA's analysis found that using SBA standards in isolation results in a large loss of information, approximately 20% of chemical reports and 24% of sites, in addition to those already not reported to CDR as a result of the current definition (''Baseline'') (See Ref. 2, Table ES–1). While this option provides the least regulatory burden, it also creates the greatest loss of data to the Agency. EPA determined that losing such a large amount of information would hamper EPA's ability to effectively carry out and implement the requirements of TSCA.

EPA calculated the loss of reports for chemicals on the TSCA Work Plan for Chemical Assessments to be 23% for SBA Only, 7% for SBA+100k, and 3% for the inflation definition. The TSCA Work Plan, originally released in 2012 and updated in 2014, identified a work plan of chemicals for further assessment under TSCA. 2016 amendments to TSCA require that at least 50 percent of all chemical substances undergoing risk evaluation come from the 2014 update to the Work Plan, until the Work Plan chemical list is exhausted. Disproportionate losses of reporting on TSCA Work Plan chemicals constitute a potential loss of information necessary for key Agency decisions. Again, EPA determined that losing an additional 23% or 8% of information on TSCA Work Plan chemicals would hamper EPA's ability to effectively carry out and implement the requirements of TSCA.

Prior to finalizing this final rule, EPA updated its analysis of the reporting impact of the updated small manufacturer definition, as well as the potential reporting impacts of alternative small manufacturer definitions. In the updated analysis, EPA compared the final rule's inflation adjusted small manufacturer definition to the TSCA fees rule's small manufacturer definition with a series of production volume modifiers. The calculated impacts remained largely unchanged from the proposed to final rule. (See the supporting document, Economic Analysis for the Final Rule on the TSCA Section 8(a) Small Manufacturer Definition Update for a more in-depth analysis (Ref. 1)). These impacts of the various alternative small manufacturer definitions were part of the basis for deciding to finalize the updated definition as proposed (updated with 2018$ rather than 2017$).

In deciding to finalize the updated definition as proposed (updated with 2018$ rather than 2017$), EPA considered the practicality of implementing any potential definition. SBA's variable definition is developed and managed by SBA, and EPA cannot simply cite SBA's definition. As was done with the TSCA fees rule, EPA would need to finalize an SBA-based definition in part or in whole as part of its own regulations. While EPA adopted parts of the SBA definition for the fees rule, CDR and the fees rule operate differently for small manufacturers. Under the fees rule, small manufacturers pay a reduced fee but are still subject to the same requirements as large manufacturers. Under the CDR rule, however, small manufacturers are completely exempt from reporting. Given the differences in impact that a small manufacturer definition has for the fees rule and CDR, EPA carefully considered the balance between a reduction in burden and the loss of data from small manufacturer reporters when updating the TSCA section 8(a) small manufacturer definition.

As stated, under the fees rule, small manufacturers pay a reduced fee (*i.e.,* a reduction of burden) while for CDR small manufacturers are completely exempt from reporting (*i.e.,* an elimination of burden). While both the fees rule and CDR are implemented under TSCA, they have different purposes. The purpose of the fees rule size standards is for apportionment of fees between small and large entities in the context of the implementation of new provisions for TSCA sections 4, 5, and 6. This purpose does not include any data quality and data availability consequences, which are part of CDR considerations. EPA uses CDR data to support risk screening, risk assessment, chemical prioritization, risk evaluation, and risk management activities, among other activities. This information allows EPA to develop an understanding of the types, amount, end uses, and possible exposure to chemicals in commerce.

Additionally, the SBA definition is used to define the largest size a business can be to participate in government contracting programs and compete for contracts reserved or set aside for small businesses. Applications for these programs are reviewed on a case-by-case basis and a determination is made if a business qualifies. For the CDR rule, however, the small manufacturer definition is self-implementing. EPA does not make a determination on whether a company is exempted as a small manufacturer or is required to report to CDR, prior to CDR reporting. For CDR, it is up to the manufacturer to determine if the small manufacturer definition applies. A small manufacturer definition differentiated by NAICS codes could be difficult to

apply for reporters because CDR imposes site-based reporting requirements and multiple NAICS codes could apply to a given site. To apply a small manufacturer definition differentiated by NAICS codes, the reporter would have to select a single NAICS code. For importers and domestic manufacturing sites with multiple activities to which multiple NAICS codes could apply, this can pose a problem for the reporter and EPA. If the manufacturer chooses an incorrect code that results in no reporting of chemical data, then EPA would not be aware that the company is involved in chemical manufacturing. EPA would have difficulty determining if an appropriate NAICS code was selected for a given site that has multiple applicable NAICS codes, and, consequently, would have difficulty determining if a site is appropriately exempted from reporting due to qualification as a small manufacturer based on the choice of NAICS code. EPA believes the current revenue and production volume approach is more amenable to compliance monitoring and believes that it would be more difficult to determine the appropriate NAICS classification for a company because often multiple NAICS apply to a site.

For these reasons, EPA has decided to finalize the updated small manufacturer definition as proposed (updated with 2018$ rather than 2017$), instead of finalizing an employee-based size standard.

3. *Comment.* In addition to broadly updating the small manufacturer definition to an employment-based size standard for all manufacturers subject to reporting under TSCA section 8(a), two commenters specifically asked that EPA use the SBA size standard for the utility sector. One commenter went on to state that ''EPA should incorporate the SBA size standard of 750 employees as the definition of 'small manufacturer' for NAICS 221112, fossil fuel electric power generation; or define 'total sales' for NAICS 221112 as only including sale of electricity from coal-fired generation.'' (Comment IDs: EPA–HQ–OPPT–2018–0321–0105, EPA–HQ–OPPT–2018–0321–0104.)

Response. EPA is finalizing a standardized two-part revenue-based small manufacturer definition that applies to all chemical substance manufacturers. Given the difficulties that EPA has already described in implementing a small manufacturer standard defined by industry sector, EPA does not believe that the Agency should adopt industry-specific standards. If EPA made specific standards for one industry, it would need to consider additional standards for other industries that requested a standard different from those in the general TSCA section 8(a) small manufacturer definition, which would result in a complex and unworkable definition. That being said, EPA did conduct an analysis of the CDR submitters from utilities sites (government and industry) and also considered the public commenters' recommendation to use the SBA size standard for NAICS code 221112, fossil fuel electric power generation. From this analysis, EPA found that CDR reporters represent a variety of utilities, one of which is electricity generation. NAICS code 221112 does not have high representation in CDR and is not the most often used electricity NAICS.

EPA disagrees with the concept of relying only on sales associated with a subset of the production of the reportable chemical substance. As described in Unit II.B., the purpose of the small manufacturer exemption is to reduce (or eliminate) the burden of compliance for those entities that have limited financial and personnel resources. Reducing the sales of a company to only a subset of its revenue does not identify the companies that have such limited resources.

4. *Comment.* One commenter requested that EPA implement a third standard, in addition to the proposed two-part revenue-based standard, for the small manufacturer definition under TSCA section 8(a). The commenter asked that this third standard be an employee-based size standard combined with a production limit, specifically ''a small manufacturer definition of 500 or fewer employees, as defined by the U.S. Small Business Administration Office of Advocacy, if annual production (including import) volume of the particular substance does not exceed 100,000 lbs. at any individual site.'' (Comment ID: EPA–HQ–OPPT–2018–0321–0102)

Response. EPA disagrees with the comment. Adding a third standard using a different metric than the first two standards would unduly complicate the definition because companies would not only have to identify their company sales volume, but would also have to determine the number of employees. If EPA added a standard of 500 or fewer employees to the proposed SMD definition, another 34 sites (1%) and 829 reports (2%) would be eliminated. The additional loss of information incurred as a result of adding this third standard would hamper EPA's ability to effectively carry out and implement the requirements of TSCA. Due to the need to balance the reduction of the reporting and recordkeeping burden on small manufacturers with EPA's need for exposure-related data, EPA would need to adjust the third standard in such a way that it would not result in additional losses of information. Thus, adding a third standard would introduce additional complexity but without further reducing burden or information received by EPA. See the response to Comment 2 for further discussion.

5. *Comment.* Two commenters recommended that EPA retain the use of the PPI for Chemicals and Allied Products in future updates of the size standard threshold instead of changing to GDP when determining if an update to the TSCA section 8(a) small manufacturer size standards is warranted. (Comment IDs: EPA–HQ–OPPT–2018–0321–0096, EPA–HQ–OPPT–2018–0321–0102.)

Response. After reviewing the comments received, EPA decided that it will not finalize the change to Gross Domestic Product (GDP) as an inflation index. Instead, EPA will amend the small manufacturer definition at 40 CFR 704.3 to use a five-year average of the PPI for Chemicals and Allied Products when determining if the small manufacturer definition warrants adjustment. EPA proposed the change to GDP because a GDP deflator is less volatile and is broader than the PPI for Chemicals and Allied Products, and therefore EPA believed it to be a better measure when considering an update to the revenue size standards in the proposed definition. While GDP is less volatile, EPA now recognizes that PPI for Chemicals and Allied Products is a better overall accounting of chemical manufacturers that would be subject to reporting under TSCA section 8(a) because it directly reflects the chemical manufacturing sector as opposed to the U.S. economy as a whole. By using a five-year average of PPI for Chemicals and Allied Products, EPA will be able to protect against volatility while continuing to account for the chemical manufacturers that fall under the small manufacturer definition.

6. *Comment.* Three commenters requested that EPA change the production volume modifier. Two commenters requested that EPA remove or raise the 100,000 lb production volume modifier used as part of the first standard for TSCA section 8(a) small manufacturer definition. Another commenter asked that EPA evaluate the impacts of decreasing the 100,000 lb production volume modifier. One commenter asked that EPA show ''why 100,000 lbs. is an appropriate modifier and consult with the SBA on this

threshold.'' Additionally, the commenter asked that the Agency ''consider a volume modifier with an employee-based standard.'' One commenter stated that, with no change in the existing 100,000 lb modifier, the proposed increases of annual company sales thresholds are unlikely to provide regulatory relief from reporting for small scrap metal recyclers. The commenter further stated that while the 100,000 lb limit made sense when inorganic chemical substances were exempt from reporting (before 2003), the threshold has not made sense since inorganic chemical manufacturers became subject to reporting under IUR/CDR because inorganic chemicals are denser than organic chemicals and the production volume threshold is quickly reached. To support their public comments, the commenter provided excerpts from industry testimonies made during the 1975 Senate hearings on pending TSCA legislation. (Comment IDs: EPA–HQ–OPPT–2018–0321–0097, EPA–HQ–OPPT–2018–0321–0100, EPA–HQ–OPPT–2018–0321–0111).

Response. EPA disagrees that the production volume modifier should be changed (either raised or lowered) or that industry-specific modifiers should be developed. EPA has updated the revenue thresholds for the small manufacturer definition based on changes to the value of the U.S. dollar as a result of inflation. There is, however, no corresponding basis for adjusting the production volume modifier. In developing the initial small manufacturer standard, EPA included a production volume modifier to ensure that chemical substances manufactured or imported at high volumes were reported to EPA. The commenters have provided no support to indicate that the 100,000 lb threshold requires updating as a result of changes to the chemical manufacturing sector.

Regarding industry-specific modifiers, such as for the scrap metal industry, EPA believes that it would be difficult and resource intensive for EPA to establish, administer, and update industry- or chemical-specific modifiers that align with the 100,000 lb threshold. As stated in EPA's response to Comment 2, EPA does not feel it is appropriate to have small manufacturer standards that are differentiated by industry. Please see EPA's full response to Comment 2 for further discussion.

7. *Comment.* One commenter asked that EPA justify why EPA chose to ''to round its inflation adjustment of the threshold by two significant figures—from $112 million to $110 million for the first standard and $11.2 to $11 million for the second standard.'' (Comment ID: EPA–HQ–OPPT–2018–0321–0096.)

Response. EPA used two significant figures instead of three significant figures for the levels of the revenue standards. EPA does not consider the additional precision to be merited based on the type of information being used to make the inflation adjustment. The underlying data used for inflating the revenue standard does not support the use of more than two significant figures. Since proposing the updated small manufacturer definition, however, EPA has decided to use 2018$ as the basis for inflation rather than 2017$, to ensure that the definition is as up-to-date as possible at the time of finalization. EPA is basing the update of the current two-standard definition at 40 CFR 704.3 on inflation by adjusting the sales standard level for the first part from $40 million to $120 million (originally proposed as $110 million) and for the second part from $4 million to $12 million (originally proposed as $11 million).

8. *Comment.* EPA received one comment on statutory and executive order reviews. The commenter emphasized that tribal consultation under Executive Order 13175, and EPA's 1984 Indian Policy, should have been carried out by this rulemaking. (Comment ID: EPA–HQ–OPPT–2018–0321–0092)

Response. EPA disagrees that a tribal consultation was necessary for this rule. EPA stated in Unit VII.G of the proposed rule that this rule would not have tribal implications because it is not expected to have substantial direct effects on tribal governments, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). EPA concluded that the impacts of the rule would not significantly nor uniquely affect the communities of tribal governments. Thus, EPA determined that Executive Order 13175 did not apply to this rule.

Even though EPA determined that Executive Order 13175 did not apply, EPA conducted tribal outreach on the TSCA Chemical Data Reporting Revisions and Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements Under TSCA Section 8(a) from May 2019 through August 2019 to provide information to tribes on the proposed rule and to obtain feedback. Two nationwide outreach sessions were also conducted, and tribal comments were accepted through August 30, 2019. In addition, EPA developed supplemental background information to further explain the proposed actions to tribes. EPA previously responded to this comment in the Response to Public Comments for the TSCA Chemical Data Reporting Revisions for Reporting and Recordkeeping Requirements under TSCA Section 8(a) (Ref. 4).

9. *Comment.* One commenter requested that EPA ''commit to updating the size standard threshold every time the inflation index has risen by 20% or more from the last adjustment.'' The commenter points out that the proposed rule does not obligate EPA to update the small manufacturer definition. The commenter asks that EPA make future updates to the small manufacturer definition automatic. (Comment ID: EPA–HQ–OPPT–2018–0321–0096)

Response. EPA appreciates the comment but does not feel that such a commitment is necessary. While the updated small manufacturer definition at 40 CFR 704.3 does not establish a timeline or obligation for updating the small manufacturer definition in the future, the 2016 Amendments to TSCA require that EPA review the adequacy of the size standards no less than once every 10 years. The requirements under TSCA will lead to routine reevaluation of the small manufacturer definition under section 8(a). Committing to an automatic update, as requested, would bind EPA to making the adjustment when PPI changed 20% and would disallow any future flexibility. Instead, future updates to the small manufacture definition will follow the requirement at TSCA section 8(a)(3)(C), which require EPA to review the standards every ten years, in addition to changes in PPI. Other factors that EPA may consider include changes in SBA's definition, inflation, and other economic or global factors that may have impacted chemical manufactures. The factors EPA considers are made on a case-by-case basis. As required by TSCA, EPA will consult with SBA when updating the definition.

10. *Comment.* One commenter stated that with respect to the 93 fewer reporting sites, EPA did not show which part of the modified revenue definition applied. The commenter stated that ''if all or the majority of the sites are now exempt due to the first standard of $11 million, the purpose of having a second prong is unclear.'' (Comment ID: EPA–HQ–OPPT–2018–0321–0097).

Response. As stated in the economic analysis, the structure of the definition was designed for effective targeting of small manufacturers (Ref. 1). Note that the information from baseline conditions for this question is unmeasured (*i.e.,* CDR does not receive

reports from these manufacturers). Nonetheless, not all sites that are exempted are expected to meet the conditions of the Second Standard of annual sales less than $12 million. EPA considered the increment of the changes in the proposed rule via the 93 fewer reporting sites (now calculated to be 127 using an updated analysis); EPA found that although a larger portion of sites incur exemption via the Second Standard compared to the First Standard, there is a non-trivial portion of sites that incur exemption via the First Standard (Refs. 3 and 4).

11. *Comment.* Two commenters specified that EPA needs to better determine the information loss resulting from a revised small manufacturer definition. One commenter stated that the ''definition update would result in less data collected by EPA and thus less information available to the public on the chemical substances in their environment.'' Another commenter said that EPA was not required to base the update to the small manufacturer definition on inflation but had the discretion to update the standards to best meet the goals of TSCA. Additionally, the commenter believes that ''EPA has failed to evaluate whether and how the proposed standards will affect its ability to implement the law effectively, contrary to its Section 8 mandate.'' Lastly, the commenter pointed out that updating the definition will have minimal economic benefits. (Comment IDs: EPA–HQ–OPPT–2018–0321–0092, EPA–HQ–OPPT–2018–0321–0100)

Response. EPA appreciates the comment but disagrees that EPA has not adequately evaluated the impacts of the updated small manufacturer definition. EPA, however, does agree that EPA was not required to base the update to the small manufacturer definition on inflation, yet EPA believes the decision to do so best meets the goals of TSCA. As shown in the Economic Analysis for the proposed rule (Ref. 2), EPA considered the impact the updated small manufacturer definition would have on the number of companies reporting, number of sites reporting, number of chemical reports received, number of chemicals in chemical reports, total volume of all chemicals in chemical reports, number of full reports, number of chemical reports received covering chemicals that are intended for products used by children, and the number of chemical reports received covering chemicals on the 2014 update to the TSCA Work Plan. EPA selected the last two parameters in particular as important data for effective implementation of TSCA.

Under CDR, manufacturers of chemicals with consumer uses must further identify whether a chemical is present in or on any product intended for use by children. EPA uses this information to inform its analysis of chemicals that are of concern due to their potential impact on children's health. The loss of such reporting would decrease the amount of information EPA has regarding chemicals used in children's products, which EPA has worked to retain while balancing relief to small manufacturers. Further, the 2014 update to the TSCA Work Plan plays an important role in the new prioritization and risk evaluation processes under TSCA (Ref. 5). TSCA requires that 50 percent of all chemical substances on which risk evaluations are conducted be drawn from the 2014 update to the TSCA Work Plan, meaning that EPA will need to draw at least 50 percent of High-Priority Substance candidates from that list. By operation of this statutory directive, all TSCA Work Plan chemicals will eventually be prioritized (82 FR 33753, July 20, 2017, FRL–9964–24). Information on manufacture, processing, and use of these chemicals through TSCA section 8(a) reporting will support prioritization and EPA's evaluations of these chemicals. The loss of chemical reports on Work Plan chemicals may affect the timeliness and quality of EPA's risk evaluations.

Lastly, EPA considered several approaches, including approaches by SBA and others, when amending the small manufacturer definition. The discussion is further documented in Appendix B of the Economic Analysis (Ref. 1). EPA considered alternative small business definitions used by U.S. Federal Government agencies, including other small business definitions used by EPA, with a focus on the purpose of the small business size standards and the approach used to establish them.

12. *Comment.* One commenter asked that the updated small manufacturer definition not apply to mercury reporting under CDR. This request was made because the mercury reporting rule promulgated by EPA on June 27, 2018 includes certain exemptions for persons who already report for mercury and mercury-added products to CDR (83 FR 30054). The commenter points out that EPA included this exemption because comparable data would be provided to EPA under the CDR rule. The commenter then states that this assumption may no longer be correct if EPA modifies the small manufacturer standards as proposed.

Response. EPA appreciates the comment. The first reporting cycle for the mercury inventory closed on July 1, 2019. The Agency is currently assessing data received in preparation for the statutory deadline for publishing the mercury inventory not later than April 1, 2020. The Agency is amenable to suggestions of ways to improve the reporting requirements related to mercury supply, use, and trade in the United States, and will take all comments under consideration for future program refinement.

IV. References

The following is a listing of the documents that are specifically referenced in this document. The docket includes these documents and other information considered by EPA, including documents that are referenced within the documents that are included in the docket, even if the referenced document is not physically located in the docket. For assistance in locating these other documents, please consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

1. EPA (2019). Economic Analysis for the Final Rule on TSCA Section 8(a) Small Manufacturer Definition Update (RIN 2070–AK57). Office of Pollution, Prevention, and Toxics. Washington, DC. April 2020.
2. EPA (2019). Economic Analysis for the Proposed Rule on TSCA Section 8(a) Small Manufacturer Definition Update (RIN 2070–AK33). Office of Pollution, Prevention, and Toxics. Washington, DC. April 2019.
3. EPA (2014). TSCA Work Plan for Chemicals Assessments: 2014 Update. *http://www.epa.gov/sites/production/files/2014-02/documents/work_plan_chemicals_web_final.pdf.* Retrieved January 30, 2018.
4. EPA (2020). TSCA Chemical Data Reporting Revisions for Reporting and Recordkeeping Requirements under TSCA Section 8(a).
5. EPA (2018). EPAB CDR Database Statistics Report (General Report and Special Reports on Inorganics and Government/Industry). Office of Pollution Prevention and Toxics, Economic and Policy Analysis Branch. September 2018.
6. EPA (2018). Information Collection Request Proposed Addendum to Chemical Data Reporting under the Toxic Substances Control Act (TSCA section 8(a)) (EPA ICR No. 1884.12; OMB Control Number 2070–0162). September 2018.

V. Statutory and Executive Order Reviews

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

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

This action is a significant regulatory action that was submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011). Any changes made in response to OMB recommendations have been documented in the docket for this action as required by section 6(a)(3)(E) of Executive Order 12866.

EPA prepared an economic analysis of the potential costs, cost savings, and benefits associated with this action. A copy of the economic analysis, entitled *Economic Analysis for Final Rule on the TSCA Section 8(a) Small Manufacturer Definition Update* (Ref. 1), is available in the docket and is briefly summarized in Unit I.E.

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

This action is considered an Executive Order 13771 deregulatory action. Details on the estimated cost savings on this final rule can be found in the Economic Analysis.

C. Paperwork Reduction Act (PRA)

This final rule does not impose a new or revised information collection activities, but the changes in the definitions impact the burden estimates associated with existing reporting and recordkeeping rules because the respondent universe changes. EPA has therefore submitted an addendum to the existing Information Collection Request (ICR) for approval to OMB under the PRA, 44 U.S.C. 3501 *et seq.* (Ref. 6). The existing ICR is identified under EPA ICR No. 1884.11 and approved under OMB Control No. 2070–0162. The ICR Addendum is identified under EPA ICR No. 1884.12, a copy of the ICR Addendum in the docket for this rule, and is briefly summarized here.

Respondents/affected entities: Entities potentially affected by this ICR include companies manufacturing (including importing) chemical substances listed on the TSCA Inventory and regulated under TSCA section 8.

Respondent's obligation to respond: Mandatory.

Estimated number of respondents: 5,660.

Frequency of response: Reporting under CDR occurs every four years. The next CDR collection will occur in 2020.

Total estimated burden: A reduction of 23,014 hours per year from the total burden currently approved. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: A reduction of $1,760,578 per year, includes $0 annualized capital or operation and maintenance costs.

For TSCA section 8(a) reporting outside of CDR, including the TSCA section 8(a) Preliminary Assessment Information Rule (PAIR) (OMB control number 2070–0054) or any of the existing chemical specific TSCA section 8(a) rules, EPA did not estimate incremental burden and cost either because EPA has not received any chemical reports under those rules for an extended period of time, or because the rule uses a rule specific definition that is not being changed by this final rule. For these reasons, no change is expected in the impacted universe of respondents, respondent burden or respondent cost for the PAIR or other chemical specific TSCA section 8(a) rules and no ICR addendums in these cases are needed. The technical correction for hexafluoropropylene oxide also did not change the respondent universe, burden or cost that would need to be captured in an ICR addendum.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9. When OMB approves this ICR addendum, the Agency will announce that approval in the **Federal Register**.

D. Regulatory Flexibility Act (RFA)

Pursuant to section 605(b) of the RFA, 5 U.S.C. 601 *et seq.,* I certify that this action will not have a significant economic impact on a substantial number of small entities. The small entities subject to the requirements of this action are manufacturers and importers of chemical substances, including byproduct chemical substances, and are subject to either of the following: (1) Reporting under the TSCA Chemical Data Reporting (CDR) requirements at 40 CFR part 711 or (2) TSCA reporting and recordkeeping requirements at 40 CFR part 704 or other TSCA reporting requirements which reference the small manufacturer standards at 40 CFR 704.3. The Agency has determined that no currently exempt small manufacturers will become newly subject to any current TSCA section 8(a) rules under the new TSCA section 8(a) small manufacturer definition, because all manufacturers that are currently exempt will remain exempt under the final definition. Moreover, the updated definition allows exemptions for certain current reporters, thereby eliminating their reporting burden. EPA also notes that there are no adverse small entity impacts to small government entities because under the final rule, all entities defined as small for purposes of small government assessment are the same entities that are newly eligible to take the small government exemption and eliminate their CDR reporting burden entirely. A small amount of incremental burden will be incurred for rule familiarization and is less than 1% of revenues for each small parent company. Details of this analysis are presented in the Economic Analyses (Ref. 1).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and will not significantly or uniquely affect small governments. According to the information derived using the 2016 CDR, there are government entities that report to CDR, including: Seven municipalities, one county-level public utility district, and one tribal entity. However, under the changes finalized by this action, four of the municipalities will be exempt, with the remaining entities incurring a minimal average incremental burden and cost per site at about 0.1 hours and $8 per year, respectively. Consequently, impacts will not exceed $100 million for all governments.

In sum, the final rule is not expected to result in expenditures by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more (when adjusted annually for inflation) in any one year. Accordingly, this final rule is not subject to the requirements of sections 202, 203, or 205 of UMRA.

F. Executive Order 13132: Federalism

This action will not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). Thus, Executive Order 13132 does not apply to this action.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action will not have tribal implications because it is not expected to have substantial direct effects on

tribal governments, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). According to the information presented in the economic analysis for the TSCA section 8(a) small manufacturer definition update (Ref. 1), one tribal entity reported during the 2016 CDR collection. Under the final rule, this entity is estimated to incur a minimal average incremental burden and cost per site at about 0.5 hour and $36 per year, respectively. Consequently, EPA has concluded that the impacts of the final rule will not significantly or uniquely affect the communities of tribal governments. Thus, Executive Order 13175 does not apply to this final rule.

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

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997), as applying to those regulatory actions that concern environmental health and safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

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

This action is not a ''significant energy action'' as defined in Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

J. National Technology Transfer and Advancement Act (NTTAA)

Because this action does not involve any technical standards, NTTAA section 12(d), 15 U.S.C. 272 note, does not apply to this action.

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

This action will not have high and adverse human health or environmental effects on minority populations, low-income populations, and/or indigenous peoples as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

The final rule is directed at manufacturers (including importers) of chemical substances. All consumers of these chemical products and all workers who come into contact with these chemical substances could benefit if data regarding the chemical substances' health and environmental effects were developed. Therefore, it does not appear that the costs and the benefits of the final rule will be disproportionately distributed across different geographic regions or among different categories of individuals.

VI. Congressional Review Act (CRA)

Pursuant to the CRA (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Parts 704 and 712

Chemicals, Confidential business information, Environmental protection, Hazardous substances, Reporting and recordkeeping requirements.

Dated: May 11, 2020.

Alexandra Dapolito Dunn,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

Therefore, 40 CFR chapter I, subchapter R, is amended as follows:

PART 704—[AMENDED]

■ 1. The authority citation for part 704 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

■ 2. Amend § 704.3 as follows:

■ a. Add, in alphabetical order, the definition for ''Small government''.

■ b. Remove the definition of ''Small manufacturer or importer'' and add the definition of ''Small manufacturer'' in its place.

The additions read as follows:

§ 704.3 Definitions.

* * * * *

Small government means the government of a city, county, town, township, village, school district, or special district with a population of less than 50,000.

* * * * *

Small manufacturer means a manufacturer (including importer) that meets either of the following standards:

(1) *First standard.* A manufacturer (including importer) of a substance is small if its total annual sales, when combined with those of its parent company (if any), are less than $120 million. However, if the annual production or importation volume of a particular substance at any individual site owned or controlled by the manufacturer or importer is greater than 45,400 kilograms (100,000 lbs), the manufacturer (including importer) will not qualify as small for purposes of reporting on the production or importation of that substance at that site, unless the manufacturer (including importer) qualifies as small under paragraph (2) of this definition.

(2) *Second standard.* A manufacturer (including importer) of a substance is small if its total annual sales, when combined with those of its parent company (if any), are less than $12 million, regardless of the quantity of substances produced or imported by that manufacturer (including importer).

(3) *Inflation index.* EPA shall make use of the Producer Price Index for Chemicals and Allied Products, as compiled by the U.S. Bureau of Labor Statistics, for purposes of determining the need to adjust the total annual sales values and for determining new sales values when adjustments are made. EPA may adjust the total annual sales values whenever the Agency deems it necessary to do so, provided that the five-year average of the Producer Price Index for Chemicals and Allied Products has changed more than 20 percent since either the most recent previous change in sales values or May 28, 2020, whichever is later. EPA shall provide **Federal Register** notification when changing the total annual sales values.

* * * * *

■ 3. Amend § 704.104 by revising paragraph (c)(2) to read as follows:

§ 704.104 Hexafluoropropylene oxide.

* * * * *

(c) * * *

(2) Persons described in § 704.5(a) through (f).

* * * * *

PART 712—[AMENDED]

■ 4. The authority citation for part 712 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

■ 5. Amend § 712.25 by revising paragraph (c) to read as follows:

§ 712.25 Exempt manufacturers and importers.

* * * * *

(c) Persons who qualify as small manufacturers (including importers) in respect to a specific chemical substance listed in § 712.30 are exempt. However, the exemption in this paragraph (c) does

not apply with respect to any chemical in § 712.30 designated by an asterisk. A manufacturer is qualified as small and is exempt from submitting a report under this subpart for a chemical substance manufactured at a particular plant site if it meets the definition for small manufacturer in § 704.3 of this chapter.

* * * * *

[FR Doc. 2020–10435 Filed 5–27–20; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 200227–0066]

RTID 0648–XY107

Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Alaska plaice in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2020 Alaska plaice initial total allowable catch (ITAC) in the BSAI.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), May 22, 2020, through 2400 hours, A.l.t., December 31, 2020.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2020 Alaska plaice ITAC in the BSAI is 14,450 metric tons (mt) as established by the final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020). In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2020 Alaska plaice ITAC in the BSAI has been reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 14,400 mt, and is setting aside the remaining 50 mt as incidental catch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Alaska plaice in the BSAI.

While this closure is effective the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Alaska plaice to directed fishing in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of May 21, 2020.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: May 22, 2020.

Jennifer M. Wallace

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

[FR Doc. 2020–11470 Filed 5–22–20; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 85, No. 103
Thursday, May 28, 2020

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 15

[ET Docket No. 18–295, GN Docket No. 17–183; FCC 20–51; FRS 16739]

Unlicensed Use of the 6 GHz Band

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission proposes to expand unlicensed use of the 5.925–7.125 GHz band (6 GHz band) while protecting the incumbent licensed services that operate in this spectrum. The proposed rules would allow a new class of unlicensed devices to operate throughout the entire 6 GHz band at power levels that are low enough to prevent the occurrence of harmful interference to licensed services. The Commission seeks comment on permitting unlicensed access points that are restricted to indoor operation in the 6 GHz band to operate at a power spectral density of 8 dBm/MHz with a maximum permissible equivalent isotropically radiated power (EIRP) of 33 dBm, an increase of 3 dB over the current rules. The Commission also seeks comment on permitting access points that operate under the control of an automated frequency coordination (AFC) system in the 5.925–6.425 GHz and 5.512–6.875 GHz sub-bands to be used for mobile applications. In addition, the document seeks comment on allowing access points that operate under AFC control to transmit with more power than the 36 dBm EIRP currently permitted.

DATES: Comments are due June 29, 2020. Reply comments are due July 27, 2020.

ADDRESSES: Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated in the **DATES** section of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings,* 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: *http://apps.fcc.gov/ecfs/.*
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, DA 20–304 (March 19, 2020). *https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy.*
- During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

FOR FURTHER INFORMATION CONTACT: Nicholas Oros, Office of Engineering and Technology, 202–418–0636, *Nicholos.Oros@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking, ET Docket No. 18–295, GN Docket No. 17–183, FCC 20–51, adopted April 23, 2020, and released April 24, 2020. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY–A257), 445 12th Street SW, Washington, DC 20554. The full text may also be downloaded at: *https://www.fcc.gov/edocs/search-results?t=advanced&fccNo=18-147.* People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

Synopsis

1. *Discussion.* The Commission proposes rules to expand unlicensed use of the 5.925–7.125 GHz band (6 GHz band). These proposals build upon the rules the Commission adopted for unlicensed use of the 6 GHz band in a Report and Order adopted on April 23, 2020, FCC 20–51 (85 FR 31390, May 26, 2020). In those rules the Commission permitted standard-power access points to operate under the control of an automated frequency coordination (AFC) system in the 5.925–6.425 GHz and 5.512–6.875 GHz sub-bands. Those rules also permitted low-power access points to operate indoors throughout the entire 6 GHz band. In this further notice of proposed rulemaking (FNPRM), the Commission seeks comment on options for further expanding unlicensed operations in the 6 GHz band. First, the Commission proposes to authorize operations that are not limited to indoor use—and, thus, must be very low power to protect incumbents. Second, the Commission seeks comment on increasing the power spectral density EIRP for low-power indoor operations from 5 dBm/MHz to 8 dBm/MHz. In addition, the Commission seeks comment on permitting mobile AFC controlled standard-power access point operation and on whether to allow higher power levels for AFC controlled standard power access points used in fixed point-to-point applications

2. *Very Low Power Operation.* Apple, Broadcom et al. have requested that the Commission permit very low-power unlicensed devices to operate in portions of the 6 GHz band with no requirements that the devices be kept indoors or be under the control of an AFC system. Apple, Broadcom et al. claim that this device class will be critical for supporting indoor and outdoor portable use cases such as wearable peripherals including augmented reality/virtual reality and other personal-area-network applications as well as in-vehicle applications. Apple, Broadcom et al. have requested that these very low-

power devices be permitted to transmit with 14 dBm EIRP and −8 dBm/MHz power spectral density EIRP.

3. The Commission proposes to permit very low power devices to operate across the entirety of the 6 GH band, both indoors and outdoors, without using an AFC. This would make a contiguous 1200-megahertz spectrum block available for new and innovative high-speed, short range devices. The Commission seeks comment on this proposal. What are the benefits that these devices can bring to the American public? What use cases are envisioned for these devices? What form factors will be most useful for performing everyday activities? Will very low power functionality be built into existing devices such as cell phones or will they be standalone devices? What data rates are necessary to enable the enhanced applications envisioned for these devices? Over what distances will transmissions to very low power devices be necessary? Where are these devices most anticipated to be used and for what applications? The answers to these questions will drive additional comment and decisions on these devices as the fundamental decision that must be determined is how much power can these very lower power devices be permitted so that the potential of causing harmful interference to incumbent 6 GHz band users is minimized.

4. The Commission seeks comment on the appropriate power level for very low power unlicensed devices in the 6 GHz band. In examining what power levels the Commission should authorize, there are many factors that need to be considered, including body loss (as many use cases will be for body worn devices), use of transmit power control, antenna type and radiation pattern, use of a contention-based protocol and projected activity factor. As a threshold matter, similar to the requirements for low power indoor devices, the Commission proposes to require that 6 GHz band very low power unlicensed devices incorporate an integrated antenna. The Commission seeks comment on these proposals. Using an integrated antenna will ensure that users are unable to swap out the antenna for a higher gain antenna that could increase the potential for interference. The Commission assumes that the antennas will be omnidirectional and have minimum gain. Is that a good assumption? Are there other antennas anticipated for these devices?

5. As the Commission has found for indoor low power devices, should the Commission require a contention-based protocol that requires devices to sense or listen to the spectrum prior to transmitting to ensure all unlicensed devices have an equal opportunity to transmit as well as to protect incumbent users? Commenters should address whether protocols such as Wi-Fi's current carrier sense multiple access with collision avoidance (CSMA/CA) would be used or are there other protocols that may work here too. Apple, Broadcom et al. contend that such a protocol will protect mobile Broadcast Auxiliary Service Incumbents in the U–NII–6 and U–NII–8 bands. The Commission seeks comment on the viability of relying on a contention-based protocol to protect these uses. Can this protocol also be used to protect Fixed Service microwave incumbents? What sensing levels are necessary to reliably detect incumbent services to protect them? Wideband and ultrawideband unlicensed devices operate in the 6 GHz band. Can the contention-based protocol be used to enable co-existence between various unlicensed device types? Commenters should provide detailed technical information on the contention-based protocol and how it can be used to protect existing 6 GHz band users (and whether a requirement to include a contention-based protocol would materially affect the spectrum very low power devices could use as well as the relevant power levels in order to protect incumbent services).

6. In determining the proper power level for very low power unlicensed devices using 160-megahertz channels, the Commission first notes that it authorized low power indoor devices to operate with 5 dBm/MHz power spectral density (PSD) EIRP and a maximum 27 dBm EIRP. This decision is based on an extensive record replete with multiple studies—both Monte Carlo and static link budgets. A major contributing factor to those analyses was consideration of building entry loss and the effect such propagation loss would have on protecting incumbent licensees from harmful interference. Building attenuation is a function of building construction type (traditional or thermally efficient) and the elevation angle of the signal path at the building façade. Because the major difference between low power indoor unlicensed devices and very low power unlicensed devices is that, for the latter devices, outdoor use would not be subject to building entry loss, how should the Commission evaluate the interference potential of these devices as many may be operating outdoors? Can the analyses performed for indoor low power devices inform how the Commission proceeds here? The Commission notes that for many anticipated use cases, use will occur near the ground and in the presence of buildings and other objects further subjecting potentially interfering emissions to clutter losses. Accounting for clutter losses would infer that more power could be permitted without increasing the potential for harmful interference. How should the Commission account for clutter losses? What types of clutter losses would affect low power device signals? Because clutter losses, like building attenuation, is statistical, the Commission seeks information on clutter loss statistical distributions that would be appropriate to use in any analyses. What information is available? What are the minimum, maximum, and mean values that can be expected for various locations? How have these distributions been validated? Commenters should provide detailed information and reference material to support their claims regarding appropriate clutter losses to consider.

7. Other factors that must be considered when evaluating very low power unlicensed devices is body loss and transmit power control. The Commission anticipates that most of the devices contemplated for such operation will be body worn and subject to such losses. In their filings with technical analyses, Apple, Broadcom et al. assume that there will be at least 18 dB signal attenuation from body loss and transmit power control. Is this assumption realistic? The Commission seeks comment on the correct value to consider for body loss and transmit power control for these devices. Commenters should provide detailed technical analysis supporting the value(s) they believe the Commission should rely on to determine the maximum power level for very low power devices.

8. The Commission also asks commenters to address some specific technical solutions and use situations that it believes are likely to arise through typical operation. First, cell phones typically employ proximity or other sensors to determine if they are close to a body to adjust power to meet the Commission's radio frequency (RF) exposure rules. Could such a sensor be used in conjunction with these very low power devices as a way of adjusting their power based on how much body loss might be expected? How would such a system work to both ensure the ability of devices to close their links as well as avoiding causing harmful interference to incumbent licensees? Should such sensors be required on

these devices? If so, what parameters are essential and what algorithms would ensure proper power level tuning? How would interference to incumbent operations be protected when a very low power unlicensed device must use higher power when facing maximum body loss in the direction of its intended receiver, but no similar losses in other directions? For example, a cell phone in a backpack may be transmitting to a body worn device where the intended signal encounters a person's full mass in that intended direction, but no losses in other directions. Is this a reasonable scenario? What are the potential consequences of such operation?

9. Alternatively, in use cases where an unlicensed device may not encounter much body loss, how would transmit power control be implemented to protect incumbent licensees? For example, if a device is mounted on a bicycle handlebar and communicating with a body worn device, there would be no body loss and little clutter. The Commission seeks comment on other use cases and whether proximity sensors could be used and how transmit power control would provide sufficient power for the application and at the same time protect incumbent licensees. How does the expected geometry between these unlicensed devices, which presumably will generally be used close to the ground and fixed service microwave links which are generally high off the ground and employ directional antennas affect the power level the Commission can allow? What about the interaction for Broadcast Auxiliary Services?

10. The Commission seeks comment on how all these factors should be considered in analyses and the various technical solutions can work together to authorize very low power unlicensed devices across the 6 GHz band. The Commission seeks comment on the appropriate factors that should be incorporated into a link budget. The Commission also seeks comment on the appropriate way to model the potential interactions between unlicensed devices and incumbent operations. Should the Commission rely on Monte Carlo analysis, link budget analysis, link-level simulations that take into account detailed physical layer implementations of unlicensed devices as well as incumbent devices, or a combination of these methods? Regardless of which type of analysis commenters submit, all assumptions should be fully explained and supported and all methodologies explained in detail. The Commission also seeks comment on what technological measures can be incorporated into a very low-power device to support the operations at the requested power limits and mitigate the potential for harmful interference to incumbent services?

11. In contemplating the various factors discussed, the Commission seeks comment on what power level the Commission should authorize for very low power unlicensed devices across the 6 GHz band. In this regard, the Commission notes that, similar to the rules the Commission adopted for indoor low power devices in a Report and Order adopted on April 23, 2020, FCC 20–51 (85 FR 31390, May 26, 2020), the Commission anticipates requiring devices to meet a power spectral density requirement, which inherently places a maximum on radiated power. Do commenters support this approach? Apple, Broadcom et al. contend that 14 dBm EIRP and −8 dBm/MHZ PSD EIRP is necessary to enable the applications they anticipate for these devices. The Commission seeks comment on the power level and other technical or operational rules the Commission should consider to maximize the utility of the 6 GHz band and protect incumbent licensees. The Commission encourages commenters to also conduct testing and measurements of protype devices to support whatever rules they advocate for. Such testing can be done under an experimental license to the extent needed. What technical measures will be effective in meeting the Commission's goals of balancing new devices against the need to protect incumbent licensees?

12. *Power Spectral Density Increase for Low Power Indoor Operation.* The Commission seeks comment in this FNPRM on whether to allow low power indoor devices to operate at a higher power spectral density of 8 dBm/MHz with a maximum permissible EIRP of 33 dBm when a device uses a bandwidth of 320 megahertz in the U–NII–5 through U–NII–8 bands. The Commission adopts 5 dBm/MHz in the Report and Order considering the analyses in the record based on limited measurements, Monte Carlo simulations and static link budgets, none of which fully capture a future deployment scenario involving a very large number of unlicensed devices operating in a complex interference environment. Analyses that can incorporate realistic environments, including accurate link-level and system level simulations or measurements which take into account the physical layer characteristics of both unlicensed and incumbent devices would be more convincing in determining whether a higher PSD such as 8 dBm/MHz should be adopted. For devices operating with bandwidths other than 320 megahertz, the maximum allowable total power would scale accordingly (*e.g.,* 30 dBm with a bandwidth of 160 megahertz, 27 dBm with a bandwidth of 80 megahertz, 24 dBm with a bandwidth of 40 megahertz, and 21 dBm with a bandwidth of 20 megahertz). The Commission believes that these rules would be useful for many indoor devices that require high data rate transmissions such as indoor access points communicating with clients like high-performance video game controllers, and wearable video augmented reality and virtual reality devices.

13. Would the proposed power levels be useful for low power indoor devices? What are the specific benefits to consumers and users of unlicensed operations of a higher power spectral density limit? Are the proposed power limits appropriate for preventing interference to authorized users in the U–NII–5 through U–NII–8 bands? Do the mobile uses of these bands present challenges to adjusting the power limits? Should the Commission adopt any other requirements in addition to power density and total EIRP limits to protect services in these bands? The Commission seeks specific comment on how a higher power spectral density limit would impact the analysis of Examples 1B, 4, and 5 from the AT&T study submitted to the Commission on November 12, 2019 in ET Docket No. 18–295, as well as how common those scenarios are. Proponents of low-power indoor operations have convincingly shown that even in these examples the likelihood of harmful interference to fixed microwave services will be insignificant with a power spectral density limit of 5 dBm/MHz. Is the risk materially higher at 8 dBm/MHz? Is so, is such risk still low (or even insignificant)? And how common are such scenarios? The Commission seeks specific comment from fixed service incumbents on what fraction of their operations do each of these scenarios represent. And is the Commission correct to surmise that these are worst case scenarios (as would be suggested by the incentives of those introducing these scenarios into the record) or do they actually represent a significant number of operations? Finally, the Commission seeks comment on the benefits and costs of the proposal. How should the Commission quantify the potential economic benefits of authorizing higher power spectral density for low power indoor devices and the potential cost to incumbent operations should interference occur?

14. *Mobile Standard-Power Access Point Operation.* The Commission seeks

comment on whether to allow standard-power access points, under AFC control, to be used in mobile applications under rules similar to those for personal/portable white space devices. Such usage would expand the area over which unlicensed 6 GHz devices can operate to deliver additional benefits to the American public. Mobile use at higher power levels than what the Commission is proposing, or very low power unlicensed devices could also enable new innovative applications. The Commission seeks comment on what benefits such usage could provide. What new applications are envisioned for higher power mobile operation?

15. The white space device rules limit personal/portable devices to a lower power level than fixed white space devices. Under the rules a personal/portable white space device must determine its geographic coordinates using an incorporated geo-location capability prior to its initial service transmission, each time the device is activated from a power-off condition, and at least once every 60 seconds while in operation. In addition, it must access a database to obtain a list of available channels for its location and must access the database for an updated channel list if it changes location by more than 100 meters from the location at which it last obtained its channel list. Also, a personal/portable white space device must re-check its location and access the database daily to verify that the operating channel(s) continue to be available. Further, it may load channel availability information for multiple locations, (*i.e.,* in the vicinity of its current location) and use that information to define a geographic area within which it can operate on the same available channels at all locations.

16. The Commission seeks comment on whether the Commission should allow mobile standard-power access point operation in the 6 GHz band, and if so, what technical requirements should apply? Are the personal/portable white space device rules an appropriate model to follow in developing rules for mobile standard-power access points? Which of those rules could be adopted for 6 GHz standard-power devices? Which of the white space rules would need to be modified for devices operating in the 6 GHz band? What other changes or requirements would be needed? Should the Commission define a separate device category for mobile standard-power devices? If so, how should these differ from fixed standard-power access points? For example, the Commission believes such devices would need an integrated geolocation capability and have an integrated connectorized antenna. The Commission seeks comment on these requirements and any others that need to be placed on these devices.

17. What power limit would be appropriate for mobile standard-power access points? Could mobile standard-power access points operate at the same power as fixed devices or should they have a lower maximum power? How should the protection distances be calculated for mobile devices? What factors need to be considered to ensure that incumbent operations are protected from harmful interference? How often would mobile devices need to update their position? Should it be the same requirement as for white space devices which require updates every 60 seconds or when the location changes by more than 100 meters? Or, are other requirements more appropriate? Should the Commission allow devices to preload a list of cleared channels over an area (*e.g.,* create a geo-fenced area) and operate without updating location with the AFC system so long as they stay within the cleared area? Should mobile operation be permitted in both the U–NII–5 and U–NII–7 bands?

18. What effect would permitting mobile standard-power access point operation have on the AFC? Would allowing standard-power access points to operate while in motion make the AFC system overly complicated as it would need to continuously update available frequency lists for such devices? Would mobile applications add substantial congestion to links connecting devices to the AFC system as a moving device may need to be in near constant contact with the database, potentially degrading the quality of service for the expected predominant fixed access point use? Would the added complexity of mobile operation delay the AFC system development and prevent the American public from reaping the benefits of expanded unlicensed use soon? What costs would be involved with adding this capability? And, what additional requirements would be needed for 6 GHz unlicensed devices? Would additional information need to be communicated to the AFC system to identify whether a device is fixed or mobile? Would fixed devices need to be updated to send additional data too? How would this impact development of devices and the timeline for getting them into the marketplace? Are there additional security concerns associated with mobile operation? What are the costs that might be involved with permitting mobile standard-power device operation?

19. The Commission seeks comment on all technical and operational aspects associated with mobile standard-power device operation. Commenters should provide detailed technical analysis to support comments advocating technical limits and methods of protecting incumbent users from harmful interference. In addition, commenters should provide detailed support for any operational rules they believe could be adopted to expand 6 GHz unlicensed use to mobile standard-power operations while protecting incumbent operations from harmful interference.

20. *Higher Power Limits and Antenna Directivity for Standard-Power Access Points.* The Commission also seeks comment on whether to allow standard-power access points used in fixed point-to-point applications to operate at power levels greater than 36 dBm EIRP. In the Report and Order, the Commission limits standard power access points to a maximum 36 dBm EIRP power level to limit the range at which harmful interference could potentially occur. That approach deviates from the U–NII–1 and U–NII–3 band rules which permit higher power point-to-point operations, because of the different incumbent licensee environment in the 6 GHz band as compared to 5 GHz. To explore whether similar flexibility can be permitted in the 6 GHz band, the Commission seeks comment on whether to allow power levels greater than 36 dBm EIRP for standard-power access points operating in the U–NII–5 and U–NII–7 bands when configured as point-to-point links. As a threshold matter, the Commission believes that any flexibility provided for higher power should be used for targeted applications that would benefit from point-to-point operations, such as backhaul and not for point-to-multipoint use or as a scheme for providing more wide area service through multiple antennas aimed to cover larger areas. Thus, if the Commission allows higher power for point-to-point links, the Commission seeks comment on replicating the U–NII–1 and U–NII–3 band requirement on such links that would exclude the use of point-to-multipoint systems, omnidirectional applications, and multiple collocated transmitters transmitting the same information.

21. The Commission seeks comment on the appropriate technical parameters and limits that would be associated with 6 GHz point-to-point operation. How would the Commission ensure that incumbent operations will be protected from unlicensed devices operating at higher power levels? For example, should there be a limit on the maximum

conducted transmitter power as is done in other U–NII bands to encourage parties to use higher gain, highly directional antennas? If so, what is the appropriate power limit? Should there be specific antenna requirements for standard-power access points operating at power levels above 36 dBm EIRP, such as a minimum gain or maximum beamwidth requirement? To limit the maximum EIRP and thus the distance over which stations could be potentially affected, the U–NII–1 band requires a 1 dB reduction in maximum conducted output power and maximum power spectral density for each 1 dB of antenna gain in excess of 23 dBi. Would a similar requirement be needed for the 6 GHz band? If so, what should be the antenna gain threshold for triggering the power reduction? Are any other requirements necessary to protect incumbent services? What modifications to the AFC system would be required to accommodate higher power point-to-point operations? Would any corresponding changes be needed for standard-power access points related to the information they exchange with the AFC? If so, how quickly could changes be made to the AFC and equipment? What costs are involved?

22. Regarding unlicensed point-to-point applications in the 6 GHz band, the Commission also seeks comment on whether the AFC system should be permitted to take the directivity of a standard-power access point's antenna into account when determining the available frequencies and power levels at a location, rather than assuming an omnidirectional antenna. The directional pattern of an access point's antenna could affect the identification of available frequencies at a location, because when the transmit antenna points away from a microwave receiver, the effect would be that the access point has a lower EIRP in the direction of the receiver. Under such situations, the required separation distance between the access point and microwave receiver would be shorter, which could increase the number of locations where a device could operate. Would taking access point transmit antenna directivity into account result in any significant increase in the amount of spectrum available to unlicensed devices?

23. If the AFC system considers access point transmit antenna directivity, how would the Commission assure the accuracy of antenna pattern and orientation information? Would the Commission need to rely on a professional installer requirement as the Commission does for certain stations in the Citizens Broadband Radio Service? If so, how would such a requirement be implemented? Are there other ways to ensure reporting accuracy of this information? How could this information be supplied to the AFC system? Should there be an automated system, or could the Commission allow for a manual system or both? Should the Commission require the AFC system to store detailed information, such as the antenna gain at one-degree intervals, or could the Commission define several simpler generic antenna patterns that approximate commonly used antennas? What other criteria would the Commission need to specify to ensure that incumbent services are protected? Would the benefits of such an approach outweigh the increased costs and complexity of the AFC system and the risk that inaccurate antenna pattern information might result in harmful interference to incumbent services? If the Commission were to permit a change, what specific changes are needed to the AFC system? Are corresponding changes needed to the standard-power access points' software or hardware? How long would it take to make such changes? What costs would be associated with such changes?

24. *Procedural Matters. Paperwork Reduction Act Analysis.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

25. *Initial Regulatory Flexibility Analysis.* As required by the RFA, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities of the proposals addressed in this FNPRM. The Full IRFA is found in Appendix C at *https://www.fcc.gov/edocs/search-results?t=advanced&fccNo=18-147.* Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines for comments on the FNPRM, and they should have a separate and distinct heading designating them as responses to the IRFA. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, will send a copy of this FNPRM, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with the RFA.

26. *People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

27. *Availability of Documents.* Comments, reply comments, and ex parte submissions will be publicly available online via ECFS. These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, which is located in Room CY–A257 at FCC Headquarters, 445 12th Street SW, Washington, DC 20554. The Reference Information Center is open to the public Monday through Thursday from 8:00 a.m. to 4:30 p.m. and Friday from 8:00 a.m. to 11:30 a.m.

28. *Ex Parte Presentations.* The proceedings shall be treated as ''permit-but-disclose'' proceedings in accordance with the Commission's ex parte rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule § 1.1206(b). In proceedings governed by rule § 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system

available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in these proceeding should familiarize themselves with the Commission's *ex parte* rules.

Ordering Clauses

29. *It is ordered,* pursuant to the authority found in Sections 4(i), 201, 302, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 201, 302a, 303, and § 1.411 of the Commission's Rules, 47 CFR 1.411, that this *FNPRM is hereby adopted.*

30. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this *FNPRM,* including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

31. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this *FNPRM,* including the Initial Regulatory Flexibility Analysis, to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

Federal Communications Commission.

Cecilia Sigmund,

Federal Register Liaison Officer.

[FR Doc. 2020–11320 Filed 5–27–20; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 85, No. 103
Thursday, May 28, 2020

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–TM–20–0047]

USDA Farmers Market Application; Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of renewal and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget, for an extension of and revision to the currently approved information collection for USDA Farmers Market Application. Copies of this one-time yearly application form to participate in the U.S. Department of Agriculture (USDA) Farmers Market may be obtained by calling the AMS Transportation and Marketing Program contact listed or visiting the website at *www.usda.gov/farmersmarket.*

DATES: Comments on this notice must be received by July 27, 2020 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: ToiAyna Thompson, Market Manager, Transportation and Marketing Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue SW, Room 1097 South Building, Washington, DC 20250. Telephone 202–7450–7691. Comments should reference docket number AMS–TM–20–0047.

Internet: www.regulations.gov. All written comments should be identified with the docket number AMS–TM–20–0047. All comments received will be available for public inspection during regular business hours at the same address. It is our intention to have all comments whether submitted by mail or internet available for viewing on the *Regulations.gov* (*www.regulations.gov*) internet site. Comments submitted will also be available for public inspection in person at USDA–AMS, Transportation and Marketing Programs, Marketing Services Division, Room 4523-South Building, 1400 Independence Ave. SW, Washington, DC, from 9 a.m. to 12 noon and from 1 p.m. to 4 p.m., Monday through Friday, (except official Federal holidays). Persons wanting to visit the USDA South Building to view comments received are requested to make an appointment in advance by calling (202) 690–1300.

The information collected is used only by authorized employees of the USDA, AMS. All responses to this notice will be summarized and included in the request for OMB approval.

SUPPLEMENTARY INFORMATION:

Title: USDA Farmers Market Application.

OMB Number: 0581–0229.

Expiration Date of Approval: August 31, 2020.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: The Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) directs and authorizes the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market packaging, handling, transporting, distributing, and marketing agricultural products, 7 U.S.C. 1622(a). Moreover, 7 U.S.C. 1622(f) directs and authorizes the Secretary to conduct and cooperate in consumer education for more effective utilization and greater consumption of agricultural products. In addition, 7 U.S.C. 1622(n) authorizes the Secretary to conduct services and to perform activities that will facilitate the marketing and utilization of agricultural products through commercial channels.

On December 23, 2005, the AMS published a final rule in the **Federal Register** (70 FR 76129) to implement established regulations and procedures under 7 CFR part 170 for AMS to operate the USDA Farmers Market, specify vendor criteria and selection procedures, and define guidelines to be used for governing the USDA Farmers Market. In conjunction, the USDA Farmers Market Application was developed to receive information from farmers and small business owners who are interested in participating in the market. Prospective vendors fill out the Application online once per year.

The information collected on the Application allows AMS the means to review and select participants for the annual market season. The type of information requested on the Application includes: (1) Certification the applicant is the owner or representative of the farm or business; (2) applicant contact information including name(s), address, phone number, and email address; (3) farm or business location; (4) types of products grown or to be sold; (5) business practices and direct sourcing relationships with local farmers, ranchers and growers; (6) weekly sales data; (7) insurance coverage; and (8) all applicable food safety documents. Vendors selected to the market provide a signed copy of the Participant Agreement, which states that the vendor has read, understands and agrees to adhere to all applicable rules and guidelines as outlined in the USDA Farmers Market Rules, Procedures, and Operating Guidelines. Sales Data is collected from vendors weekly. This information is useful in letting AMS know how well the market and vendors are doing overall.

We collect sales data at the beginning of every market day from the previous week. This is collected on an Excel spreadsheet that is stored by market manager. It then gets documented in a shared office file, that tracks the sales all season. Collecting sales gives us feedback as to how each vendor did each week and the success of the market each year. We use these numbers to determine the success of the market, the marketing strategies of each vendor, and uniqueness of each product. It is also noted with a quick snapshot of the weather for each corresponding day, to determine if the sales were affected by extreme rain, heat, or any other natural disaster that would deter marketgoers from visiting and purchasing from the vendors.

The USDA Farmers Market Customer Satisfaction Questionnaire and the VegUcation Questionnaire will be combined into one survey and renamed as The USDA Farmers Market Survey

submitted under OMB 0581–0269 Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery. The purpose of this survey is to learn who our customers are and what their preferences are in order to improve the USDA Farmers Market. The VegUcation classes take place weekly at the USDA Farmers Market and are free for anyone to attend and are taught by USDA subject matter experts. The purpose is to learn how familiar attendees are with the featured fruit or vegetable, if they found the class valuable, and if their attendance affected their market purchases.

The Vendor Satisfaction Survey also under OMB 0581–0269 will only be used by the current vendors to give anonymous feedback on the market. This information will be used to gauge the market experience from the vendor's perspective. Tracking the overall communication, logistics, support of the market team can provide feedback on how successful the operational procedures are executed. In addition to receiving feedback on the market operations, it is imperative that USDA's Farmers Market offers support and best marketing practices to the vendors. The success rate is not only tracked for the internal office use but also to better represent the vendors.

Estimate of Burden: The public reporting burden for this collection is estimated to be 7 minutes per response.

Respondents: Farmers and/or small business owners.

Estimated Number of Respondents: 68.

Estimated Total Annual Responses: 1,764.

Estimated Number of Responses per Respondent: 25.94.

Estimated Total Annual Burden on Respondents: 201.12 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. All comments will become a matter of public record and may be sent to the following address:

Bruce Summers,

Administrator.

[FR Doc. 2020–11429 Filed 5–27–20; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2020–0023]

BASF Corporation; Petition for a Determination of Nonregulated Status for Plant-Parasitic Nematode-Protected and Herbicide Resistant Soybean

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service (APHIS) has received a petition from BASF Corporation seeking a determination of nonregulated status of soybean event GMB151 genetically engineered for resistance to the plant-parasitic nematode, soybean cyst nematode (*Heterodera glycines*), and for resistance to 4-hydroxyphenylpyruvate dioxygenase (HPPD–4) inhibitor herbicides. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. We are making the petition available for review and comment to help us identify potential environmental and interrelated economic issues and impacts that APHIS may determine should be considered in our evaluation of the petition.

DATES: We will consider all comments that we receive on or before July 27, 2020.

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

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2020-0023.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2020–0023, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

The petition and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2020-0023* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 7997039 before coming.

The petition is also available on the APHIS website at: *https://www.aphis.usda.gov/aphis/ourfocus/biotechnology/permits-notifications-petitions/petitions/petition-status* under APHIS petition 19–317–01p.

FOR FURTHER INFORMATION CONTACT: Ms. Cindy Eck, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 851–3892, email: *cynthia.a.eck@usda.gov.*

SUPPLEMENTARY INFORMATION: Under the authority of the plant pest provisions of the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered (GE) organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Paragraphs (b) and (c) of § 340.6 describe the form that a petition for a determination of nonregulated status must take and the information that must be included in the petition.

APHIS has received a petition (APHIS Petition Number 19–317–01p) from BASF Corporation (BASF) seeking a determination of nonregulated status of soybean event GMB151 genetically engineered for resistance to the plant-parasitic nematode, soybean cyst nematode (*Heterodera glycines*), and for resistance to 4-hydroxyphenylpyruvate dioxygenase (HPPD–4) inhibitor herbicides. The BASF petition states that information collected during field trials and laboratory analyses indicates that GMB151 soybean is not likely to be a plant pest and therefore should not be a regulated article under APHIS' regulations in 7 CFR part 340.

As described in the petition, GMB151 soybean was developed through disarmed *Agrobacterium*-mediated transformation using the vector

pSZ8832 containing the *cry14Ab-1.b* and *hppdPf-4Pa* gene cassettes. GMB151 soybean produces the Cry14Ab-1 protein, a crystal protein derived from *Bacillus thuringiensis,* which confers resistance to the plant-parasitic nematode, soybean cyst nematode (*Heterodera glycines*). GMB151 also produces a modified 4-hydroxyphenylpyruvate dioxygenase (HPPD–4) derived from *Pseudomonas fluorescens* that confers resistance to HPPD-inhibitor herbicides such as isoxaflutole. Agronomic performance of GMB151 was evaluated at 11 field sites across U.S. soybean growing regions. The BASF petition states that agronomic performance of GMB151 soybean is comparable to the non-genetically modified conventional counterpart and reference varieties and that these data support the conclusion that GMB151 soybean lacks weediness potential and plant pest risk.

Field tests conducted under APHIS oversight allowed for evaluation in a natural agricultural setting while imposing measures to minimize the likelihood of persistence in the environment after completion of the tests. Data are gathered on multiple parameters and used by the applicant to evaluate agronomic characteristics and product performance. These and other data are used by APHIS to determine if the new variety poses a plant pest risk.

Paragraph (d) of § 340.6 provides that APHIS will publish a notice in the **Federal Register** providing 60 days for public comment for petitions for a determination of nonregulated status. On March 6, 2012, we published in the **Federal Register** (77 FR 13258–13260, Docket No. APHIS–2011–0129) a notice [1] describing our process for soliciting public comment when considering petitions for determinations of nonregulated status for GE organisms. In that notice we indicated that APHIS would accept written comments regarding a petition once APHIS deemed it complete.

In accordance with § 340.6(d) of the regulations and our process for soliciting public input when considering petitions for determinations of nonregulated status for GE organisms, we are publishing this notice to inform the public that APHIS will accept written comments regarding the petition for a determination of nonregulated status from interested or affected persons for a period of 60 days from the date of this notice. The petition is available for public review and comment, and copies are available as indicated under **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** above. We are interested in receiving comments regarding potential environmental and interrelated economic issues and impacts that APHIS may determine should be considered in our evaluation of the petition. We are particularly interested in receiving comments regarding biological, cultural, or ecological issues, and we encourage the submission of scientific data, studies, or research to support your comments.

After the comment period closes, APHIS will review all written comments received during the comment period and any other relevant information. Any substantive issues identified by APHIS based on our review of the petition and our evaluation and analysis of comments will be considered in the development of our decision-making documents. As part of our decision-making process regarding a GE organism's regulatory status, APHIS prepares a plant pest risk assessment to assess its plant pest risk and the appropriate environmental documentation—either an environmental assessment (EA) or an environmental impact statement (EIS)—in accordance with the National Environmental Policy Act (NEPA), to provide the Agency with a review and analysis of any potential environmental impacts associated with the petition request. For petitions for which APHIS prepares an EA, APHIS will follow our published process for soliciting public comment (see footnote 1) and publish a separate notice in the **Federal Register** announcing the availability of APHIS' EA and plant pest risk assessment.

Should APHIS determine that an EIS is necessary, APHIS will complete the NEPA EIS process in accordance with Council on Environmental Quality regulations (40 CFR part 1500–1508) and APHIS' NEPA implementing regulations (7 CFR part 372).

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2020–11492 Filed 5–27–20; 8:45 am]

BILLING CODE 3410–34–P

[1] To view the notice, go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0129.*

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Kentucky Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights and the Federal Advisory Committee Act that the Kentucky Advisory Committee (Committee) will hold a meeting via web-conference on Tuesday, June 30, 2020, for the purpose of hearing testimony from advocates and others on bail reform in Kentucky.

DATES: The meeting will be held on Tuesday, June 30, 2020, 12:00 p.m.–2:00 p.m. Eastern.

FOR ADDITIONAL INFORMATION CONTACT: Barbara Delaviez at *bdelaviez@usccr.gov* or 1–202–539–8246.

SUPPLEMENTARY INFORMATION:

Public Call Information: Dial: 800–367–2403; Conference ID: 6065275.

Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference operator will ask callers to identify themselves, the organizations they are affiliated with (if any), and an email address prior to placing callers into the conference call. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Carolyn Allen at *callen@usccr.gov* in the Regional Programs Unit Office/Advisory Committee Management Unit. Persons who desire additional information may contact the Regional Program Unit Office at 202–539–8246.

Records generated from this meeting may be inspected and reproduced at the Regional Program Unit, as they become

available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Kentucky Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Program Unit at the above email or phone number.

Agenda

1. Web Conference on Bail Reform
2. Next Steps
3. Open Comment
4. Adjourn

Dated: May 21, 2020.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2020–11371 Filed 5–27–20; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Virginia Advisory Committee (Committee) will hold a meeting on Friday, June 12, 2020 at 12:00 p.m. Eastern time. The Committee will discuss civil rights concerns in the state.

DATES: The meeting will take place on Friday June 12, 2020 at 12:00 p.m. Eastern time.

Public Call Information: Dial: 888–394–8218, Conference ID: 5570030.

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

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

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Regional Programs Unit, U.S. Commission on Civil Rights, 230 S. Dearborn, Suite 2120, Chicago, IL 60604. They may also be emailed to Corrine Sanders at *csanders@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Virginia Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda:

Welcome and Roll Call
Civil Rights in Virginia
Future Plans and Actions
Public Comment
Adjournment

Dated: May 21, 2020.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2020–11377 Filed 5–27–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Federal Economic Statistics Advisory Committee Meeting

AGENCY: Bureau of Economic Analysis, U.S. Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Bureau of Economic Analysis (BEA) is giving notice of a meeting of the Federal Economic Statistics Advisory Committee (FESAC). The Committee advises the Under Secretary for Economic Affairs, the Directors of the Bureau of Economic Analysis and the Census Bureau, and the Commissioner of the U.S. Department of Labor's Bureau of Labor Statistics (BLS) on statistical methodology and other technical matters related to the collection, tabulation, and analysis of federal economic statistics. Email Gianna Marrone, *gianna.marrone@bea.gov,* by June 5, 2020, to attend. An agenda will be accessible prior to the meeting at *https://apps.bea.gov/fesac/.*

DATES: June 12, 2020. The meeting begins at approximately 9:30 a.m. and adjourns at approximately 2:15 p.m.

ADDRESSES: The safety and well-being of the public, committee members, and our staff is our top priority. In light of the travel restrictions and social-distancing requirements resulting from the COVID–19 outbreak, this meeting will be held virtually.

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Program Analyst, U.S. Department of Commerce, Bureau of Economic Analysis, 4600 Silver Hill Road (BE–64), Suitland, MD 20746; phone (301) 278–9282; email *gianna.marrone@bea.gov.*

SUPPLEMENTARY INFORMATION: FESAC members are appointed by the Secretary of Commerce. The Committee advises the Under Secretary for Economic Affairs, BEA and Census Bureau Directors, and the Commissioner of the Department of Labor's BLS on statistical methodology and other technical matters related to the collection, tabulation, and analysis of federal economic statistics. The Committee is established in accordance with the Federal Advisory Committee Act (5 U.S.C. App. section 2).

This meeting is open to the public. Anyone planning to attend the meeting must contact Gianna Marrone at BEA (301) 278–9282 or *gianna.marrone@bea.gov.* The call in number, access code, and presentation link will be posted 24 hours prior to the meeting on *https://apps.bea.gov/fesac/.* The meeting is accessible to people with disabilities. Requests for foreign language interpretation or other auxiliary aids should be directed to Gianna Marrone at *gianna.marrone@bea.gov* by June 5, 2020.

Persons with extensive questions or statements must submit them in writing by June 5, 2020, to Gianna Marrone, *gianna.marrone@bea.gov.*

This meeting is accessible to people with disabilities. Requests for sign language interpretation or other

auxiliary aids should be directed to Gianna Marrone, *gianna.marrone@bea.gov,* preferably two weeks prior to the meeting.

Dated: May 21, 2020.

Kyle Hood,

Designated Federal Officer, Bureau of Economic Analysis.

[FR Doc. 2020–11396 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–08–2020]

Foreign-Trade Zone (FTZ) 277—Glendale, Arizona; Authorization of Production Activity; Andersen Regional Manufacturing, Inc. (Windows for Residential and Commercial Buildings), Goodyear, Arizona

On January 23, 2020, Andersen Regional Manufacturing, Inc. submitted a notification of proposed production activity to the FTZ Board for its facility within FTZ 277 in Goodyear, Arizona.

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 (85 FR 9456, February 19, 2020). On May 22, 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: May 22, 2020.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2020–11456 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–03–2020]

Foreign-Trade Zone (FTZ) 90—Syracuse, New York; Authorization of Production Activity; PPC Broadband, Inc. (Hardline Coaxial Cables). Dewitt, New York

On January 22, 2020, PPC Broadband, Inc., submitted a notification of proposed production activity to the FTZ Board for its facility within Subzone 90C, in Dewitt, New York.

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 (85 FR 5372–5373, January 30, 2020). On May 21, 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: May 21, 2020.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2020–11454 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–891]

Forged Steel Fittings From India: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that forged steel fittings (FSF) from India are being sold in the United States at less than fair value (LTFV). The period of investigation (POI) is October 1, 2018 through September 30, 2019. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable May 28, 2020.

FOR FURTHER INFORMATION CONTACT: Caitlin Monks, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2670.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on November 21, 2019.[1] On February 28, 2020, Commerce postponed the preliminary determination of this investigation and the revised deadline is now May 20, 2020.[2] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[3] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II 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 *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The products covered by this investigation are FSF from India. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,[4] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope), which Commerce extended on March 27, 2020.[5] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice* and on a revised version issued in the Countervailing Duty (CVD) Preliminary Determination of FSF from India.[6] For a summary of the product coverage comments and rebuttal responses submitted to the record for this preliminary determination, and accompanying discussion and analysis of all comments timely received, *see* the Preliminary

[1] *See Forged Steel Fittings from India and the Republic of Korea: Initiation of Less-Than-Fair-Value Investigations,* 84 FR 64265 (November 21, 2019) (*Initiation Notice*).

[2] *See Forged Steel Fittings from India and the Republic of Korea: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations,* 85 FR 11965 (February 28, 2020).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Forged Steel Fittings from India'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[5] *See Initiation Notice; see also* Memorandum, ''Antidumping and Countervailing Duty Investigations of Forged Steel Fittings from India and the Republic of Korea: Clarification of Deadlines for Scope Comments,'' dated March 27, 2020.

[6] *See Forged Steel Fittings From India: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination,* 85 FR 17536 (March 30, 2020).

Scope Decision Memorandum.[7] Commerce is preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* the revised scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act for Shakti Forge Industries Pvt. Ltd. (Shakti). Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. In addition, Commerce has relied on facts available with an adverse inference (AFA) under sections 776(a) and (b) of the Act for Nikoo Forge Pvt. Ltd. (Nikoo Forge), Pan International (Pan), Disha Auto Components Pvt. Ltd, Dynamic Flow Products, Kirtanlal Steel Pvt Ltd, Metal Forgings Pvt Ltd, Patton International Limited, Sage Metals Limited, and Technotrak Engineers. For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Pursuant to section 735(c)(5)(B) of the Act, if the estimated weighted-average dumping margins established for all exporters and producers individually examined are zero, *de minimis* or determined based entirely on facts otherwise available, Commerce may use ''any reasonable method'' to establish the estimated weighted-average dumping margin for all other producers or exporters. One method contemplated by section 735(c)(5)(B) of the Act is ''averaging the estimated weighted average dumping margins determined for the exporters and producers individually investigated.''

Commerce has preliminarily determined that the estimated weighted-average dumping margin for Shakti is zero. In addition, Commerce has preliminarily determined the estimated weighted-average dumping margins for Nikoo Forge and Pan entirely on the basis of facts otherwise available (*i.e.,* 293.40 percent).[8] Because we have no calculated rates that are not based entirely on facts available, zero, or *de minimis,* we have determined that a reasonable method for assigning a margin to all other producers or exporters is to average the weighted-average dumping margins calculated for the three mandatory respondents. The simple average of these rates is 195.60 percent, and, pursuant to section 735(c)(5)(B) of the Act, this is the rate we are preliminary assigning as the all-others rate.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Shakti Forge Industries Pvt. Ltd[9]	* 0.00	NA
Nikoo Forge Pvt. Ltd.	** 293.40	290.87
Pan International	** 293.40	290.87
Disha Auto Components Pvt. Ltd	** 293.40	290.87
Dynamic Flow Products	** 293.40	290.87
Kirtanlal Steel Pvt Ltd	** 293.40	290.87
Metal Forgings Pvt Ltd	** 293.40	290.87
Patton International Limited	** 293.40	290.87
Sage Metals Limited	** 293.40	290.87
Technotrak Engineers	** 293.40	290.87
All Others	195.60	193.07

* (*de minimis*)
** (AFA).

Consistent with section 733(b)(3) of the Act, Commerce disregards *de minimis* rates and preliminarily determines that the individually examined respondent with a *de minimis* rate (*i.e.,* Shakti) has not made sales of subject merchandise at LTFV.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) The cash deposit rate for the respondents listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary

[7] *See* Memorandum, ''Forged Steel Fittings from India and the Republic of Korea: Scope Comments Preliminary Decision Memorandum,'' dated concurrently with this preliminary determination (Preliminary Scope Memorandum).

[8] *See* Preliminary Decision Memorandum.

[9] Commerce preliminarily determines that Shakti and Shakti Forge are a single entity. *See* Preliminary Decision Memorandum.

determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation unless Commerce alters the time limit. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs. Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation 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, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. 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 intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date. Note that Commerce has modified certain of its requirements for serving documents containing business proprietary information until July 17, 2020, unless extended.[10]

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On May 11, 2020, and May 12, 2020, pursuant to 19 CFR 351.210(e), the petitioners and Shakti, respectively, requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.[11] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) The preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether subject imports are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: May 20, 2020.

Jeffrey I. Kessler,

Assistant Secretaryfor Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by these investigations is carbon and alloy forged steel fittings, whether unfinished (commonly known as blanks or rough forgings) or finished. Such fittings are made in a variety of shapes including, but not limited to, elbows, tees, crosses, laterals, couplings, reducers, caps, plugs, bushings, unions (including hammer unions), and outlets. Forged steel fittings are covered regardless of end finish, whether threaded, socket-weld or other end connections. The scope includes integrally reinforced forged branch outlet fittings, regardless of whether they have one or more ends that is a socket welding, threaded, butt welding end, or other end connections.

While these fittings are generally manufactured to specifications ASME B16.11, MSS SP–79, MSS SP–83, MSS–SP–97, ASTM A105, ASTM A350 and ASTM A182, the scope is not limited to fittings made to these specifications.

The term forged is an industry term used to describe a class of products included in applicable standards, and it does not reference an exclusive manufacturing process. Forged steel fittings are not manufactured from casings. Pursuant to the applicable standards, fittings may also be machined from bar stock or machined from seamless pipe and tube.

All types of forged steel fittings are included in the scope regardless of nominal pipe size (which may or may not be expressed in inches of nominal pipe size), pressure class rating (expressed in pounds of pressure, *e.g.,* 2,000 or 2M; 3,000 or 3M; 6,000 or 6M; 9,000 or 9M), wall thickness, and whether or not heat treated.

Excluded from this scope are all fittings entirely made of stainless steel. Also excluded are flanges, nipples, and all fittings that have a maximum pressure rating of 300 pounds per square inch/PSI or less.

Also excluded from the scope are fittings certified or made to the following standards, so long as the fittings are not also manufactured to the specifications of ASME B16.11, MSS SP–79, MSS SP–83, MSS SP–97, ASTM A105, ASTM A350 and ASTM A182:

- American Petroleum Institute (API) 5CT, API 5L, or API11B;
- American Society of Mechanical Engineers (ASME) B16.9;
- Manufacturers Standardization Society (MSS) SP–75;
- Society of Automotive Engineering (SAE) J476, SAE J514, SAE J516, SAE J517, SAE J518, SAE J1026, SAEJ1231, SAE J1453, SAE J1926, J2044 or SAE AS 35411;
- Hydraulic hose fittings (*e.g.,* fittings used in high pressure water cleaning applications, in the manufacture of hydraulic engines, to connect rubber dispensing hoses to a dispensing nozzle or grease fitting) made to ISO 12151–1, 12151–2, 12151–3, 12151–4, 12151–5, or 12151–6;

[10] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 29615 (May 18, 2020).

[11] *See* Petitioners' Letter, ''Forged Steel Fittings from India: Request for Extension of Final Determination,'' dated May 11, 2020, and Shakti's Letter, ''Forged Steel Fittings from India: Request to Postpone the Final Determination,'' dated May 12, 2020.

• Underwriter's Laboratories (UL) certified electrical conduit fittings;
• ASTM A153, A536, A576, or A865;
• Casing Conductor Connectors made to proprietary specifications;
• Machined steel parts (*e.g.,* couplers) that are not certified to any specifications in this scope description and that are not for connecting steel pipes for distributing gas and liquids;
• Oil country tubular goods (OCTG) connectors (*e.g.,* forged steel tubular connectors for API 5L pipes or OCTG for offshore oil and gas drilling and extraction);
• Military Specification (MIL) MIL–C–4109F and MIL–F–3541; and
• International Organization for Standardization (ISO) ISO6150–B.

Also excluded from the scope are assembled or unassembled hammer unions that consist of a nut and two subs. To qualify for this exclusion, the hammer union must meet each of the following criteria: (1) the face of the nut of the hammer union is permanently marked with one of the following markings: ''FIG 100,'' ''FIG 110,'' ''FIG 100C,'' ''FIG 200,'' ''FIG 200C,'' ''FIG 201,'' ''FIG 202,'' ''FIG 206,'' ''FIG 207,'' ''FIG 211,'' ''FIG 300,'' ''FIG 301,'' ''FIG 400,'' ''FIG 600,'' ''FIG 602,'' ''FIG 607,'' ''FIG 1002,'' ''FIG 1003,'' ''FIG 1502,'' ''FIG 1505,'' ''FIG 2002,'' or ''FIG 2202''; (2) the hammer union does not bear any of the following markings: ''Class 3000,'' ''Class 3M,'' ''Class 6000,'' ''Class 6M,'' ''Class 9000,'' or ''Class 9M''; and (3) the nut and both subs of the hammer union are painted.

Also excluded from the scope are component parts for hammer union assemblies, either subs or wingnuts, marked on the wingnut and subs with ''FIG 1002,'' ''FIG 1502,'' and ''FIG 2002,'' and with pressure rating of 10,000 PSI or greater. These parts are made from AISI/SAE 4130, 4140 or 4340 steel and are 100 percent magnetic particle inspected before shipment.

Also excluded from the scope are tee, elbow, cross, adapter (or ''crossover''), blast joint (or ''spacer''), blind sub, swivel joint and pup joint which have wing nut or not. To qualify for this exclusion, these products must meet each of the following criteria: (1) Manufacturing and Inspection standard is API 6A or API 16C; and, (2) body or wing nut is permanently marked with one of the following markings: ''FIG 2002,'' ''FIG 1502,'' ''FIG 1002,'' ''FIG 602,'' ''FIG 206,'' or ''FIG any other number'' or MTR (Material Test Report) shows these FIG numbers.

To be excluded from the scope, products must have the appropriate standard or pressure markings and/or be accompanied by documentation showing product compliance to the applicable standard or pressure, *e.g.,* ''API 5CT'' mark and/or a mill certification report.

Subject carbon and alloy forged steel fittings are normally entered under Harmonized Tariff Schedule of the United States (HTSUS) 7307.92.3010, 7307.92.3030, 7307.92.9000, 7307.99.1000, 7307.99.3000, 7307.99.5045, and 7307.99.5060. They may also be entered under HTSUS 7307.93.3010, 7307.93.3040, 7307.93.6000, 7307.93.9010, 7307.93.9040, 7307.93.9060, and 7326.19.0010.

The HTSUS subheadings and specifications are provided for convenience and customs purposes; the written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Scope Comments
V. Scope of the Investigation
VI. Postponement of Final Determination and Extension of Provisional Measures
VII. Affiliation and Collapsing
VIII. Application of Facts Available and Use of Adverse Inferences
IX. Discussion of the Methodology
X. Date of Sale
XI. Product Comparisons
XII. Export Price
XIII. Normal Value
XIV. Currency Conversion
XV. Verification
XVI. Adjustments to Cash Deposit Rates for Export Subsidies in Companion CVD Investigation
XVII. Conclusion

[FR Doc. 2020–11448 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–904]

Forged Steel Fittings From the Republic of Korea: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that forged steel fittings (FSF) from the Republic of Korea (Korea) are being sold in the United States at less than fair value (LTFV). The period of investigation (POI) is October 1, 2018 through September 30, 2019. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable May 28, 2020.

FOR FURTHER INFORMATION CONTACT: Caitlin Monks, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2670.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on November 21, 2019.[1] On February 28, 2020, Commerce postponed the preliminary determination of this investigation and the revised deadline is now May 20, 2020.[2] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[3] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II 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 *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The products covered by this investigation are FSF from Korea. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,[4] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope), which Commerce extended on March 27, 2020.[5] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice* and on a revised

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[1] *See Forged Steel Fittings from India and the Republic of Korea: Initiation of Less-Than-Fair-Value Investigations,* 84 FR 64265 (November 21, 2019) (*Initiation Notice*).

[2] *See Forged Steel Fittings from India and the Republic of Korea: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations,* 85 FR 11965 (February 28, 2020).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Forged Steel Fittings from the Republic of Korea'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[5] *See Initiation Notice; see also* Memorandum, ''Antidumping and Countervailing Duty Investigations of Forged Steel Fittings from India and the Republic of Korea: Clarification of Deadlines for Scope Comments,'' dated March 27, 2020.

version issued in the CVD Preliminary Determination of FSF from India.[6] For a summary of the product coverage comments and rebuttal responses submitted to the record for this preliminary determination, and accompanying discussion and analysis of all comments timely received, *see* the Preliminary Scope Decision Memorandum.[7] Commerce is preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* the revised scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act for Samyoung Fitting Co., Ltd. (Samyoung). Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. In addition, Commerce has relied on facts available with an adverse inference under sections 776(a) and (b) of the Act for Pusan Coupling Corporation, Sandong Metal Industry Co., Ltd. (Sandong), Shinchang Industries, Shinwoo Tech, Titus Industrial Korea Co, Ltd, and ZEOtech Co., Ltd (ZEOtech). For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce has preliminarily assigned a rate based entirely on facts available to two mandatory respondents, ZEOtech and Sandong. Therefore, the only rate that is not zero, *de minimis,* or based entirely on facts otherwise available is the rate calculated for Samyoung. Consequently, the rate calculated for Samyoung is also assigned as the rate for all other producers and exporters.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Samyoung Fitting Co., Ltd	27.19
Sandong Metal Industry Co., Ltd	198.38
ZEOtech Co., Ltd	198.38
Pusan Coupling Corporation	198.38
Shinchang Industries	198.38
Shinwoo Tech	198.38
Titus Industrial Korea Co, Ltd	198.38
All Others	27.19

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) The cash deposit rate for the respondents listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation unless Commerce alters the time limit. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.[8] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation 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, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. 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 intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date. Note that Commerce has modified certain of its requirements for serving documents containing business proprietary information until July 17, 2020, unless extended.[9]

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who

[6] *See Forged Steel Fittings From India: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination,* 85 FR 17536 (March 30, 2020).

[7] *See* Memorandum, ''Forged Steel Fittings from India and the Republic of Korea: Scope Comments Preliminary Decision Memorandum,'' dated concurrently with this preliminary determination (Preliminary Scope Decision Memorandum).

[8] *See* 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements).

[9] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 29615 (May 18, 2020).

account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On May 11, 2020, pursuant to 19 CFR 351.210(e), Samyoung and the petitioners requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.[10] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) The preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether subject imports are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: May 20, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by these investigations is carbon and alloy forged steel fittings, whether unfinished (commonly known as blanks or rough forgings) or finished. Such fittings are made in a variety of shapes including, but not limited to, elbows, tees, crosses, laterals, couplings, reducers, caps, plugs, bushings, unions (including hammer unions), and outlets. Forged steel fittings are covered regardless of end finish, whether threaded, socket-weld or other end connections. The scope includes integrally reinforced forged branch outlet fittings, regardless of whether they have one or more ends that is a socket welding, threaded, butt welding end, or other end connections.

While these fittings are generally manufactured to specifications ASME B16.11, MSS SP–79, MSS SP–83, MSS–SP–97, ASTM A105, ASTM A350 and ASTM A182, the scope is not limited to fittings made to these specifications.

The term forged is an industry term used to describe a class of products included in applicable standards, and it does not reference an exclusive manufacturing process. Forged steel fittings are not manufactured from casings. Pursuant to the applicable standards, fittings may also be machined from bar stock or machined from seamless pipe and tube.

All types of forged steel fittings are included in the scope regardless of nominal pipe size (which may or may not be expressed in inches of nominal pipe size), pressure class rating (expressed in pounds of pressure, *e.g.,* 2,000 or 2M; 3,000 or 3M; 6,000 or 6M; 9,000 or 9M), wall thickness, and whether or not heat treated.

Excluded from this scope are all fittings entirely made of stainless steel. Also excluded are flanges, nipples, and all fittings that have a maximum pressure rating of 300 pounds per square inch/PSI or less.

Also excluded from the scope are fittings certified or made to the following standards, so long as the fittings are not also manufactured to the specifications of ASME B16.11, MSS SP–79, MSS SP–83, MSS SP–97, ASTM A105, ASTM A350 and ASTM A182:

- American Petroleum Institute (API) 5CT, API 5L, or API11B;
- American Society of Mechanical Engineers (ASME) B16.9;
- Manufacturers Standardization Society (MSS) SP–75;
- Society of Automotive Engineering (SAE) J476, SAE J514, SAE J516, SAE J517, SAE J518, SAE J1026, SAEJ1231, SAE J1453, SAE J1926, J2044 or SAE AS 35411;
- Hydraulic hose fittings (*e.g.,* fittings used in high pressure water cleaning applications, in the manufacture of hydraulic engines, to connect rubber dispensing hoses to a dispensing nozzle or grease fitting) made to ISO 12151–1, 12151–2, 12151–3, 12151–4, 12151–5, or 12151–6;
- Underwriter's Laboratories (UL) certified electrical conduit fittings;
- ASTM A153, A536, A576, or A865;
- Casing Conductor Connectors made to proprietary specifications;
- Machined steel parts (*e.g.,* couplers) that are not certified to any specifications in this scope description and that are not for connecting steel pipes for distributing gas and liquids;
- Oil country tubular goods (OCTG) connectors (*e.g.,* forged steel tubular connectors for API 5L pipes or OCTG for offshore oil and gas drilling and extraction);
- Military Specification (MIL) MIL–C–4109F and MIL–F–3541; and
- International Organization for Standardization (ISO) ISO6150–B.

Also excluded from the scope are assembled or unassembled hammer unions that consist of a nut and two subs. To qualify for this exclusion, the hammer union must meet each of the following criteria: (1) the face of the nut of the hammer union is permanently marked with one of the following markings: ''FIG 100,'' ''FIG 110,'' ''FIG 100C,'' ''FIG 200,'' ''FIG 200C,'' ''FIG 201,'' ''FIG 202,'' ''FIG 206,'' ''FIG 207,'' ''FIG 211,'' ''FIG 300,'' ''FIG 301,'' ''FIG 400,'' ''FIG 600,'' ''FIG 602,'' ''FIG 607,'' ''FIG 1002,'' ''FIG 1003,'' ''FIG 1502,'' ''FIG 1505,'' ''FIG 2002,'' or ''FIG 2202''; (2) the hammer union does not bear any of the following markings: ''Class 3000,'' ''Class 3M,'' ''Class 6000,'' ''Class 6M,'' ''Class 9000,'' or ''Class 9M''; and (3) the nut and both subs of the hammer union are painted.

Also excluded from the scope are component parts for hammer union assemblies, either subs or wingnuts, marked on the wingnut and subs with ''FIG 1002,'' ''FIG 1502,'' and ''FIG 2002,'' and with pressure rating of 10,000 PSI or greater. These parts are made from AISI/SAE 4130, 4140 or 4340 steel and are 100 percent magnetic particle inspected before shipment.

Also excluded from the scope are tee, elbow, cross, adapter (or ''crossover''), blast joint (or ''spacer''), blind sub, swivel joint and pup joint which have wing nut or not. To qualify for this exclusion, these products must meet each of the following criteria: (1) Manufacturing and Inspection standard is API 6A or API 16C; and, (2) body or wing nut is permanently marked with one of the following markings: ''FIG 2002,'' ''FIG 1502,'' ''FIG 1002,'' ''FIG 602,'' ''FIG 206,'' or ''FIG any other number'' or MTR (Material Test Report) shows these FIG numbers.

To be excluded from the scope, products must have the appropriate standard or pressure markings and/or be accompanied by documentation showing product compliance to the applicable standard or pressure, *e.g.,* ''API 5CT'' mark and/or a mill certification report.

Subject carbon and alloy forged steel fittings are normally entered under Harmonized Tariff Schedule of the United States (HTSUS) 7307.92.3010, 7307.92.3030, 7307.92.9000, 7307.99.1000, 7307.99.3000, 7307.99.5045, and 7307.99.5060. They may also be entered under HTSUS 7307.93.3010, 7307.93.3040, 7307.93.6000, 7307.93.9010, 7307.93.9040, 7307.93.9060, and 7326.19.0010.

[10] *See* Samyoung's Letter, ''Forged Steel Fittings from the Republic of Korea: Request to Postpone Final Determination,'' dated May 11, 2020; and Petitioners' Letter, ''Forged Steel Fittings from Korea: Request for Extension of Final,'' dated May 11, 2020.

The HTSUS subheadings and specifications are provided for convenience and customs purposes; the written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Scope Comments
V. Scope of the Investigation
VI. Postponement of Final Determination
VII. Application of Facts Available and Use of Adverse Inferences
VIII. Discussion of the Methodology
IX. Date of Sale
X. Product Comparisons
XI. Export Price
XII. Normal Value
XIII. Currency Conversion
XIV. Verification
XV. Conclusion

[FR Doc. 2020–11447 Filed 5–27–20; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–908, A–583–869, A–549–842, A–552–828, C–552–829]

Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping and Countervailing Duty Petitions: Passenger Vehicle and Light Truck Tires From Korea, Taiwan, Thailand, and Vietnam

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

DATES: Applicable May 20, 2020.

FOR FURTHER INFORMATION CONTACT: Alex Villanueva; AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3208.

SUPPLEMENTARY INFORMATION:

Extension of Initiation of Investigations

The Petitions

On May 13, 2020, the Department of Commerce (Commerce) received antidumping duty petitions on imports of passenger vehicle and light truck tires (passenger tires) from Korea, Taiwan, Thailand, and Vietnam and a countervailing duty petition on imports of passenger tires from Vietnam, filed by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO, CLC (the petitioner) on behalf of the domestic industry producing passenger tires.[1]

Determination of Industry Support for the Petitions

Sections 702(b)(1) and 732(b)(1) of the Tariff Act of 1930, as amended (the Act), require that a petition be filed by or on behalf of the domestic industry. To determine that the petition has been filed by or on behalf of the industry, sections 702(c)(4)(A) and 732(c)(4)(A) of the Act require that the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, sections 702(c)(4)(D) and 732(c)(4)(D) of the Act provide that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) if there is a large number of producers, determine industry support using a statistically valid sampling method to poll the industry.

Extension of Time

Sections 702(c)(1)(A) and 732(c)(1)(A) of the Act provide that within 20 days of the filing of an antidumping or countervailing duty petition, Commerce will determine, *inter alia,* whether the petition has been filed by or on behalf of the U.S. industry producing the domestic like product. Sections 702(c)(1)(B) and 732(c)(1)(B) of the Act provide that the deadline for the initiation determination, in exceptional circumstances, may be extended by 20 days in any case in which Commerce must ''poll or otherwise determine support for the petition by the industry.'' Because it is not clear from the Petitions whether the industry support criteria have been met, Commerce has determined it should extend the time period for determining whether to initiate investigations in order to further examine the issue of industry support.

Commerce will need additional time to gather and analyze additional information regarding industry support. Therefore, it is necessary to extend the deadline for determining the adequacy of the Petitions for a period not to exceed 40 days from the filing of the Petitions. As a result, Commerce's initiation determination will now be due no later than June 22, 2020.

International Trade Commission Notification

Commerce will contact the International Trade Commission (ITC) and will make this extension notice available to the ITC.

Dated: May 21, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2020–11451 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See* Petitioner's Letter, ''Petitions for the Imposition of Antidumping and Countervailing Duties: Passenger Vehicle and Light Truck Tires from Korea, Taiwan, Thailand, and Vietnam,'' dated May 13, 2020 (the Petitions).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–565–801]

Stainless Steel Butt-Weld Pipe Fittings From the Philippines: Rescission of Antidumping Duty Administrative Review; 2019–2020

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

SUMMARY: The Department of Commerce (Commerce) is rescinding its administrative review of the antidumping duty order on stainless steel butt-weld pipe fittings from the Philippines for the period of review (POR) February 1, 2019, through January 31, 2020.

DATES: Applicable May 29, 2020.

FOR FURTHER INFORMATION CONTACT: Mark Flessner, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6312.

SUPPLEMENTARY INFORMATION:

Background

On February 3, 2020, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order[1] on stainless steel butt-weld pipe fittings from the Philippines for the POR.[2] On February

[1] *See Antidumping Duty Orders: Stainless Steel Butt-Weld Pipe Fittings from Italy, Malaysia, and the Philippines,* 66 FR 11257 (February 23, 2001) (the *Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity*

Continued

28, 2020, Commerce received a timely request from Core Pipe Products, Inc. and Taylor Forge Stainless Inc. (the petitioners), in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), to conduct an administrative review of the *Order* for three companies.[3] On April 8, 2020, Commerce published in the **Federal Register** a notice of initiation with respect to three companies: E N Corporation, Enlin Steel Corporation, and Vinox Corporation (a/k/a Vinoc Corporation).[4] On May 5, 2020, the petitioners timely withdrew their request for an administrative review for all three companies.[5]

On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days, thereby extending the deadline for these results until December 21, 2020.[6]

Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties which requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. All parties which requested an administrative review withdrew their requests for review for all companies by the 90-day deadline, and no other party requested an administrative review of this order. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding the administrative review of the antidumping duty order on stainless steel butt-weld pipe fittings from the Philippines covering the period February 1, 2019, through January 31, 2020, in its entirety.

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice in the **Federal Register**.

Notification to Importers

This notice serves as the only 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 review period. Failure to comply with this requirement may result in the presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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.

This notice is published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: May 21, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2020–11450 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–DS–P

to Request Administrative Review, 85 FR 5938 (February 3, 2020).

[3] *See* Petitioners' Letter, ''Stainless Steel Butt-Weld Pipe Fittings from the Philippines: Petitioners' Request for 2019/2020 Administrative Review,'' dated February 28, 2020.

[4] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 85 FR 19730 (April 8, 2020).

[5] *See* Petitioners' Letter, ''Stainless Steel Butt-Weld Pipe Fittings from the Philippines: Petitioners' Withdrawal Request for 2019/2020 Administrative Review,'' dated May 5, 2020.

[6] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID–19,'' dated April 24, 2020.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XA198]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a joint public meeting via webinar of its Ecosystem-Based Fishery Management (EBFM) Committee via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Friday, June 12, 2020 at 9.30 a.m. Webinar registration URL information: *https://attendee.gotowebinar.com/register/858215411850693647.*

ADDRESSES: *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Ecosystem-Based Fishery Management (EBFM) Committee will receive from Green Fin Studio and provide feedback on draft public outreach communication products for the Georges Bank example Fishery Ecosystem Plan (eFEP). From the EBFM Plan Development Team (PDT), the committee will also receive an update on tangible worked example development. Other business will be discussed as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: May 22, 2020.

Tracey L. Thompson,

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

[FR Doc. 2020–11484 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XA186

Gulf of Mexico Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold a four-day webinar meeting to consider actions affecting the Gulf of Mexico fisheries in the exclusive economic zone (EEZ).

DATES: The webinar will convene Monday, June 15 through Thursday, June 18, 2020; 9:30 a.m. until 4 p.m.

ADDRESSES: The meeting will take place via webinar; you may register for the meeting at *www.gulfcouncil.org.*

Council address: Gulf of Mexico Fishery Management Council, 4107 W. Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348–1630.

FOR FURTHER INFORMATION CONTACT: Dr. Carrie Simmons, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348–1630.

SUPPLEMENTARY INFORMATION:

Agenda

Monday, June 15, 2020; 9:30 a.m.–10:45 a.m.

The meeting will begin in a CLOSED SESSION of the FULL COUNCIL to select members to the Coastal Migratory Pelagics and Red Drum Advisory Panels; and, selection of the 2019 Law Enforcement Officer/Team of the Year.

Monday, June 15, 2020; 11:00 a.m.–4 p.m.

The meeting will open to the general public mid-morning (approximately 11 a.m.) beginning with the Administrative/Budget Committee reviewing the Gulf Council Standard Operating Policies and Procedures—Section 3.0 Council Meetings. The Sustainable Fisheries Committee will review the Government Accountability Office (GAO) report on Allocations and receive an update from the Allocation Review Working Group. The Committee will review the Final Action—Framework Action: Modification of Fishing Access in Eastern Gulf of Mexico Marine Protected Areas and a summary report from the Joint Working Group on Section 102: Modernizing Recreational Fisheries Management Act of 2018.

Tuesday, June 16, 2020; 9:30 a.m.–4 p.m.

The Reef Fish Committee will review the status of Gulf State Recreational Data Collection Programs and 2020 Red Snapper Seasons, and the Reef Fish and Coastal Migratory Pelagics (CMP) Landings. The Committee will receive a presentation and hold a discussion on Calibration Process for Red Snapper with the Gulf States; receive an update on Federal Fisheries Assistance Package, Process, and Status; and, discuss Fishing Industry Impacts due to COVID–19 and Potential Emergency Rule Requests. The committee will review SEDAR 67—Gulf of Mexico Vermilion Snapper Stock Assessment and SSC recommendations. The Committee will receive an update on the Recreational Closure Analysis for Gulf Red Grouper; and, review Draft Framework Action: Modification of the Gulf of Mexico Lane Snapper Annual Catch Limit (ACL).

Wednesday, June 17, 2020; 9:30 a.m.–3:30 p.m.

The Gulf SEDAR Committee will receive a summary report from the SEDAR Steering Committee and review the Gulf of Mexico SEDAR Schedule. The Data Collection Committee will receive updates on Commercial Electronic Logbook Pilot Project and Southeast For-hire Electronic Reporting (SEFHIER) Program.

Full Council will convene after lunch with a Call to Order, Announcements, and Introductions; Adoption of Agenda and Approval of Minutes. The Council will hold public comment testimony beginning at approximately 1:20 p.m. until 3:30 p.m. on Final Action—Framework Action: Modification of Fishing Access in Eastern Gulf of Mexico Marine Protected Areas; and, open testimony on other fishery issues or concerns. Public comment may begin earlier than 1:20 p.m. EDT but will not conclude before that time. Persons wishing to give public testimony must register on the Council website before the start of the public comment period at 1:20 p.m. EDT.

Thursday, June 18, 2020; 9:30 a.m.–4 p.m.

The Council will receive committee reports from Reef Fish, Gulf SEDAR, and Data Collection Committees; and, announce the 2019 Law Enforcement Officer or Team of the Year Selection. The Council will receive committee reports from Sustainable Fisheries; Administrative/Budget and updates from the following supporting agencies: South Atlantic Fishery Management Council; NOAA Office of Law Enforcement (OLE), Gulf States Marine Fisheries Commission; U.S. Coast Guard; U.S. Fish and Wildlife Service; Department of State.

Lastly, the Council will discuss Other Business items.

—Meeting Adjourns

The meeting will be broadcast via webinar. You may register for the webinar by visiting *www.gulfcouncil.org* and clicking on the Council meeting on the calendar.

The timing and order in which agenda items are addressed may change as required to effectively address the issue, and the latest version along with other meeting materials will be posted on the website as they become available.

Although other non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

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

Dated: May 22, 2020.

Tracey L. Thompson,

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

[FR Doc. 2020–11482 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XA197]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold public meetings of the Council.

DATES: The meetings will be held Tuesday, June 16, 2020, from 9 a.m. to 4:30 p.m.; Wednesday, June 17, 2020, from 9 a.m. to 4 p.m.; and, Thursday, June 18, 2020, from 9 a.m. to 1 p.m. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: Due to public health concerns related to the spread of the coronavirus, the Mid-Atlantic Fishery Management Council's June meeting will be conducted by webinar only. This webinar-based meeting replaces the in-person meeting previously scheduled to be held in Virginia Beach, VA. Please see the Council's website (*www.mafmc.org*) for log-in procedures.

Council address: Mid-Atlantic Fishery Management Council, 800 N State St., Suite 201, Dover, DE 19901; telephone: (302) 674–2331.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526–5255. The Council's website, *www.mafmc.org* also has details on the meeting location, proposed agenda, webinar listen-in access, and briefing materials.

SUPPLEMENTARY INFORMATION: The following items are on the agenda, though agenda items may be addressed out of order (changes will be noted on the Council's website when possible).

Tuesday, June 16, 2020

Summer Flounder Commercial/ Recreational Allocation Study Model Update

Review updated economic model results.

Black Sea Bass Commercial State Allocation Amendment

Review scoping comments and PDT recommendations and discuss draft range of alternatives.

Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment

Review FMAT recommendations and refine range of draft alternatives.

Recreational Reform Initiative

Review Steering Committee and Monitoring Committee input and determine next steps.

Wednesday, June 17, 2020

Bluefish Allocation and Rebuilding Amendment

Review FMAT recommendations and refine range of draft alternatives.

Mackerel, Squid, Butterfish Committee, Meeting as a Committee of the Whole—Illex Specifications

Review SSC, Advisory Panel, Monitoring Committee, and staff recommendations and adopt and/or revise 2020–21 specifications.

Update on Habitat Activities

Update on progress on Northeast Regional Habitat Assessment, overview of Habitat Climate Vulnerability Assessment results, Habitat Conservation Division review of regional projects of interest, including offshore wind, and developments at the Regional Offshore Science Alliance (ROSA).

Unmanaged Landings Update

Review annual report on landings of unmanaged species.

Thursday, June 18, 2020

Business Session

Committee Reports: SSC, Research Steering Committee; Executive Director's Report; Organization Reports; and, Liaison Reports.

Continuing and New Business

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

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

Dated: May 22, 2020.

Tracey L. Thompson,

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

[FR Doc. 2020–11483 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

[Docket No. 200521–0144]

RIN 0660–XC047

The National Strategy to Secure 5G Implementation Plan

AGENCY: National Telecommunications and Information Administration, U.S. Department of Commerce.

ACTION: Notice; request for public comments.

SUMMARY: In accordance with the Secure 5G and Beyond Act of 2020, the National Telecommunications and Information Administration (NTIA), on behalf of the Executive Branch, is requesting comments to inform the development of an Implementation Plan for the National Strategy to Secure 5G.

DATES: Comments must be received on or before June 18, 2020.

ADDRESSES: Written comments identified by Docket No. 200521–0144 may be submitted by email to *secure5G@ntia.gov.* Comments submitted by email should be machine-readable and should not be copy-protected. Written comments also may be submitted by mail to the National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4725, Attn: Secure 5G RFC, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Travis Hall, Telecommunications Policy Specialist, Office of Policy Analysis and Development, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4725, Washington, DC 20230; telephone: 202–482–3522; email: *thall@ntia.gov.* For media inquiries: Stephen Yusko, Office of Public Affairs, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4897, Washington, DC 20230; telephone: (202) 482–7002; email: *press@ntia.gov.*

SUPPLEMENTARY INFORMATION:

Background: On March 23, 2020, the President signed into law the Secure 5G and Beyond Act of 2020 (Act), which

requires the development of a strategy to ensure the security of next generation wireless communications systems and infrastructure.[1] The Act further requires the development of an Implementation Plan within 180 days of enactment, and lays out 18 actions to be included in this plan.[2]

On the same day, and in fulfilment of the requirement established by the Act, the Administration published the National Strategy to Secure 5G (Strategy).[3] In so doing, the Administration recognizes both the importance of fifth generation wireless technologies (5G) to the future prosperity and security of the United States, as well as the risks and vulnerabilities posed by malicious actors that will seek to exploit these technologies. The Strategy is focused on four lines of effort: (1) Facilitating domestic 5G rollout; (2) assessing the cybersecurity risks to and identifying core security principles of 5G capabilities and infrastructure; (3) addressing risks to United States economic and national security during development and deployment of 5G infrastructure worldwide; and (4) promoting responsible global development and deployment of secure and reliable 5G infrastructure. In accordance with both the Act and the Strategy, the National Security and National Economic Councils are developing an Implementation Plan, in consultation with relevant departments and agencies, to execute the actions identified to secure 5G infrastructure and development. The Implementation Plan will follow the four lines of effort identified in the Strategy, laying out specific activities to achieve the goals of the Strategy.

Request for Comment: Through this Request for Comments, NTIA is seeking public input to inform the development of the Implementation Plan. NTIA is looking for information as to how the U.S. Government can best facilitate the accelerated development and rollout of 5G infrastructure in the United States and with our international partners, and lay the groundwork for innovation beyond 5G. Specifically, NTIA is seeking feedback on the following questions, organized by the four lines of effort laid out by the Strategy.

Questions

Line of Effort One: Facilitate Domestic 5G Rollout.

(1) How can the United States (U.S.) Government best facilitate the domestic rollout of 5G technologies and the development of a robust domestic 5G commercial ecosystem (*e.g.,* equipment manufacturers, chip manufacturers, software developers, cloud providers, system integrators, network providers)?

(2) How can the U.S. Government best foster and promote the research, development, testing, and evaluation of new technologies and architectures?

(3) What steps can the U.S. Government take to further motivate the domestic-based 5G commercial ecosystem to increase 5G research, development, and testing?

(4) What areas of research and development should the U.S. Government prioritize to achieve and maintain U.S. leadership in 5G? How can the U.S. Government create an environment that encourages private sector investment in 5G technologies and beyond? If possible, identify specific goals that the U.S. Government should pursue as part of its research, development, and testing strategy.

Line of Effort Two: Assess Risks to and Identify Core Security Principles of 5G Infrastructure.

(1) What factors should the U.S. Government consider in the development of core security principles for 5G infrastructure?

(2) What factors should the U.S. Government consider when evaluating the trustworthiness or potential security gaps in U.S. 5G infrastructure, including the 5G infrastructure supply chain? What are the gaps?

(3) What constitutes a useful and verifiable security control regime? What role should security requirements play, and what mechanisms can be used to ensure these security requirements are adopted?

(4) Are there stakeholder-driven approaches that the U.S. Government should consider to promote adoption of policies, requirements, guidelines, and procurement strategies necessary to establish secure, effective, and reliable 5G infrastructure?

(5) Is there a need for incentives to address security gaps in 5G infrastructure? If so, what types of incentives should the U.S. Government consider in addressing these gaps? Are there incentive models that have proven successful that could be applied to 5G infrastructure security?

Line of Effort Three: Address Risks to U.S. Economic and National Security during Development and Deployment of 5G Infrastructure Worldwide.

(1) What opportunities does the deployment of 5G networks worldwide create for U.S. companies?

(2) How can the U.S. Government best address the economic and national security risks presented by the use of 5G worldwide?

(3) How should the U.S. Government best promote 5G vendor diversity and foster market competition?

(4) What incentives and other policy options may best close or narrow any security gaps and ensure the economic viability of the United States domestic industrial base, including research and development in critical technologies and workforce development in 5G and beyond?

Line of Effort Four: Promote Responsible Global Development and Deployment of 5G.

(1) How can the U.S. Government best lead the responsible international development and deployment of 5G technology and promote the availability of secure and reliable equipment and services in the market?

(2) How can the U.S. Government best encourage and support U.S. private sector participation in standards development for 5G technologies?

(3) What tools or approaches could be used to mitigate risk from other countries' 5G infrastructure? How should the U.S. Government measure success in this activity?

(4) Are there market or other incentives the U.S. Government should promote or foster to encourage international cooperation around secure and trusted 5G infrastructure deployment?

(5) Both the Department of Commerce and the Federal Communications Commission (FCC) have rulemakings underway to address the security of the telecommunications infrastructure supply chain.[4] Are there other models that identify and manage risks that might be valuable to consider?

(6) What other actions should the U.S. Government take to fulfill the policy goals outlined in the Act and the Strategy?

[1] Secure 5G and Beyond Act of 2020, Public Law No. 116–129, 134 Stat. 223–227 (2020) (Act).

[2] *Id.* at § 4, 134 Stat. at 224.

[3] *See* The National Strategy to Secure 5G of the United States of America, March 2020, *available at https://www.whitehouse.gov/wp-content/uploads/2020/03/National-Strategy-5G-Final.pdf.*

[4] U.S. Department of Commerce, Securing the Information and Communications Technology and Services Supply Chain, Proposed Rule, 84 FR 65316 (Nov. 27, 2019) (implementing Exec. Order No. 13,873, *Securing the Information and Communications Technology and Services Supply Chain,* 84 FR 22,689 (May 15, 2019)), *available at https://www.federalregister.gov/documents/2019/05/17/2019-10538/securing-the-information-and-communications-technology-and-services-supply-chain; see also FCC, Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs,* Report and Order, Further Notice of Proposed Rulemaking, and Order, 34 FCC Rcd 11423 (2019), *available at https://docs.fcc.gov/public/attachments/FCC-19-121A1.pdf.*

Instructions for Commenters: This is a general solicitation of comments from the public. We invite comments on the full range of questions presented by this RFC and on issues that are not specifically raised. Commenters are encouraged to address any or all of the questions above. Comments that contain references to specific court cases, studies, and/or research should include copies of the referenced materials along with the submitted comments. Commenters should include the name of the person or organization filing the comment, as well as a page number on each page of the submissions. All comments received are a part of the public record and will generally be posted on the NTIA website, *https://www.ntia.gov/,* without change. All personal identifying information (for example, name or address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

Dated: May 21, 2020.

Kathy Smith,

Chief Counsel, National Telecommunications and Information Administration.

[FR Doc. 2020–11398 Filed 5–27–20; 8:45 am]

BILLING CODE 3510–60–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 1:00 p.m. EDT, Thursday, June 4, 2020.

PLACE: This meeting will be convened on a telephone conference call.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Enforcement and adjudicatory matters. In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at *https://www.cftc.gov/.*

CONTACT PERSON FOR MORE INFORMATION: Christopher Kirkpatrick, 202–418–5964.

Authority: 5 U.S.C. 552b.

Dated: May 26, 2020.

Christopher Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2020–11631 Filed 5–26–20; 4:15 pm]

BILLING CODE 6351–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID USAF–2020–HQ–0009]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of the United States Air Force, Department of Defense (DoD).

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the National Museum of the United States Air Force, Special Events Division, Volunteer Resources Office announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by July 28, 2020.

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

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

Mail: DoD cannot receive written comments at this time due to the COVID–19 pandemic. Comments should be sent electronically to the docket listed above.

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

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to National Museum of the United States Air Force (NMUSAF/MUS–VR), ATTN: David C. Thomas, 1100 Spaatz St., WPAFB OH 45433; 937–255–1743 (*david.thomas.11@us.af.mil*); Amanda Austin, 937–255–4633, (*amanda.austin.6@us.af.mil*).

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: United States Air Force Museum System Volunteer Application/Registration; OMB Control Number 0701–0127.

Needs and Uses: The information collection requirement is necessary to provide (a) the general public an instrument to interface with the USAF Heritage Program Volunteer Program; (b) the USAF Heritage Program the means with which to select respondents pursuant to the USAF Heritage Program Volunteer Program. The primary use of the information collection includes the evaluation and placement of respondents within the USAF Heritage Program Volunteer Program.

Affected Public: Individuals or households.

Annual Burden Hours: 68.3.

Number of Respondents: 273.

Responses per Respondent: 1.

Annual Responses: 273.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

Respondents are individuals from the general public applying to become a volunteer with the USAF Heritage Program/National Museum of the United States Air Force. The completed Air Force IMT 3569 applications are reviewed and processed by the Volunteer Program Manager for consideration and placement into the Volunteer Program. If the form is not completed the Volunteer Resource Office has no meaningful and consistent way to select volunteers and match applicant skills and desires with individual museum needs.

Dated: May 22, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2020–11531 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0003; OMB Control Number 0704–0398]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS); Describing Agency Needs; Submission for OMB Review; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 211, Describing Agency Needs, and Related Clause at 252.211; OMB Control Number 0704–0398.

Type of Request: Revision and extension.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Number of Respondents: 256.

Responses per Respondent: About 254.

Annual Responses: 65,000.

Average Burden per Response: .25 hours, approximately.

Annual Burden Hours: 16,250.

Reporting Frequency: On occasion.

Needs and Uses: This information collection pertains to DFARS clause 252.211–7007, Reporting of Government-Furnished Property, which requires contractors to report to the Item Unique Identification (IUID) Registry all Government-furnished property (GFP), as well as contractor receipt of non-serially managed items. ''Serially managed item'' means an item designated by DoD to be uniquely tracked, controlled, or managed in maintenance, repair, and/or supply systems by means of its serial number. The clause provides a list of specific data elements contractors are to report to the IUID registry, as well as procedures for updating the registry. DoD needs this information to strengthen the accountability and end-to-end traceability of GFP within DoD. Through electronic notification of physical receipt, DoD is made aware that GFP has arrived at the contractor's facility. The DoD logistics community uses the information as a data source of available DoD equipment. In addition, the DoD organization responsible for contract administration uses the data to test the adequacy of the contractor's property management system.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11491 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0012; OMB Control Number 0704–0232]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement, Contract Pricing; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Subpart 215.4, Contract Pricing, and related clause at DFARS 252.215; OMB Control Number 0704–0232.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Number of Respondents: 427.

Responses per Respondent: 1 (approximately).

Annual Responses: 427.

Average Burden per Response: 40.7 (approximately).

Annual Burden Hours: 17,400.

Reporting Frequency: On occasion.

Needs and Uses: The clause at DFARS 252.215–7002, Cost Estimating System Requirements, requires that certain large business contractors—

- Establish an acceptable cost estimating system and disclose the estimating system to the administrative contracting officer (ACO) in writing;
- Maintain the estimating system and disclose significant changes in the system to the ACO on a timely basis; and
- Respond in writing to written reports from the Government that identify deficiencies in the estimating system.

DoD contracting officers use this information to determine if the contractor has an adequate system for generating cost estimates, which forecasts costs based on appropriate source information available at the time, and has the ability to monitor the correction of significant deficiencies. The need for information collection decreases as contractor estimating systems improve and gain contracting officer approval.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11485 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0010; OMB Control Number 0704–0477]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS); Organizational Conflicts of Interest in Major Defense Acquisition Programs; Submission for OMB Review; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 209, Organizational Conflicts of Interest in Major Defense Acquisition Programs; OMB Control Number 0704–0477.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Type of Request: Revision and extension.

Number of Respondents: 20.

Annual Responses: 60.

Annual Burden Hours: 2,400.

Needs and Uses: The information collections under OMB Control Number 0704–0477 pertains to the requirement for Offerors to submit a mitigation plan when there is an organizational conflict of interest that can be resolved through mitigation in order to address organizational conflicts of interest in major defense acquisition programs. DFARS clause 252.209–7008, Notice of Prohibition Relating to Organizational Conflict of Interest—Major Defense Acquisition Program, requires an offeror to submit a mitigation plan if requesting an exemption from the statutory limitation on future contracting.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11486 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0004; OMB Control Number 0704–0225]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS); Administrative Matters; Submission for OMB Review; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: DoD will consider all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS), Part 204, Administrative Matters and Related Clause at 252.204; OMB Control Number 0704–0225.

Type of Request: Revision and extension.

Affected Public: Businesses or other for-profit and not-for profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Number of Respondents: 545.

Responses per Respondent: Approximately 5.57.

Annual Responses: 3,036.

Average Burden per Response: Approximately 3 hours.

Annual Burden Hours: 9,108.

Reporting Frequency: On occasion.

Needs and Uses: DFARS 204.404–70(a) prescribes use of DFARS Clause 252.204–7000, Disclosure of Information, in contracts that require the contractor to access or generate unclassified information that may be sensitive and inappropriate for release to the public. The clause requires the contractor to obtain approval of the contracting officer before release of any unclassified contract-related information outside the contractor's organization, unless the information is already in the public domain. In requesting this approval, the contractor must identify the specific information to be released, the medium to be used, and the purpose for the release. Upon receipt of a contractor's request, the Government reviews the information provided by the contractor to determine if it is sensitive or otherwise inappropriate for release for the stated purpose.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11477 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0014; OMB Control Number 0704–0359]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement, Contract Financing; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: DoD will consider all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 232, Contract Financing and Related Clauses at 252.232; OMB Control Number 0704–0359.

Type of Request: Revision.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Respondents' Obligation: Required to obtain or retain benefits.

Respondents: 1,000.

Responses per Respondent: 14.

Annual Responses: 14,000.

Hours per Response: 1.2 hour.

Estimated Hours: 16,800.

Reporting Frequency: On occasion.

Needs and Uses:

DFARS 252.232–7007, Limitation of Government's Obligation. The data submitted by contractors enables contracting officers to calculate improved financing opportunities that will provide benefit to both industry (prime and subcontractor level) and the taxpayer. DFARS 252.232–7007, is prescribed for use in solicitations and resultant incrementally-funded fixed-price contracts. Paragraph (c) of the clause requires a written notification from the contractor that: (1) States the estimated date when the total amount payable by the Government, including any cost for termination for convenience, will approximate 85 percent of the total amount then allotted to the contract for performance of the applicable items; (2) states an estimate of additional funding, if any, needed to continue performance of applicable line items up to the next scheduled date for allotment of funds, or to a mutually agreed upon substitute date; and (3) advises the contracting officer of the estimated amount of additional funds that will be required for the timely performance of the items funded pursuant to the clause, for a subsequent period as may be specified in the allotment schedule, or otherwise agreed to by the parties to the contract.

DFARS subpart 232.10, Performance-Based Payments, 252.232–7012, Performance Based Payments—Whole Contract Basis, and 252.232–7013, Performance Based Payments—Deliverable-Item Basis. Contracting officers use the information provided by contractors to create a cash-flow model for use in evaluating alternative financing arrangements. The analysis tool calculates improved financing opportunities that will provide benefit to both industry (prime and subcontractor level) and the taxpayer. DFARS subpart 232.10 requires the contracting officer, when considering performance-based payments, to obtain from the contractor a proposed performance-based payments schedule which includes all performance-based payments events, completion criteria and event values along with the expected expenditure profile.

- DFARS 252.232–7012 requires contractors to report the negotiated value of all previously completed performance-based payments; negotiated value of current performance-based payment(s) event(s); cumulative negotiated value of performance-based payment(s) events completed to date; total costs incurred to date; cumulative amount of payments previously requested; and the payment amount requested for the current performance based payment.

- DFARS 252.232–7013 requires contractors to report the negotiated value of current performance-based payment(s) event(s); cumulative negotiated value of performance-based payment(s) events completed to date; total costs incurred to date; cumulative amount of payments previously requested; and the payment amount requested for the current performance based payment.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11490 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0009; OMB Control Number 0704–0286]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS); Publicizing Contract Actions; Submission for OMB Review; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: DoD will consider all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense FAR Supplement (DFARS) Part 205, Publicizing Contract Actions, and DFARS 252–205–7000, Provision of Information to Cooperative Agreement Holders; OMB Control Number 0704–0286.

Affected Public: Businesses or other for-profit and not-for profit institutions.

Number of Respondents: 7,027.

Responses per Respondent: 1.

Annual Responses: 7,027.

Average Burden per Response: Approximately 1.1 hours.

Annual Burden Hours: 7,730.

Reporting Frequency: On occasion.

Needs and Uses: DFARS 205.470 prescribes the use of the clause at DFARS 252.205–7000, Provision of Information to Cooperative Agreement Holders, in solicitations and contracts, including solicitations and contracts using Federal Acquisition Regulation part 12 procedures for the acquisition of commercial items, which are expected to exceed $1,000,000. This clause implements 10 U.S.C. 2416, by requiring contractors to provide cooperative agreement holders, upon request, with a list of the contractor's employees or offices responsible for entering into subcontracts under Department of Defense (DoD) contracts. The Contractor need not provide the listing to a particular cooperative agreement holder more frequently than once a year. Upon receipt of a contractor's list, the cooperative agreement holder utilizes the information to help businesses identify and pursue contracting

opportunities with DoD and expand the number of businesses capable of participating in Government contracts.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11489 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0005; OMB Control Number 0704–0229]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS); Foreign Acquisition; Submission for OMB Review; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title, Associated Form, and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Defense Federal Acquisition Regulation Supplement Part 225, Foreign Acquisition, and Related Clauses at 252.225; DD Form 2139; OMB Control Number 0704–0229.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Number of Respondents: 39,221.

Responses per Respondent: 10 (approximately).

Annual Responses: 382,876.

Average Burden per Response: .28 hours (approximately).

Annual Burden Hours: 106,730 (106,995 reporting hours and recordkeeping hours).

Reporting Frequency: On occasion.

Needs and Uses: DoD needs this information to ensure compliance with restrictions on the acquisition of foreign products imposed by statute or policy to protect the industrial base; to ensure compliance with U.S. trade agreements and memoranda of understanding that promote reciprocal trade with the U.S. allies; and to prepare reports for submission to the Department of Commerce on the Balance of Payments Program. This information collection includes requirements related to foreign acquisition in DFARS Part 225, Foreign Acquisition, and the related clauses at DFARS 252.225 as follows:

DFARS 252.225–7000, Buy American—Balance of Payments Program Certificate, as prescribed in 225.1101(1) and (1)(i), requires the offeror to identify in its proposal supplies that do not meet the definition of domestic end product, separately listing qualifying country and other foreign end products. The Buy American statute does not apply to acquisitions of commercial information technology.

DFARS 252.225–7003, Report of Intended Performance Outside the United States and Canada—Submission with Offer, and 252.225–7004, Report of Intended Performance Outside the United States and Canada—Submission after Award, as prescribed in DFARS 225.7204(a) and (b) respectively, require offerors and contractors to submit a Report of Contract Performance Outside the United States for subcontracts to be performed outside the United States. The reporting threshold is $750,000 for contracts that exceed $15 million. The contractor may submit the report on DD Form 2139, Report of Contract Performance Outside the United States, or a computer-generated report that contains all information required by DD Form 2139.

DFARS 252.225–7005, Identification of Expenditures in the United States, as prescribed in DFARS 225.1103(1), requires contractors incorporated or located in the United States to identify, on each request for payment under contracts for supplies to be used, or for construction or services to be performed, outside the United States, that part of the requested payment representing estimated expenditures in the United States.

DFARS 252.225–7010, Commercial Derivative Military Article—Specialty Metals Compliance Certificate, as prescribed at DFARS 225.7003–5(b), requires the offeror to certify that it will take certain actions with regard to specialty metals if the offeror chooses to use the alternative compliance approach when providing commercial derivative military articles to the Government.

DFARS 252.225–7013, Duty-Free Entry, prescribed at DFARS 225.1101(4), requires the contractor or an authorized agent to provide information on shipping documents and customs forms regarding those items that are eligible for duty-free entry.

DFARS 252.225–7018, Photovoltaic Devices—Certificate, as prescribed at DFARS 225.7017–4(b), requires offerors to certify that no photovoltaic devices with an estimated value exceeding the micro-purchase threshold will be utilized in performance of the contract or to specify the country of origin.

DFARS 252.225–7020, Trade Agreements Certificate, as prescribed in 225.1101(5) and (5)(i), only requires listing of nondesignated country end products. This provision is used in solicitations for all acquisitions subject to the World Trade Organization Government Procurement Agreement.

DFARS 252.225–7021, Alternate II, Trade Agreements, as prescribed in DFARS 225.1101(6) and (6)(ii), in order to comply with a condition of the waiver authority provided by the United States Trade Representative to the Secretary of Defense, requires contractors from a South Caucasus/Central or South Asian state to inform the government of its participation in the acquisition and also advise their governments that they generally will not have such opportunities in the future unless their governments provide reciprocal procurement opportunities to United States products and services and suppliers of such products and services.

DFARS 252.225–7023, Preference for Products or Services from Afghanistan, as prescribed in DFARS 225.7703–4(a), requires offerors to identify products or services that are not products or services from Afghanistan.

DFARS 252.225–7025, Restriction on Acquisition of Forgings, as prescribed in DFARS 225.7102–4, also requires contractor retention of records showing compliance with the restrictions until 3 years after final payment. The contractor agrees to make the records available to the contracting officer upon request. The contractor may request a waiver in accordance with DFARS 225.7102–3.

DFARS 252.225–7032, Waiver of United Kingdom Levies—Evaluation of Offers, and 252.225–7033, Waiver of United Kingdom Levies, as prescribed in DFARS 225.1101(7) and (8) respectively, require United Kingdom offerors and prime contractors, and offerors and prime contractors with subcontracts of a dollar value exceeding $1 million with United Kingdom firms, to provide certain information necessary for DoD to obtain a waiver of United kingdom levies.

DFARS 252.225–7035, Buy American—Free Trade Agreements—Balance of Payments Program Certificate, as prescribed in 225.1101(9) and (9)(i), requires separate listing of qualifying country (except Canada), FTA country, or other foreign end products. Alternate I, as prescribed in 225.1101(9) and (9)(ii), requires listing of Canadian end products, rather than FTA country end products, in solicitations between $25,000 and the FTA threshold. The Buy American statute no longer applies to acquisitions of commercial information technology.

DFARS 252.225–7046, Exports of Approved Community Members in Response to the Solicitation, as prescribed at DFARS 225.7902–5(a), requires a representation whether exports or transfers of qualifying defense articles were made in preparing the response to the solicitation. If yes, the offeror represents that such exports or transfers complied with the requirements of the provision.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11478 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2020–0013; OMB Control Number 0704–0253]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; Subcontracting Policies and Procedures; Comment Request

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

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposed revision and extension of a collection of information under the provisions of the Paperwork Reduction Act.

DATES: DoD will consider all comments received by June 29, 2020.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Subcontracting Policies and Procedures—DoD FAR Supplement Part 244; OMB Control Number 0704–0253.

Type of Request: Revision.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Respondents: 22.

Responses per Respondent: 2.

Annual Responses: 44.

Hours per Response: 8.

Estimated Hours: 372.

Reporting Frequency: On occasion.

Needs and Uses: Administrative contracting officers use this information in making decisions to approve or disapprove a contractors purchasing system. The disapproval of a contractor's purchasing system would necessitate Government consent to individual subcontracts and possibly prompt a financial withhold or other Government rights and remedies. DFARS 244.305, entitled Granting, Withholding, or Withdrawing Approval, provides policy guidance for administrative contracting officers to determine the acceptability of the contractor's purchasing system and approve or disprove the system, at the completion of the in-plant portion of a contractor purchasing system review, and to pursue correction of any deficiencies with the contractor. DFARS clause 252.244–7001, Contractor Purchasing System Administration, requires the contractor to respond within 30 days to a written initial determination from the contracting officer that identifies significant deficiencies in the contractor's purchasing system. The contracting officer will evaluate the contractor's response to this initial determination and notify the contractor in writing of any remaining significant deficiencies, the adequacy of any proposed or completed corrective action and system disapproval if the contracting officer determines that one or more significant deficiencies remain. If the contractor receives the contracting officer's final determination of significant deficiencies, the contractor has 45 days to either correct the significant deficiencies or submit an acceptable corrective action plan.

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

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

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

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020–11488 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Charter Renewal of Department of Defense Federal Advisory Committees

AGENCY: Department of Defense (DoD).

ACTION: Renewal of Federal Advisory Committee.

SUMMARY: The DoD is publishing this notice to announce that it is renewing the charter for the United States Strategic Command Strategic Advisory Group (''the Group'').

FOR FURTHER INFORMATION CONTACT: Jim Freeman, Advisory Committee Management Officer for the Department of Defense, 703–692–5952.

SUPPLEMENTARY INFORMATION: The Group's charter is being renewed in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C.,

Appendix) and 41 CFR 102–3.50(d). The charter and contact information for the Group's Designated Federal Officer (DFO) are found at *https://www.facadatabase.gov/FACA/apex/FACAPublicAgencyNavigation.*

The Group shall provide the Secretary of Defense and the Deputy Secretary of Defense with independent advice and recommendations related to the United States Strategic Command (USSTRATCOM) and its operations. The Group shall: (a) Provide advice and recommendations on scientific, technical, intelligence, and policy-related matters of interest to the Joint Chiefs of Staff and USSTRATCOM concerning the development and implementation of the Nation's strategic war pans; (b) Enhancements in USSTRATCOM's mission area responsibilities; and Other matters related to the Nation's strategic forces, as requested by the Chairman of the Joint Chiefs of Staff or the Commander, USSTRATCOM.

The Group shall be composed of no more than 20 members who are eminent authorities in the fields of strategic policy formulation, nuclear weapon design; national command; control, communications, intelligence, and information operations; or other important aspects of the Nation's strategic forces.

Group members who are not full-time or permanent part-time Federal civilian officers, employees, or active duty members of the Armed Forces will be appointed as experts or consultants, pursuant to 5 U.S.C. 3109, to serve as special government employee members. Group members who are full-time or permanent part-time Federal civilian officers, employees, or active duty members of the Armed Forces will be appointed pursuant to 41 CFR 102–3.130(a), to serve as regular government employee members.

All members of the Group are appointed to provide advice on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Except for reimbursement of official Group related travel and per diem, members serve without compensation.

The public or interested organizations may submit written statements to the Group membership about the Group's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the Group. All written statements shall be submitted to the DFO for the Group, and this individual will ensure that the written statements are provided to the membership for their consideration.

Dated: May 22, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register,Liaison Officer, Department of Defense.

[FR Doc. 2020–11439 Filed 5–27–20; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2020–SCC–0075]

Agency Information Collection Activities; Comment Request; Study of an Information Strategy To Increase Enrollment in Postsecondary Education

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 an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before July 27, 2020.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2020–SCC–0075. 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 Melanie Ali, 202–245–8345.

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: Study of An Information Strategy to Increase Enrollment in Postsecondary Education.

OMB Control Number: 1850–0939.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 1,505.

Total Estimated Number of Annual Burden Hours: 433.

Abstract: This demonstration study will evaluate the use of a promising messaging strategy designed to help TRIO Educational Opportunity Center (EOC) grantees meet the program's goal of increasing college enrollment. EOCs are hosted at postsecondary institutions or nonprofit organizations and generally serve low-income individuals who are 19 years and older—most of whom are potential first-generation college-goers. The study will evaluate whether systematic text messaging can enhance EOCs' counseling services and lead to increased Free Application for Student Aid (FAFSA) completion and postsecondary education enrollment rates. Across 20 EOCs, approximately 6,000 adults will be randomly assigned to receive EOCs' typical services or to receive EOCs' typical services plus the text messaging.

Dated: May 22, 2020.

Stephanie Valentine,

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

[FR Doc. 2020–11461 Filed 5–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Applications for New Awards; School-Based Mental Health Services Grant Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (Department) is issuing a notice inviting applications for fiscal year (FY) 2020 for the School-Based Mental Health Services Grant Program, Catalog of Federal Domestic Assistance (CFDA) number 84.184H. This notice relates to the approved information collection under OMB control number 1894–0006.

DATES:

Applications Available: May 28, 2020.

Deadline for Transmittal of Applications: July 13, 2020.

Deadline for Intergovernmental Review: This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. However, under 34 CFR 79.8(a), we waive intergovernmental review in order to make awards by the end of FY 2020.

ADDRESSES: For the address for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 13, 2019 (84 FR 3768) and available at *www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf.*

FOR FURTHER INFORMATION CONTACT: Amy Banks, U.S. Department of Education, 400 Maryland Avenue SW, Room 3E257, Washington, DC 20202–6450. Telephone: (202) 453–6704. Email: *OESE.School.Mental.Health@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The School-Based Mental Health Services Grant Program provides competitive grants to State educational agencies (SEAs) to increase the number of qualified (*i.e.,* licensed, certified, well-trained, or credentialed, each as defined in this notice) mental health service providers (service providers) providing school-based mental health services to students in local educational agencies (LEAs) with demonstrated need (as defined in this notice).

Background: In the Department's FY 2020 appropriations, Congress increased funding for the School Safety National Activities program, and included direction in the Explanatory Statement that $10 million be used to increase the number of counselors, social workers, psychologists, or other service providers who provide school-based mental health services to students. Under this competition the Department will award grants for that purpose. As indicated in the absolute priority in this notice, the focus of these grants will be increasing the number of service providers in LEAs with demonstrated need (as defined in this notice) for these services to maximize the impact given limited available funding. The Department recognizes the enhanced need for these services and providers due to the Novel Coronavirus Disease 2019 (COVID–19). Supporting the mental health needs of all students remains a key focus of the Administration, and these grants will aid States and school districts in meeting their increasing local needs.

Note: The provision of medical services by such service providers is not an allowable use of funds under this grant.

Priorities: This notice contains one absolute priority and two competitive preference priorities. We are establishing the absolute priority, competitive preference priority 1, and part 3 of competitive preference priority 2 for the FY 2020 School-Based Mental Health Services Grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1). In accordance with 34 CFR 75.105(b)(2)(ii), part 1 of competitive preference priority 2 is from the notice of final priorities published in the **Federal Register** on March 9, 2020 (85 FR 13640) (Administrative Priorities), and part 2 of competitive preference priority 2 is from the notice of final priority published in the **Federal Register** on November 27, 2019 (84 FR 65300) (Opportunity Zones NFP).

Absolute Priority: For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet the absolute priority.

This priority is:

Absolute Priority: To increase the number of qualified school-based mental health service providers in LEAs with demonstrated need.

To meet this priority, SEAs must propose to increase the number of qualified school counselors, school social workers, school psychologists, or other mental health professionals, including those who provide services remotely (telehealth), by implementing plans to address the recruitment and retention of service providers in LEAs with demonstrated need. To meet this priority, applicants must propose plans that include both recruitment and retention.

1. *Recruitment (as defined in this notice) of school-based mental health providers for services in LEAs with demonstrated need.*

An applicant must propose a plan to increase the number of service providers, including service providers who offer telehealth services, serving students in LEAs with demonstrated need, such as through payment towards student loan repayments for those service providers, promoting cross-State licensing and certification reciprocity for service providers, or providing incentives for hiring, such as increased pay or flexibility or creating hybrid roles that allow for leadership, academic, or research opportunities, or induction programs.

2. *Retention (as defined in this notice) of existing school-based mental health service providers in LEAs with demonstrated need.*

An applicant must also propose a plan to improve the likelihood that qualified service providers providing services in LEAs with demonstrated need remain in such LEAs over time. Such a plan might include career pathways programs, recognition and award programs, mentorship programs, or incentives or payment towards student loan repayment for continued service and should include considerations for service providers who offer telehealth services.

3. *Demonstration of fiscal control.* The applicant must propose plans that demonstrate it will ensure appropriate

administrative and fiscal control of grant funds.

Competitive Preference Priorities: For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional fifteen points to an application that meets Competitive Preference Priority 1, and an additional five points to an applicant that meets one or more areas within Competitive Preference Priority 2.

Applicants may choose whether or not to address the competitive preference priorities. An applicant must clearly indicate in the abstract section of the application if it addresses the competitive preference priorities. When applying under competitive preference priority 2, the applicant must provide relevant information in the abstract, including the name of LEA(s) or school(s) it proposes to serve and their locale code, Census tract, or status as an ''affected LEA'' under ESEA section 8538.

These priorities are:

Competitive Preference Priority 1—Respecialization of Existing Mental Health Service Providers to Qualify Them for Work in LEAs with Demonstrated Need (up to 15 points).

To meet this priority, an applicant must propose a respecialization plan that promotes the readiness of service providers who already have training as social workers, counselors, psychologists, or other related fields by supporting incremental training needed for working in a K–12 school and that increases the number of service providers who will be qualified to serve in LEAs with demonstrated need. This can be done by one or more of the following—

(a) Revising, updating, or streamlining requirements for such individuals so that additional training or other requirements focus only on the incremental training needed;

(b) Leveraging technological innovations such as online and distance learning;

(c) Offering flexible options for completing training that leads such professionals to meet State requirements; or—

(d) Establishing new State-level programs that provide alternate means of certification, licensure, or credentialing for such professionals, including through practical or on-the-job training. Such approaches must promote readiness to serve in LEAs.

Competitive Preference Priority 2—Rural Applicants; Spurring Investment in Qualified Opportunity Zones; or American Indian/Alaska Native Tribal Applicants (0 or 5 points).

Under this priority, an applicant must demonstrate one or more of the following:

1. *Rural Applicants.*

(a) The applicant proposes to serve a community that is served by one or more LEAs with a locale code of 32, 33, 41, 42, or 43; or

(b) The applicant proposes a project in which a majority of the schools served have a locale code of 32, 33, 41, 42, or 43.

Note: Applicants are encouraged to retrieve locale codes from the NCES School District search tool (*nces.ed.gov/ccd/districtsearch/*), where LEAs can be looked up individually to retrieve locale codes, and Public School search tool (*nces.ed.gov/ccd/schoolsearch/*), where individual schools can be looked up to retrieve locale codes.

2. *Spurring Investment in Qualified Opportunity Zones.* The area in which the applicant proposes to provide services overlaps with a Qualified Opportunity Zone, as designated by the Secretary of the Treasury under section 1400Z–1 of the Internal Revenue Code. An applicant must—

(a) Provide the census tract number of the Qualified Opportunity Zone(s) in which it proposes to provide services; and

(b) Describe how the applicant will provide services in the Qualified Opportunity Zone(s).

Note: A list of Qualified Opportunity Zones, including relevant census tract numbers, is available at *www.cdfifund.gov/Pages/Opportunity-Zones.aspx.*

Applicants may also determine whether a particular area overlaps with a qualified opportunity zone using the National Center of Education Statistics map located at *https://nces.ed.gov/programs/maped/LocaleLookup/.*

3. *Serving one or more LEA(s) that serve American Indian/Alaska Native students (as defined in this notice).* To meet this part of the priority, an SEA must demonstrate that it is focusing the proposed project on one or more LEAs that predominantly serve members of one or more federally recognized Tribe(s). The applicant must specify the LEA or LEAs that meet this part of the competitive preference priority.

Note: While an applicant may meet Competitive Preference Priority 2 in more than one way, an applicant receives no more than 5 points for meeting this priority.

Requirements: We are establishing these application and program requirements for the FY 2020 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1).

Application Requirements: In its application, an applicant must describe the following:

(a) *Severity and magnitude of the problem and how it will identify and select LEAs with demonstrated need to be served by the proposed plan.*

LEAs with demonstrated need are K–12 LEAs that are experiencing need in regard to mental health services for students, resulting from high student to mental health service provider ratios as compared to other LEAs statewide or nationally or LEAs in which the school climate is negatively impacted by pervasive violence, poverty, substance abuse (including opioid abuse), suicide, natural or manmade disasters, or trafficking. LEAs may also demonstrate a need if they have high mental health service provider to student ratios and have a significant number of families deployed in the military.

Applicants must describe the lack of school-based service providers and its effect on students in LEAs to be served by the grant. Applicants must also describe the nature of the problem for the LEA(s), based on information including, but not limited to, the most recent available ratios of service providers to students enrolled in LEAs designated by the SEA to benefit from the School-Based Mental Health Services Grant Program, provided in the aggregate and disaggregated by profession (*e.g.,* school social workers, school psychologists, school counselors) as compared to local, State, or national data. The description may also include LEA-level or school-level demographic data, school climate surveys, school violence/crime data, data related to suicide rates, and descriptions of barriers to hiring and retaining service providers in these LEAs.

(b) *Logic model.*

The applicant must describe its approach to increase the number of qualified service providers using a logic model (as defined in this notice), including the key project components and relevant outcomes (each as defined in this notice). The description should indicate how the approach taken under this program will update or expand on any previous approach and how such new approach will take into consideration the previous barriers.

(c) *Detailed project budget, including matching funds.*

To promote the sustainability of the school-based mental health services, all applicants must include matching funds in the amount of at least 25 percent in their budgets. Budgets must describe

both how the applicant will meet the 25 percent matching requirement under this grant, and the source of the funds, such as State, local, or private resources (see Section III). In addition, the budget must specify the portion of funds that will be used for respecialization, if applicable. In total, administrative costs, including funding for State-level or LEA-level administrative updates that promote respecialization, if applicable, may not exceed 10 percent of the annual grant award.

(d) *Number of providers.*

Applicants must include the most recent available data on the number of service providers, disaggregated by profession (*e.g.,* school social workers, school psychologists, school counselors) and the projected number of service providers they will place into employment in the identified LEAs for each year of the plan using funds from this grant or matching funds, including the unduplicated number of service providers offering telehealth services.

(e) *A plan for collaboration and coordination with related Federal, State, and local organizations and initiatives.*

Applicants must describe how they intend to collaborate with State, regional, and local organizations, such as school social worker associations, school psychologist associations, school counselor associations, or colleges or universities, and describe their relationship and coordination with regional and local mental health, public health, child welfare, and other community agencies, to achieve plan goals and objectives of increasing the number of school-based mental health service providers in LEAs with demonstrated need. Applicants may also describe proposed coordination with existing federally funded efforts related to elementary and secondary school counseling and mental health promotion. If such coordination will occur, applicants must identify which Federal program(s) they are coordinating with and how such coordination will promote program success across multiple programs.

(f) *Planned use of grant funds to supplement, and not supplant, existing school-based mental health services funds and to expand, not duplicate, efforts to increase the number of providers.*

Applicants must describe how project funds will supplement, and not supplant, non-Federal funds that would otherwise be available for activities funded under this program.

Applicants must describe how they will use the School-Based Mental Health Services Grant Program funds to expand, rather than duplicate, existing, ongoing, or new efforts to increase the number of service providers in LEAs with demonstrated need that are qualified to provide school-based mental health services, including providers offering telehealth services, and how the plan will integrate existing funding streams and efforts to support the plan.

(g) *Options for provision of student mental health services via secure telehealth services.*

If an applicant proposes to allow LEAs to offer telehealth services to provide school-based mental health services, the applicant must describe the steps it will require the selected LEA(s) to take in order to ensure that any service provider offering telehealth services does so in a manner consistent with the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA), as well as all applicable Federal, State, and local laws and ethical obligations and ethical requirements and profession-specific ethical obligations. Under FERPA, LEAs must ensure that reasonable methods are used to protect personally identifiable information (PII) from the education records of students (including health records) maintained by the school or LEA. The description of the provision of telehealth mental health services to students must also include proposed methods to ensure equitable access and compliance with applicable privacy requirements (including FERPA, and the Individuals with Disabilities Education Act (IDEA)), and identify proposed technology platforms, and plans for the collection, maintenance and use or sharing of any PII and student data.

(h) *Plan for emergency response.*

Applicants must also describe how they will ensure service providers have emergency response plans in place if students threaten harm to self or others.

(i) *How the SEA determines the selected LEA(s) are prepared to immediately implement services to address student need.*

Applicants must describe how they will determine that each selected LEA is prepared to effectively utilize the service provider(s) to address student need.

Program Requirements:

(a) Applicants that receive an award under this program must ensure that any service provider hired under this grant is qualified to work in K–12 schools, including a provider that offers telehealth services.

(b) Applicants that receive an award under this program must ensure that any service provider offering telehealth services does so in a manner consistent with FERPA and all applicable Federal, State, and local laws and ethical obligations and ethical requirements.

Definitions: We are establishing the following definitions in this notice for the FY 2020 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1): ''certified,'' ''credentialed,'' ''LEA with demonstrated need,'' ''LEAs that serve American Indian/Alaska Native students,'' ''licensed,'' ''recruitment,'' ''respecialization,'' ''retention,'' ''school-based mental health service provider,'' ''telehealth,'' and ''well-trained.'' The following definitions are from 34 CFR 77.1: ''logic model,'' ''project component,'' and ''relevant outcome.'' The following definitions are included for the convenience of the reader: ''local educational agency'' from 20 U.S.C. 7801(30), and ''State educational agency'' from 20 U.S.C. 7801(49).

Certified means an individual has documented verification of education, expertise, or training in school psychology, school counseling, or school social work by a State or other recognized entity.

Credentialed means an individual who possesses credentialing as a school psychologist, school counselor, or a school social worker from a State-level or nationally recognized organization.

LEAs that serve American Indian/Alaska Native students means any LEAs that are subject to the requirements of section 8538 of the ESEA (20 U.S.C. 7918).

LEA with demonstrated need means an LEA that demonstrates need in regard to mental health services for students, resulting from high student to mental health service provider ratios as compared to other LEAs statewide or nationally or negative impact on school climate by pervasive violence, poverty, substance abuse (including opioid abuse), suicide, natural or manmade disasters, or trafficking. LEAs may also demonstrate a need if they have high mental health service provider to student ratios and have a significant number of families deployed in the military.

Licensed means an individual has a license that represents a State's legal authority for that individual to serve as a school-based mental health service professional.

Local educational agency means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a

service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.

(a) The term includes any other public institution or agency having administrative control and direction of a public elementary school or secondary school.

(b) The term includes an elementary school or secondary school funded by the Bureau of Indian Education but only to the extent that including the school makes the school eligible for programs for which specific eligibility is not provided to the school in another provision of law and the school does not have a student population that is smaller than the student population of the LEA receiving assistance under the ESEA with the smallest student population, except that the school shall not be subject to the jurisdiction of any SEA other than the Bureau of Indian Education.

(c) The term includes educational service agencies and consortia of those agencies.

(d) The term includes the SEA in a State in which the SEA is the sole educational agency for all public schools.

Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (*i.e.,* the active ''ingredients'' that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes.

Project component means an activity, strategy, intervention, process, product, practice, or policy included in a project. Evidence may pertain to an individual project component or to a combination of project components (*e.g.,* training teachers on instructional practices for English learners and follow-on coaching for these teachers).

Recruitment means strategies that help attract professionals into positions that are otherwise hard to fill or at a level where demand exceeds supply, including by doing at least two of the following—

(a) Providing an annual stipend for school-based mental health service providers who maintain an active national certification;

(b) Payment towards the school loans accrued by the school-based mental health service provider;

(c) Creating pathways to grant credentialing reciprocity for school-based mental health service providers across State lines; and

(d) Incentives and supports to help mitigate shortages, such as increased pay and other monetary incentives, the creation of formal respecialization programs, availability of distance learning, development of internship programs, and monetary incentives for relocation to high-need areas.

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program.

Respecialization means strategies that promote the readiness of mental health service providers who already have training as social workers, counselors, psychologists, or other related fields to serve in K–12 schools, such as by—

(a) Revising, updating, or streamlining requirements for such individuals so that additional training or other requirements focus only on incremental training needed for working in a K–12 school;

(b) Leveraging technological innovations such as online and distance learning; or

(c) Offering flexible options for completing training that leads such professionals to meet State requirements; or

(d) Establishing new State-level programs that provide alternate means of certification, licensure, or credentialing for such professionals, including through practical or on-the-job training.

Retention means strategies to help ensure that qualified individuals stay in their position to avoid gaps in service and empty positions, including by—

(a) Providing opportunities for advancement or leadership; and

(b) Offering incentives and supports to help mitigate shortages, such as increased pay and other monetary incentives, the creation of formal respecialization programs, availability of distance learning, development of internship programs, or monetary incentives for relocation to high-need areas.

School-based mental health service provider means a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State-licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents and with school-based mental health services licensing, certification, or training specifically to work in K–12 schools, including those who are qualified to offer telehealth services.

State educational agency means the agency primarily responsible for the State supervision of public elementary or secondary schools.

Telehealth means the use of electronic information and telecommunication technologies to support long-distance clinical health care, patient and professional health-related education, public health, and health administration.

Well-trained means a school-based mental health service provider who maintains up-to-date State certification and/or State licensure, credentialing them to provide school-based mental health services to students.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (5 U.S.C. 553), the Department generally offers interested parties the opportunity to comment on proposed priorities, definitions, and requirements. Section 437(d)(1) of GEPA, however, allows the Secretary to exempt from rulemaking requirements regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition for this program under title IV, part F, subpart 3 of the ESEA (20 U.S.C. 7281) and therefore qualifies for this exemption. In order to ensure timely grant awards, the Secretary has decided to forgo public comment on the priorities, definitions, and requirements under section 437(d)(1) of GEPA. These priorities, definitions, and requirements will apply to the FY 2020 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition.

Program Authority: Section 4631(a)(1)(B) of the ESEA (20 U.S.C. 7281).

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The Administrative Priorities. (e) The Opportunity Zones NFP.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: $10,000,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of unfunded applications from this competition.

Estimated Range of Awards: $1,500,000 to 2,500,000.

Estimated Average Size of Awards: $2,000,000.

Estimated Number of Awards: 5.

Note: The Department is not bound by any estimates in this notice.

Project Period: 60 months.

III. Eligibility Information

1. *Eligible Applicants:* SEAs.

2. *Cost Sharing or Matching:* This program requires an annual 25 percent cost sharing or matching from State, local, or private resources.

The Secretary does not, as a general matter, anticipate waiving this requirement in the future. Furthermore, given the importance of matching funds to the long-term success of the project, eligible entities must identify appropriate matching funds in the proposed budget.

3. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements. See ''Application Requirements'' in Section I.

4. *Subgrantees:* Under 34 CFR 75.708(b) and (c) a grantee under this competition may award subgrants—to directly carry out project activities described in its application—to the following types of entities: LEAs. The grantee may award subgrants to entities it has identified in an approved application or that it selects through a competition under procedures established by the grantees. However, a grantee is not required to award subgrants and may instead administer the program directly.

IV. Application and Submission Information

1. *Application Submission Instructions:* Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 13, 2019 (84 FR 3768), and available at *www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf,* which contain requirements and information on how to submit an application. *Grants.gov* has relaxed the requirement for applicants to have an active registration in the System for Award Management (SAM) in order to apply for funding during the COVID–19 pandemic. An applicant that does not have an active SAM registration can still register with *Grants.gov*, but must contact the *Grants.gov* Support Desk, toll-free, at 1–800–518–4726, in order to take advantage of this flexibility.

2. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. However, under 34 CFR 79.8(a), we waive intergovernmental review in order to make awards by the end of FY 2020.

3. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice. In addition, we remind applicants that section 4001(b) of the ESEA (20 U.S.C. 7101) prohibits the use of funds for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs. This prohibition does not preclude the use of funds to support mental health counseling and support services, including those provided by a mental health service provider outside of school, so long as such services are not medical.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this program are from 34 CFR 75.210. The maximum score for all selection criteria is 100 points. The points assigned to each criterion are indicated in parentheses. Non-Federal peer reviewers will evaluate and score each application program narrative against the following selection criteria:

(a) *Need for the Project* (10 points).

The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses.

(b) *Quality of Project Personnel* (30 points).

(1) The Secretary considers the quality of the personnel who will carry out the proposed project. In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(2) In addition, the Secretary considers:

(i) The qualifications, including relevant training and experience, of key project personnel.

(ii) The qualifications, including relevant training and experience, of project consultants or subcontractors.

(c) *Quality of the Project Services* (30 points).

(1) The Secretary considers the quality of the services to be provided by the proposed project. In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(2) In addition, the Secretary considers the extent to which the training or professional development services to be provided by the proposed project are likely to alleviate the personnel shortages that have been identified or are the focus of the proposed project.

(d) *Adequacy of Resources* (15 points).

(1) The Secretary considers the adequacy of resources for the proposed project.

(2) In determining the adequacy of resources for the proposed project, the Secretary considers:

(i) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project.

(ii) The potential for continued support of the project after Federal funding ends, including, as appropriate, the demonstrated commitment of appropriate entities to such support.

(iii) The potential for the incorporation of project purposes, activities, or benefits into the ongoing program of the agency or organization at the end of Federal funding.

(e) *Quality of the Management Plan* (15 points).

The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of mechanisms for ensuring high-quality products and services from the proposed project.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the

Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Risk Assessment and Specific Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this program the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose specific conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently $250,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds $10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed $10,000,000.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Open Licensing Requirements:* Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. *Reporting:*

(a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under this competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

5. *Performance Measures:* The Department has established the following Government Performance and Results Act of 1993 performance measures for the School-Based Mental Health Services Grant Program:

(a) The number of school-based mental health service providers recruited as a result of the grant.

(b) The number of school-based mental health service providers retained as a result of the grant.

(c) The reduction in the ratio of students to mental health service providers for each LEA with demonstrated need served by the grant.

(d) The increase in the number of school-based mental health service providers hired annually for each LEA with a demonstrated need served by the grant compared with the average number of such providers hired in each LEA in the 5 years prior to receiving the grant.

(e) The reduction in the annual attrition rate of school-based mental health service providers for each LEA with a demonstrated need served by the grant compared with the average attrition rate of such providers in each LEA in the 5 years prior to receiving the grant.

These measures constitute the Department's indicators of success for this program. Consequently, we advise an applicant for a grant under this program to give careful consideration to these measures in conceptualizing the approach for its proposed project plan. Each grantee will be required to provide, in its annual performance and final reports, data about its progress in meeting these measures. This data will be considered by the Department in making potential continuation awards.

Consistent with 34 CFR 75.591, grantees funded under this program must meet the requirements of any evaluation of the program conducted by the Department or an evaluator selected by the Department.

Performance measure targets: The applicant must propose annual targets for the measures listed above in their application. Applicants must also provide the following information as directed under 34 CFR 75.110(b) and (c):

(1) An explanation of how each proposed performance target is achievable compared to the baseline for the performance measure.

(2) An explanation of the data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data; and

(3) An explanation of the applicant's capacity to collect and report reliable, valid, and meaningful performance data, as evidenced by high-quality data collection, analysis, and reporting in other projects or research.

Note: If the applicant does not have experience with collection and reporting of performance data through other projects or research, the applicant should provide other evidence of capacity to successfully carry out data collection and reporting for its proposed project.

The reviewers of each application will score related selection criteria on the basis of how well an applicant has considered these measures in conceptualizing the approach and evaluation of the project.

All grantees must submit an annual performance report and final performance report with information that is responsive to these performance measures.

6. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Frank T. Brogan,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2020–11388 Filed 5–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Accrediting Agencies Currently Undergoing Review for Purposes of Recognition by the U.S. Secretary of Education; Request for Comments

AGENCY: U.S. Department of Education, Accreditation Group, Office of Postsecondary Education.

ACTION: Call for written third-party comments.

SUMMARY: This notice provides information to members of the public on submitting written comments for accrediting agencies currently undergoing review for purposes of recognition by the U.S. Secretary of Education.

FOR FURTHER INFORMATION CONTACT: Herman Bounds, Director, Accreditation Group, Office of Postsecondary Education, U.S. Department of Education, 400 Maryland Avenue SW, Room 270–01, Washington, DC 20202, telephone: (202) 453–7615, or email: *herman.bounds@ed.gov.*

SUPPLEMENTARY INFORMATION: This request for written third-party comments concerning the performance of accrediting agencies under review by the Secretary of Education is required by section 496(n)(1)(A) of the Higher Education Act (HEA) of 1965, as amended, and pertains to the Winter 2021 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI). The meeting date and location have not been determined, but will be announced in a later **Federal Register** notice. In addition, a later **Federal Register** notice will describe how to register to provide oral comments at the meeting.

Agencies under Review and Evaluation: The Department requests written comments from the public on the following accrediting agencies, which are currently undergoing review and evaluation by the Accreditation Group, and which will be reviewed at the Winter 2021 NACIQI meeting.

The agencies are listed by the type of application each has submitted. We have also indicated each agency's current scope of recognition. If any agency requests a change to its scope of recognition, we have identified both the current scope of recognition and the requested scope of recognition.

Applications for Renewal of Recognition

1. Association of Institutions of Jewish Studies. Scope of Recognition: The accreditation of postsecondary institutions of Jewish Studies within the United States exclusively offering educational programs leading to a certificate, associate degree, baccalaureate degree or their equivalent credential in Jewish Studies or Classical Torah Studies.

2. American Speech-Language-Hearing Association, Council on Academic Accreditation in Audiology and Speech-Language Pathology. Scope of Recognition: The accreditation and preaccreditation (Accreditation Candidate) throughout the United States of education programs in audiology and speech-language pathology leading to the first professional or clinical degree at the master's or doctoral level, and the accreditation of these programs offered via distance education.

3. American Board of Funeral Service Education, Committee on Accreditation. Scope of Recognition: The accreditation of institutions and programs within the United States awarding diplomas, associate degrees and bachelor's degrees in funeral service or mortuary science, including the accreditation of distance learning courses and programs offered by these programs and institutions.

4. Council on Naturopathic Medical Education. Scope of Recognition: The accreditation and preaccreditation throughout the United States of graduate-level, four-year naturopathic medical education programs leading to the Doctor of Naturopathic Medicine (NMD) or Doctor of Naturopathy (ND).

5. Commission on Massage Therapy Accreditation. Scope of Recognition: The accreditation of institutions and programs in the United States that award postsecondary certificates,

postsecondary diplomas, academic Associate degrees and occupational Associate degrees, in the practice of massage therapy, bodywork, and aesthetics/esthetics and skin care.

6. Montessori Accreditation Council for Teacher Education. Scope of Recognition: The accreditation of Montessori teacher education institutions and programs throughout the United States, including those offered via distance education.

7. Midwifery Education Accreditation Council. Scope of Recognition: The accreditation and pre-accreditation throughout the United States of direct-entry midwifery educational institutions and programs conferring degrees and certificates, including the accreditation of such programs offered via distance education.

8. National Accrediting Commission of Career Arts and Sciences, Inc. Scope of Recognition: The accreditation of institutions and programs in the United States that award postsecondary certificates, postsecondary diplomas, academic Associate degrees and occupational Associate degrees, in the practice of massage therapy, bodywork, and aesthetics/esthetics and skin care.

Application for Granting of Academic (Masters and Doctoral) Degrees by Federal Agencies and Institutions

1. U.S. Army Command and General Staff College: Undergoing Substantive Change (Curriculum Change).

Submission of Written Comments Regarding a Specific Accrediting Agency Under Review

Written comments about the recognition of any of the accrediting listed above must be received by June 23, 2020 in the *ThirdPartyComments@ed.gov* mailbox and include the subject line ''Written Comments: (agency name).'' The email must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number of the person(s) making the comment. Comments should be submitted as a Microsoft Word document or in a medium compatible with Microsoft Word (not a PDF file) that is attached to an electronic mail message (email) or provided in the body of an email message. Comments about an agency that has submitted a petition for initial recognition, renewal of recognition, or an expansion of scope must relate to the agency's compliance with the Criteria for the Recognition of Accrediting Agencies, which are available at *http://www.ed.gov/admins/finaid/accred/index.html.*

Only written materials submitted by the deadline to the email address listed in this notice, and in accordance with these instructions, become part of the official record concerning agencies scheduled for review and are considered by the Department and NACIQI in their deliberations.

Electronic Access to this Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of the Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Authority: 20 U.S.C. 1011c

Robert L. King,

Assistant Secretary for Postsecondary Education.

[FR Doc. 2020–11372 Filed 5–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2020–SCC–0076]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Demonstration Grants for Indian Children and Youth Program Grant Application Package

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a reinstatement of a previously approved information collection.

DATES: Interested persons are invited to submit comments on or before June 29, 2020.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection request by selecting ''Department of Education'' under ''Currently Under Review,'' then check ''Only Show ICR for Public Comment'' checkbox.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Bianca Williams, 202–453–5671.

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: Demonstration Grants for Indian Children and Youth Program Grant Application Package.

OMB Control Number: 1810–0722.

Type of Review: A reinstatement of a previously approved information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 100.

Total Estimated Number of Annual Burden Hours: 3,000.

Abstract: On March 31, 2020 the Department of Education (Department) published in the **Federal Register** a Notice of Proposed Rulemaking (NPRM) for the Demonstration Grants for Indian Children and Youth Program (Demonstration Grants) (Vol. 85, No. 62, pages 17794–17805). Specifically, we proposed revising the regulations in 34 CFR part 263 that govern the

Demonstration Grants to implement changes to title VI resulting from the enactment of the Every Student Succeeds Act (ESSA) and to better enable the Department and grantees to meet the objectives of the program. In addition, the Department proposed a new priority and accompanying requirements and selection criteria for applicants proposing to empower Tribes and parents to choose education services best suited to their students' needs. At the time the NPRM was published, no Information Collection Request was submitted concurrently. We are publishing a separate 30-day FRN to solicit public comment on the paperwork burden now.

Dated: May 22, 2020.

Kate Mullan,

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

[FR Doc. 2020–11472 Filed 5–27–20; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2847–004; ER10–2818–004; ER10–2806–004; ER14–963–004.
Applicants: TransAlta Centralia Generation LLC, TransAlta Energy Marketing Corporation, TransAlta Energy Marketing (U.S.) Inc., TransAlta Wyoming Wind LLC.
Description: Supplement to December 19, 2019 Triennial Market Power Update Analysis for Northwest Region of the TransAlta Northwest MBR Sellers.
Filed Date: 5/21/20.
Accession Number: 20200521–5141.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER12–1934–009.
Applicants: Wisconsin Power and Light Company.
Description: Notification of Change in Status of Wisconsin Power and Light Company.
Filed Date: 5/21/20.
Accession Number: 20200521–5126.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER19–1953–001.
Applicants: El Paso Electric Company.
Description: Compliance filing: OATT Order No. 845 Compliance to Feb 2020 Order Filing Attachment M to be effective 5/22/2019.
Filed Date: 5/21/20.
Accession Number: 20200521–5119.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–572–001.
Applicants: Southwest Power Pool, Inc.
Description: Compliance filing: Resource Adequacy Compliance Filing in Response to April 2020 Order to be effective 10/28/2019.
Filed Date: 5/21/20.
Accession Number: 20200521–5024.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1865–000.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Cancellation: Notice of Cancellation of WMPA, SA No. 5487, Queue No. AB2–122 re: Withdrawal to be effective 7/6/2020.
Filed Date: 5/20/20.
Accession Number: 20200520–5139.
Comments Due: 5 p.m. ET 6/10/20.

Docket Numbers: ER20–1866–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Original ISA, SA No. 5660 and ICSA, SA No. 5661; Queue No. AC1–042 to be effective 4/20/2020.
Filed Date: 5/20/20.
Accession Number: 20200520–5145.
Comments Due: 5 p.m. ET 6/10/20.

Docket Numbers: ER20–1867–000.
Applicants: AEP Texas Inc.
Description: § 205(d) Rate Filing: AEPTX-Coleman County EC-Golden Spread EC Interconnection Agreement to be effective 5/5/2020.
Filed Date: 5/20/20.
Accession Number: 20200520–5146.
Comments Due: 5 p.m. ET 6/10/20.

Docket Numbers: ER20–1868–000.
Applicants: El Paso Electric Company.
Description: Compliance filing: OATT Order No. 845 Compliance to Feb 2020 Order Filing Attachment M to be effective 5/22/2019.
Filed Date: 5/20/20.
Accession Number: 20200520–5157.
Comments Due: 5 p.m. ET 6/10/20.

Docket Numbers: ER20–1869–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to WMPA, Service Agreement No. 5095; Queue No. AB2–022 to be effective 5/21/2018.
Filed Date: 5/21/20.
Accession Number: 20200521–5035.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1870–000.
Applicants: PJM Interconnection, L.L.C.
Description: Request for Prospective Waiver of Tariff Provisions, et al. of PJM Interconnection, L.L.C. under ER20–1870.
Filed Date: 5/20/20.
Accession Number: 20200520–5193.
Comments Due: 5 p.m. ET 6/1/20.

Docket Numbers: ER20–1871–000.
Applicants: The Connecticut Light and Power Company.
Description: § 205(d) Rate Filing: Preliminary Engineering and Design Agreement with Gravel Pit Solar LLC to be effective 5/21/2020.
Filed Date: 5/21/20.
Accession Number: 20200521–5046.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1872–000.
Applicants: Alabama Power Company.
Description: § 205(d) Rate Filing: GA Solar 5 (Hickory Solar) LGIA Filing to be effective 5/7/2020.
Filed Date: 5/21/20.
Accession Number: 20200521–5058.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1873–000.
Applicants: AEP Texas Inc.
Description: § 205(d) Rate Filing: AEPTX-Las Lomas Wind 1st Amended and Restated Interconnection Agreement to be effective 5/5/2020.
Filed Date: 5/21/20.
Accession Number: 20200521–5083.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1874–000.
Applicants: ITC Midwest LLC.
Description: § 205(d) Rate Filing: Filing of Agreements with Northeast Missouri Electric Power Coop. to be effective 7/21/2020.
Filed Date: 5/21/20.
Accession Number: 20200521–5116.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1875–000.
Applicants: Duke Energy Florida, LLC.
Description: § 205(d) Rate Filing: DEF–DEF E&P Agreement Charlie Creek Solar to be effective 5/22/2020.
Filed Date: 5/21/20.
Accession Number: 20200521–5120.
Comments Due: 5 p.m. ET 6/11/20.

Docket Numbers: ER20–1876–000.
Applicants: Evergy Kansas Central, Inc.
Description: § 205(d) Rate Filing: Notice of Succession Rate Schedules & Service Agreements to be effective 7/20/2020.
Filed Date: 5/21/20.
Accession Number: 20200521–5124.
Comments Due: 5 p.m. ET 6/11/20.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's

Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *https://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: May 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–11438 Filed 5–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP20–30–000]

Texas Eastern Gas Transmission, LP; Notice of Availability of the Final Environmental Assessment for the Proposed Middlesex Extension Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Middlesex Extension Project proposed by Texas Eastern Transmission, LP (Texas Eastern) in the above-referenced docket. Texas Eastern requests authorization pursuant to section 7(c) of the Natural Gas Act and part 157 of the Commission's regulations to construct, operate, and maintain natural gas pipeline facilities in Middlesex County, New Jersey. The facilities would provide 264 million cubic feet per day of natural gas transportation to interconnects with Transcontinental Gas Pipe Line Company, LLC's Mainline System and existing Woodbridge Lateral for ultimate delivery to the 725-Megawatt natural gas-fueled combined-cycle Woodbridge Energy Center owned by CPV Shore Holdings, LLC in Woodbridge Township, New Jersey.

The EA assesses the potential environmental effects of construction and operation of the Middlesex Extension Project in accordance with the requirements of the National Environmental Policy Act. The FERC staff concludes that approval of the proposed project, with appropriate mitigation measures, would not constitute a major federal action significantly affecting the quality of the human environment.

The proposed project includes the following facilities:

- 1.54 miles of 20-inch-diameter Line 20 Extension pipeline;
- 0.20 mile (631 feet of Woodbridge Lateral Tie-in, and 494 feet of Mainline E Tie-in) of 16-inch-diameter interconnecting piping;
- Line 20 Tie-in;
- Woodbridge Lateral Tie-in and Mainline E Tie-in;
- metering and regulating facilities;
- pipe inspection tool facilities (launcher, receiver and wire line pull ports); and
- cathodic protection and alternating current mitigation facilities.

The Commission mailed a copy of the *Notice of Availability* to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the Environmental Documents page (*https://www.ferc.gov/industries/gas/enviro/eis.asp*). In addition, the EA may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://www.ferc.gov/docs-filing/elibrary.asp*), click on General Search, and enter the docket number in the Docket Number field, excluding the last three digits (*i.e.,* CP20–30). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *ferconlinesupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Any person wishing to comment on the EA may do so. Your comments should focus on the EA's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before 5:00 p.m. Eastern Time on June 22, 2020.

For your convenience, there are three methods you can use to file your comments with 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 on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature 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 must select the type of filing you are making. If you are filing a comment on a particular project, please select 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 (CP20–30–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214). Motions to intervene are more fully described at *https://www.ferc.gov/resources/guides/how-to.asp.* Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission may grant affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Additional information about the Project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with

notification of these filings, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/docs-filing/ferconline.asp.*

Dated: May 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–11436 Filed 5–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL20–39–000]

Avista Corporation; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On May 21, 2020, the Commission issued an order in Docket No. EL20–39–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2018), instituting an investigation into whether Avista Corporation's terms for provisional interconnection service described in section 11.5 of Avista's Large Generator Interconnection Procedures are just and reasonable. *Avista Corporation,* 171 FERC 61,126 (2020).

The refund effective date in Docket No. EL20–39–000, 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. EL20–39–000 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: May 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–11433 Filed 5–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Number: PR20–61–000.

Applicants: Enable Oklahoma Intrastate Transmission, LLC.

Description: Tariff filing per 284.123(b),(e)+(g): Enable Oklahoma Storage Statement of Operating Conditions—PALS to be effective 5/19/2020.

Filed Date: 5/19/2020.

Accession Number: 202005195068.

Comments Due: 5 p.m. ET 6/9/2020.

284.123(g) Protests Due: 5 p.m. ET 7/20/2020.

Docket Numbers: RP20–880–000.

Applicants: Elba Express Company, L.L.C.

Description: Compliance filing Annual Cashout True-up 2020.

Filed Date: 5/21/20.

Accession Number: 20200521–5025.

Comments Due: 5 p.m. ET 6/2/20.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified date(s). Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 21, 2020..

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–11435 Filed 5–27–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL20–43–000]

DATC Path 15, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On May 21, 2020, the Commission issued an order in Docket No. EL20–43–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2018), instituting an investigation into whether DATC Path 15, LLC's proposed Transmission Revenue Requirements are just and reasonable. *DATC Path 15, LLC,* 171 FERC 61,144 (2020).

The refund effective date in Docket No. EL20–43–000, 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. EL20–43–000 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: May 21, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–11434 Filed 5–27–20; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL—10010–23–OA]

Notification of a Public Meeting of the Chartered Science Advisory Board and the Science Advisory Board Chemical Assessment Advisory Committee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public meeting of the Chartered SAB and the SAB Chemical Assessment Advisory Committee. The Chartered SAB and the SAB Chemical Assessment Advisory Committee will meet to conduct consultations with the EPA on: Activities to re-examine and consolidate EPA's Human Toxicity Assessment Guidelines, and new approach methods and reducing the use of laboratory animals for chronic and carcinogenicity testing. In addition, the Chartered SAB will conduct quality reviews of two draft SAB reports: *Science Advisory Board Report on its Technical Review of EPA's Computable General Equilibrium Model,* and *Science Advisory Board Review of the All Ages Lead Model External Review Draft 2.0.*

DATES: The public meeting of the Chartered Science Advisory Board and SAB Chemical Assessment Advisory Committee will be held on Tuesday, June 23, 2020, from 12:30 p.m. to 5:30 p.m. (Eastern Time) and Wednesday, June 24, 2020, from 12:30 p.m. to 5:30 p.m. (Eastern Time).

ADDRESSES: The public meeting will be conducted remotely via webcast and telephone. Please refer to the SAB

website at *http://www.epa.gov/sab* for information on how to access the meeting.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wants further information concerning the public meeting may contact Dr. Thomas Armitage, Designated Federal Officer (DFO), U.S. EPA Science Advisory Board, via telephone/voice mail (202) 564–2155, or email at *armitage.thomas@epa.gov.* General information concerning the SAB can be found on the EPA website at *http://www.epa.gov/sab.*

SUPPLEMENTARY INFORMATION:

Background: The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDDAA), codified at 42 U.S.C. 4365, to provide independent scientific and technical advice to the Administrator on the scientific and technical basis for agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to FACA and EPA policy, notice is hereby given that the Chartered SAB and SAB Chemical Assessment Advisory Committee will hold a public meeting to conduct two consultations with the EPA and conduct quality reviews of two draft SAB reports. The Chartered SAB and SAB Chemical Assessment Advisory Committee will conduct consultations with EPA on: (1) Activities to re-examine and consolidate EPA's Human Toxicity Assessment Guidelines, and (2) new approach methods and reducing the use of laboratory animals for chronic and carcinogenicity testing. The Chartered SAB will conduct quality reviews of: (1) The Science Advisory Board Report on its Technical Review of EPA's Computable General Equilibrium Model, and (2) the Science Advisory Board Review of the All Ages Lead Model External Review Draft 2.0.

Availability of Meeting Materials: Prior to the meeting, an agenda and other meeting materials will be placed on the SAB website at *http://epa.gov/sab.*

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office.

Federal advisory committees and panels, including scientific advisory committees, provide independent advice to the EPA. Members of the public can submit relevant comments pertaining to the committee's charge or meeting materials. Input from the public to the SAB will have the most impact if it provides specific scientific or technical information or analysis for the SAB to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should contact the DFO directly.

Oral Statements: In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes. Persons interested in providing oral statements should contact Dr. Thomas Armitage, DFO, in writing via email) at the contact information noted above by June 16, 2020, to be placed on the list of registered speakers.

Written Statements: Written statements will be accepted throughout the advisory process; however, for timely consideration by SAB members, statements should be received in the SAB Staff Office by June 16, 2020. Written statements should be supplied to the DFO at the contact information above via email with original signature. Submitters are requested to provide a signed and unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its websites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the SAB website. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Dr. Armitage at the phone number or email address noted above, preferably at least ten days prior to the meeting, to give the EPA as much time as possible to process your request.

Dated: May 21, 2020.

V Khanna Johnston,

Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. 2020–11376 Filed 5–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2019–0677; FRL–10010–37]

Preliminary Lists Identifying Manufacturers Subject to Fee Obligations for EPA-Initiated Risk Evaluations Under Section 6 of the Toxic Substances Control Act (TSCA); Notice of Availability and Request for Comment; Extension of the Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; extension of the comment period.

SUMMARY: EPA is extending the comment period for a notice issued in the **Federal Register** of January 27, 2020, announcing the availability of the preliminary lists of manufacturers (including importers) of 20 chemical substances that have been designated as a High-Priority Substance for risk evaluation under the Toxic Substances Control Act (TSCA) and for which fees will be charged. The original comment period and window for self-identification was previously extended by 60-days, and this document provides an additional extension, from May 27, 2020 to June 15, 2020.

DATES: Comments must be received on or before June 15, 2020.

ADDRESSES: Follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of January 27, 2020 (85 FR 4661) (FRL–10003–14).

FOR FURTHER INFORMATION CONTACT: *For technical information contact:* Benjamin Dyson, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 774–8976; email address: *dyson.benjamin@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION: This document provides an additional extension for the public comment period and window for self-identification that was originally established in the **Federal Register** document of January 27, 2020 (85 FR 4661) (FRL–10003–14), and previously extended from March 27, 2020 to May 27, 2020 in the **Federal Register**

document of March 13, 2020 (85 FR 14677) (FRL–10006–03). EPA is providing this additional extension of the comment period in response to requests for additional time for comment and self-identification.

In the January document, EPA published preliminary lists identifying manufacturers (including importers) that may be subject to fee obligations under 40 CFR 700.45, associated with each EPA-initiated risk evaluation of 20 High-Priority Substances under TSCA section 6. That document also announced that EPA was providing an opportunity for public comment during which manufacturers (including importers) are required to self-identify as a manufacturer (including importer) of a High-Priority Substance, irrespective of whether they are listed on the preliminary list. During the comment period, manufacturers and importers may make certain certifications to EPA under 40 CFR 700.45(b) to avoid or reduce fee obligations. The public also has the opportunity to correct errors or provide comments on the preliminary lists.

EPA is providing more than the minimum 30-day comment period established in the Fees Rule codified at 40 CFR 700.45(b)(4) to maximize public participation during the first comment period for an initial list of manufacturers (including importers) subject to fee obligations for EPA-initiated risk evaluations under TSCA section 6, and to provide more time for self-identification. EPA expects to publish final lists of manufacturers (including importers) subject to fees no later than concurrently with the publication of the final scope document for risk evaluations of the 20 High-Priority Substances. Manufacturers (including importers) identified on the final lists will be subject to applicable fees under 40 CFR 700.45.

To submit comments, or access the docket, please follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of January 27, 2020 (85 FR 4661) (FRL–10003–14). If you have questions, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 15 U.S.C. 2625.

Dated: May 26, 2020.

Alexandra Dapolito Dunn,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2020–11591 Filed 5–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–ORD–2018–0655; FRL–10010–28–ORD]

Availability of the Systematic Review Protocol for the Methylmercury Integrated Risk Information System (IRIS) Assessment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is announcing a 45-day public comment period associated with release of the Systematic Review Protocol for the Methylmercury (MeHg) IRIS Assessment. This document communicates the rationale for conducting the assessment of methylmercury, describes screening criteria to identify relevant literature, outlines the approach for evaluating study quality, and describes the dose-response methods.

DATES: The 45-day public comment period begins May 28, 2020 and ends July 13, 2020. Comments must be received on or before July 13, 2020.

ADDRESSES: The Systematic Review Protocol for Methylmercury will be available via the internet on the IRIS website at *https://www.epa.gov/iris* and in the public docket at *https://www.regulations.gov,* Docket ID: EPA–HQ–ORD–2018–0655.

FOR FURTHER INFORMATION CONTACT:

For information on the docket, contact the ORD Docket at the EPA Headquarters Docket Center; telephone: 202–566–1752; facsimile: 202–566–9744; or email: *Docket_ORD@epa.gov.*

For technical information on the protocol, contact Dr. James Avery, Center for Public Health & Environmental Assessment; telephone: 202–564–1494; or email: *avery.james@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background Information on the IRIS Program and Systematic Review Protocols

EPA's IRIS Program is a human health assessment program that evaluates quantitative and qualitative information on effects that may result from exposure to chemicals found in the environment. Through the IRIS Program, EPA provides high quality science-based human health assessments to support the Agency's regulatory activities and decisions to protect public health.

As part of developing a draft IRIS assessment, EPA presents a methods document, referred to as the protocol, for conducting a chemical-specific systematic review of the available scientific literature. EPA is seeking public comment on components of the protocol including the described strategies for literature searches, criteria for study inclusion or exclusion, considerations for evaluating study methods, information management for extracting data, approaches for synthesis within and across lines of evidence, and methods for derivation of toxicity values. Additionally, key scientific issues that warrant consideration in this assessment are identified in Section 2.5. The protocol serves to inform the subsequent development of the draft assessment and is made available to the public. EPA may update the protocol based on the evaluation of the literature, and any updates will be posted to the docket and on the IRIS website.

II. How To Submit Technical Comments to the Docket at *http://www.regulations.gov*

Submit your comments, identified by Docket ID No. EPA–HQ–ORD–2018–0655 for methylmercury, by one of the following methods:

- *https://www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email: Docket_ORD@epa.gov.*
- *Fax:* 202–566–9744. Due to COVID–19, there may be a delay in processing comments submitted by fax.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center (ORD Docket), Mail Code: 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460. The phone number is 202–566–1752. Due to COVID–19, there may be a delay in processing comments submitted by mail.

Note: The EPA Docket Center and Reading Room is currently closed to public visitors to reduce the risk of transmitting COVID–19. Docket Center staff will continue to provide remote customer service via email, phone, and webform. The public can submit comments via *www.Regulations.gov* or email. No hand deliveries are currently being accepted.

Instructions: Direct your comments to EPA–HQ–ORD–2018–0655 for methylmercury. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked ''late,'' and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at *https://www.regulations.gov,* including any

personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information for which disclosure is restricted by statute. Do not submit information through *https://www.regulations.gov* or email that you consider to be CBI or otherwise protected. The *https://www.regulations.gov* website is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at *https://www.epa.gov/dockets.*

Docket: Documents in the docket are listed in the *https://www.regulations.gov* index. 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 materials, such as copyrighted material, are publicly available only in hard copy. Publicly available docket materials are available either electronically in *https://www.regulations.gov* or as a hard copy at the ORD Docket in the EPA Headquarters Docket Center.

Dated: May 21, 2020.

Wayne Cascio,

Director, Center for Public Health & Environmental Assessment.

[FR Doc. 2020–11467 Filed 5–27–20; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–ORD–2015–0611; FRL–10009–94–ORD]

Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities Subcommittee Meeting—June 2020

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public meeting.

SUMMARY: The Environmental Protection Agency (EPA), Office of Research and Development (ORD), gives notice of a meeting of the Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities (SHC) Subcommittee to review the initial progress on implementation of the FY 19–22 SHC Strategic Research Action Plan (StRAP).

DATES: 1. The initial meeting will be held over three days via videoconference:

a. Tuesday, June 16, 2020, from 11:00 a.m. to 3:00 p.m. (EDT);

b. Wednesday, June 17, 2020, from 11:00 a.m. to 3:00 p.m. (EDT); and

c. Thursday, June 18, 2020, from 3:00 p.m. to 5:00 p.m. (EDT).

Attendees must register by June 15, 2020.

2. A BOSC deliberation will be held on Tuesday, June 30, 2020 from 1:00 p.m. to 4:00 p.m. (EDT). Attendees must register by June 29, 2020.

3. A final summary teleconference will be held on Thursday, July 9, 2020 from 3:00 p.m. to 4:00 p.m. (EDT). Attendees must register by July 8, 2020.

Meeting times are subject to change. These series of meetings are open to the public. Comments must be received by June 12, 2020 to be considered by the subcommittee. Requests for the draft agenda or making a presentation at the meeting will be accepted until June 12, 2020.

ADDRESSES: Instructions on how to connect to the videoconference will be provided upon registration at *https://www.eventbrite.com/e/us-epa-bosc-sustainable-and-healthy-communities-subcommittee-meeting-tickets-88719740131.*

Submit your comments to Docket ID No. EPA–HQ–ORD–2015–0611 by one of the following methods:

- *www.regulations.gov:* Follow the online instructions for submitting comments.
  - *Note:* comments submitted to the *www.regulations.gov* website are anonymous unless identifying information is included in the body of the comment.
- *Email:* Send comments by electronic mail (email) to: *ORD.Docket@epa.gov,* Attention Docket ID No. EPA–HQ–ORD–2015–0611.
  - *Note:* comments submitted via email are not anonymous. The sender's email will be included in the body of the comment and placed in the public docket which is made available on the internet.

Instructions: All comments received, including any personal information provided, will be included in the public docket without change and may be made available online at *www.regulations.gov.* Information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute will not be included in the public docket, and should not be submitted through *www.regulations.gov* or email. For additional information about the EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/dockets/.*

Public Docket: Publicly available docket materials may be accessed *Online* at *www.regulations.gov.*

Copyrighted materials in the docket are only available via hard copy. The telephone number for the ORD Docket Center is (202) 566–1752.

FOR FURTHER INFORMATION CONTACT: The Designated Federal Officer (DFO), Tom Tracy, via phone/voicemail at: (202) 564–6518; or via email at: *tracy.tom@epa.gov.*

Any member of the public interested in receiving a draft agenda, attending the meeting, or making a presentation at the meeting should contact Tom Tracy no later than June 12, 2020.

SUPPLEMENTARY INFORMATION: The Board of Scientific Counselors (BOSC) is a federal advisory committee that provides advice and recommendations to EPA's Office of Research and Development on technical and management issues of its research programs. The meeting agenda and materials will be posted to *https://www.epa.gov/bosc.*

Proposed agenda items for the meeting include, but are not limited to, the following: Benefits from remediation, restoration, and revitalization; and community-driven solutions.

Information on Services Available: For information on translation services, access, or services for individuals with disabilities, please contact Tom Tracy at (202) 564–6518 or *tracy.tom@epa.gov.* To request accommodation of a disability, please contact Tom Tracy at least ten days prior to the meeting to give the EPA adequate time to process your request.

(Authority: Pub. L. 92–463, § 1, Oct. 6, 1972, 86 Stat. 770)

Dated: May 21, 2020.

Mary Ross,

Director, Office of Science Advisor, Policy, and Engagement.

[FR Doc. 2020–11397 Filed 5–27–20; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than June 11, 2020.

A. Federal Reserve Bank of Minneapolis (Chris P. Wangen, Assistant Vice President), 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. *The Bank Holding Company Stock Trust Agreement of Steven R. Krause and Rebecca R. Krause, Steven R. Krause and Rebecca R. Krause as co-trustees, and Andrew Krause, all of Winnebago, Minnesota; Erin Church, Canistota, South Dakota; and Emily Sebesta, Willmar, Minnesota;* as members of the Krause Family Shareholder Group acting in concert to retain voting shares of Krause Financial, Inc., and thereby indirectly retain voting shares of First Financial Bank in Winnebago, both of Winnebago, Minnesota.

B. Federal Reserve Bank of San Francisco (Sebastian Astrada, Director, Applications) 101 Market Street, San Francisco, California 94105–1579:

1. *Megan F. Clubb and Clifford ''Kip'' W. Kontos, both of Walla Walla, Washington, and Charles H. Eglin, Yakima, Washington;* as a group acting in concert to acquire voting shares of Baker Boyer Bancorp and thereby indirectly acquire Baker Boyer National Bank, both of Walla Walla, Washington.

Board of Governors of the Federal Reserve System, May 22, 2020.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2020–11481 Filed 5–27–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[Docket No. ATSDR–2020–0002]

Proposed Substances To Be Evaluated for Toxicological Profile Development

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Request for comments on proposed substances to be evaluated for Toxicological Profile development.

SUMMARY: The Agency for Toxic Substances and Disease Registry (ATSDR) within the Department of Health and Human Services is initiating the development of another set of Toxicological Profiles. This notice solicits public nominations of substances for ATSDR to evaluate for Toxicological Profile development. ATSDR will consider nominations from the Substance Priority List (available at *https://www.atsdr.cdc.gov/SPL/*). ATSDR also accepts nominations for non-Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) substances that may have public health implications, on the basis of ATSDR's authority to prepare Toxicological Profiles for substances not found at sites on the CERCLA National Priorities List. For more information on the CERCLA National Priorities List, visit *https://www.epa.gov/superfund/superfundnational-priorities-list-npl.* The agency will do so in order to establish and maintain an inventory of literature, research, and studies on the health effects of toxic substances, to respond to requests for consultation, and to support the site-specific response actions conducted by ATSDR, as otherwise necessary.

DATES: Nominations from the Substance Priority List and/or additional substances must be received by June 29, 2020.

ADDRESSES: You may submit nominations, identified by Docket No. ATSDR–2020–0002, by any of the following methods:

- *Internet:* Access the Federal eRulemaking portal at *www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Division of Toxicology and Human Health Sciences, Agency for Toxic Substances and Disease Registry, 1600 Clifton Rd. NE, Mail Stop S102–1, Atlanta, GA, 30329–4027. Attn: Docket No. ATSDR–2020–0002.

Instructions: All submissions must include the agency name and docket number for this notice. All relevant comments will be posted without change. This means that no confidential business information or other confidential information should be submitted in response to this notice. Refer to the section Submission of Nominations (below) for the specific information required.

FOR FURTHER INFORMATION CONTACT: For further information, please contact Susan Ingber, Agency for Toxic Substances and Disease Registry, Division of Toxicology and Human Health Sciences, 1600 Clifton Rd. NE, Mail Stop S102–1, Atlanta, GA, 30329–4027, Email: *ATSDRToxProfileFRNs@cdc.gov;* Phone: 1–800–232–4636.

SUPPLEMENTARY INFORMATION: The Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 *et seq.*] amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) [42 U.S.C. 9601 *et seq.*] by establishing certain requirements for ATSDR and the U.S. Environmental Protection Agency (EPA) with regard to hazardous substances most commonly found at facilities on the CERCLA National Priorities List (NPL) (for more information, visit *https://www.epa.gov/superfund/superfund-nationalpriorities-list-npl*). Among these statutory requirements is a mandate for the Administrator of ATSDR to prepare Toxicological Profiles for each substance included on the Priority List of Hazardous Substances (also known as the Substance Priority list (SPL)). This list identifies 275 hazardous substances found at NPL sites that ATSDR and EPA have determined pose the most significant current potential threat to human health.

Substances To Be Evaluated for Toxicological Profile Development

Each year, ATSDR develops a list of substances to be considered for Toxicological Profile development. The nomination process includes consideration of all substances on ATSDR's SPL, as well as other substances nominated by the public. For more information on ATSDR's SPL, visit *https://www.atsdr.cdc.gov/SPL/.*

Submission of nominations for Toxicological Profile development: Today's notice invites voluntary public nominations for substances included on the SPL and for substances not listed on the SPL. When nominating a non-SPL substance, please include the rationale for the nomination. ATSDR will evaluate data and information associated with nominated substances and will determine the final list of substances to be chosen for Toxicological Profile development. Substances will be chosen according to ATSDR's specific guidelines for selection. These guidelines can be found in the *Selection Criteria,* which may be accessed at *www.atsdr.cdc.gov/toxprofiles/guidance/ATSDR_TP_Selection%20Criteria.pdf.*

Pamela I. Protzel Berman,

Director, Office of Policy, Planning and Partnerships, Agency for Toxic Substances and Disease Registry.

[FR Doc. 2020–11423 Filed 5–27–20; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1398]

Mitigation Strategies to Protect Food Against Intentional Adulteration; Draft Guidance for Industry; Extension of the Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability; extension of comment period

SUMMARY: The Food and Drug Administration (FDA, we, or the Agency) is extending the comment period for the notice of availability that appeared in the **Federal Register** of February 14, 2020, entitled ''Mitigation Strategies to Protect Food Against Intentional Adulteration; Draft Guidance for Industry.'' This supplemental draft guidance document, when finalized, will help food facilities that manufacture, process, pack, or hold food, and that are required to register under the Federal Food, Drug, and Cosmetic Act comply with the requirements of our regulation entitled ''Mitigation Strategies to Protect Food Against Intentional Adulteration.'' FDA is taking this action in response to a request for an extension to allow interested persons additional time to submit comments.

DATES: FDA is extending the comment period on the notice of availability published February 14, 2020 (85 FR 8599). Submit either electronic or written comments on the supplemental draft guidance by August 14, 2020.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- Federal eRulemaking Portal: *https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–D–1398 for ''Mitigation Strategies to Protect Food Against Intentional Adulteration: Supplemental Draft Guidance for Industry.'' 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, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the guidance to the Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740. Send two self-addressed adhesive labels to assist that office in processing your requests. See the **SUPPLEMENTARY**

INFORMATION section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Ryan Newkirk, Center for Food Safety and Applied Nutrition (HFS–005), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–3712, *ryan.newkirk@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In the **Federal Register** of February 14, 2020 (85 FR 8599), we published a notice announcing the availability of a supplemental draft guidance for industry entitled ''Mitigation Strategies to Protect Food Against Intentional Adulteration: Draft Guidance for Industry.'' This multichapter supplemental draft guidance for industry is intended to help food facilities required to comply, develop, and implement some of the components of a food defense plan, and meet other requirements under 21 CFR part 121.

The Agency has received a request for an extension of the comment period for 120 days. The request conveyed concern that the current comment period does not allow sufficient time to develop a comprehensive response.

FDA has considered the request and is extending the comment period for the notice of availability for 60 days, until August 14, 2020. The Agency believes that a 60-day extension allows adequate time for interested persons to submit comments.

Dated: May 21, 2020.

Lowell J. Schiller,

Principal Associate Commissioner for Policy.

[FR Doc. 2020–11455 Filed 5–27–20; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Coronavirus 2019 (COVID–19) Data Report, OMB No. 0906-xxxx—Emergency

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with of the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. OMB will accept comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 10-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than June 8, 2020.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 10 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–1984.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Coronavirus 2019 (COVID–19) Data Report, OMB No. 0906-xxxx – Emergency

Abstract: HRSA's Ryan White HIV/AIDS Program (RWHAP) funds and coordinates with cities, states, and local clinics/community-based organizations to deliver efficient and effective HIV care, treatment, and support to low income people with HIV. Nearly two-thirds of clients (patients) live at or below 100 percent of the federal poverty level and approximately three-quarters of RWHAP clients are racial/ethnic minorities. Since 1990, the RWHAP has developed a comprehensive system of safety net providers who deliver high quality direct health care and support services to over half a million people with HIV—more than 50 percent of all people with diagnosed HIV in the United States.

FY 2020 Coronavirus Aid, Relief, and Economic Security Act

On March 27, 2020, the President signed into law the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The CARES Act appropriated $90 million to HRSA's RWHAP to prevent, prepare for, and respond to coronavirus disease 2019 (COVID–19). This funding supports 581 RWHAP recipients across the country, including city/county health departments, state health departments, health clinics, community-based organizations, and AIDS Education and Training Centers in their efforts to help prevent or minimize the impact of COVID–19 on RWHAP clients. The award provides RWHAP recipients the flexibility to meet evolving COVID–19 needs in their respective communities, including extending operational hours, increasing staffing hours, purchasing additional equipment, enhancing workforce training and capacity development, and providing critical services to people with HIV during this pandemic, such as home-delivered meals, emergency housing, and transportation.

HRSA's HIV/AIDS Bureau identified a new data collection need to support HRSA's requirement to monitor and report quarterly to the Secretary of HHS the COVID–19 activities conducted with the CARES Act funding. HRSA is proposing to create a new COVID–19 Data Report (CDR) module that will provide monthly reporting on the types of services provided and number of people served for the treatment or prevention of COVID–19 among RWHAP clients (and immediate household members in limited circumstances). This module will be required for all providers (regardless of whether they are recipients or subrecipients) who receive CARES Act RWHAP funding.

Need and Proposed Use of the Information: HRSA proposes that service providers who receive CARES Act RWHAP funding report aggregate information on the number of clients and immediate household members tested for COVID–19, the number of clients newly diagnosed (or presumed positive) with COVID–19, the cumulative number of clients with COVID–19, the number of clients who received services in each RWHAP service category (identified in Policy Clarification Notice 16–02 RWHAP Services: Eligible Individuals and Allowable Uses of Funds), and the types of services provided using telehealth technology in the CDR. The information obtained in this module will assist HRSA in understanding how CARES Act RWHAP funding is being used to support RWHAP clients and immediate household members and ensure that HRSA is compliant with federal reporting requirements.

Likely Respondents: All RWHAP providers (regardless of whether they are recipients or subrecipients) who receive CARES Act RWHAP funding.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review

the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
COVID–19 Data Report (CVD)	2045	12	24,540	2	49,080
	2045		24,540		49,080

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2020–11586 Filed 5–27–20; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Non-HIV Anti-viral Therapeutics.

Date: June 23–24, 2020.

Time: 9:00 a.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Bidyottam Mittra, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, Bethesda, MD 20894, (301) 435–4057, *bidyottam.mittra@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; The Blood-Brain Barrier, Neurovascular System and CNS Therapeutics.

Date: June 23, 2020.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Linda MacArthur, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4187, Bethesda, MD 20892, 301–537–9986, *macarthurlh@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Dermatology, Rheumatology and Inflammation.

Date: June 23, 2020.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Rajiv Kumar, Ph.D., Chief, MOSS IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4216, MSC 7802 Bethesda, MD 20892, 301–435–1212, *kumarra@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Digestive Sciences.

Date: June 24, 2020.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ganesan Ramesh, Ph.D., Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2182 MSC 7818, Bethesda, MD 20892, 301–827–5467, *ganesan.ramesh@nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Therapeutic Approaches to Genetic Diseases Study Section.

Date: June 24–25, 2020.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Methode Bacanamwo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2200, Bethesda, MD 20892, 301–827–7088, *methode.bacanamwo@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 21, 2020.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–11381 Filed 5–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Allergy, Immunology, and Transplantation Research Committee Allergy, Immunology, and Transplantation Research Committee (AITC) October Council.

Date: June 25–26, 2020.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G31B, Rockville, MD 20892, (Telephone Conference Call).

Contact Person: James T. Snyder, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institutes of Health, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Room 3G31B, Bethesda, MD 20892–9834, (240) 669–5060, *james.snyder@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856,

Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: May 21, 2020.

Tyeshia M. Roberson,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–11443 Filed 5–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Non-Viral Anti-Infective Therapeutics.

Date: June 23–24, 2020.

Time: 9:00 a.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Bidyottam Mittra, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (301) 435–4057, *bidyottam.mittra@nih.gov*.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Infectious Diseases, Reproductive Health, Asthma and Pulmonary Conditions Study Section.

Date: June 25–26, 2020.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Lisa Steele, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, MSC 7770, Bethesda, MD 20892 (301) 257–2638, *steeleln@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Neuroscience AREA Grant Applications.

Date: June 25–26, 2020.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Richard D. Crosland, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4190, MSC 7850, Bethesda, MD 20892, 301–694–7084, *crosland@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Medical Imaging.

Date: June 25–26, 2020.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Leonid V. Tsap, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5128, MSC 7854, Bethesda, MD 20892 (301) 435–2507, *tsapl@csr.nih.gov*.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Clinical Neuroscience and Neurodegeneration Study Section.

Date: June 25–26, 2020.

Time: 9:30 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Alessandra C. Rovescalli, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Rm 5205, MSC7846, Bethesda, MD 20892 (301) 435–1021, *rovescaa@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–DK–19–019: AIDS and AIDS-Related Research.

Date: June 25, 2020.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Dimitrios Nikolaos Vatakis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3190, Bethesda, MD 20892, 301–827–7480, *dimitrios.vatakis@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 21, 2020.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–11442 Filed 5–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities.

Date: June 22–23, 2020.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Mark Caprara, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5156, MSC 7844, Bethesda, MD 20892, 301–613–5228, *capraramg@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: May 21, 2020.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2020–11444 Filed 5–27–20; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R8–ES–2019–0116; FXES11140900000–190–FF08E00000]

Endangered and Threatened Species; Receipt of Incidental Take Permit Application and Habitat Conservation Plan for the Proposed Rooney Ranch Wind Repowering Project, Alameda County, California; Availability of Draft Environmental Assessment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application for an incidental take permit under the Endangered Species Act (ESA) permit to conduct activities with the potential for take of endangered and threatened species that is incidental to, and not the purpose of, carrying out otherwise lawful activities. We invite comments on the applicant's permit application and habitat conservation plan (HCP), and the associated environmental assessment, which we have prepared pursuant to the National Environmental Policy Act. We will take comments into consideration before issuance of the requested permit.

DATES: To ensure consideration, please send your written comments by July 29, 2020.

ADDRESSES: *Obtaining Documents:*

• *Electronic copies:* The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R8–ES–2019–0116 at *http://www.regulations.gov*.

You may also obtain electronic copies of the draft Rooney Ranch Wind Repowering Project Habitat Conservation Plan (draft HCP) and draft environmental assessment (EA) from the Sacramento Fish and Wildlife Office website at *http://www.fws.gov/sacramento*. (See **FOR FURTHER INFORMATION CONTACT**.)

Submitting Comments: You may submit comments by one of the following methods:

• *Internet: http://www.regulations.gov.* Follow the instructions for submitting comments under Docket No. FWS–R8–ES–2019–0116.

• *U.S. mail:* Public Comments Processing; Attn: Docket No. FWS–R8–ES–2019–0116; U.S. Fish and Wildlife Service Headquarters, MS: PERMA; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

For more information, see Public Comment Procedures under **SUPPLEMENTARY INFORMATION**.

• *Facsimile:* 916–414–6713, attn. Ryan Olah.

We request that you send comments by only the methods described above.

FOR FURTHER INFORMATION CONTACT: Claudia Funari, Fish and Wildlife Biologist, Sacramento Fish and Wildlife Office (see **ADDRESSES**), 916–414–6600 (telephone). If you use a telecommunications device for the deaf, please call the Federal Information Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, have prepared an environmental assessment under the National Environmental Policy Act (NEPA) for the proposed Rooney Ranch Wind Repowering Project in response to an application from Rooney Ranch Wind, LLC (applicant) for a 36-year incidental take permit for three species under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The application addresses the potential for ''take'' of the following three federally listed animals: The Central California distinct population segment of the California tiger salamander (*Ambystoma californiense*) (central CTS), the California red-legged frog (*Rana draytonii*), and the San Joaquin kit fox (*Vulpes macrotis mutica*). The applicant would implement a conservation program to minimize and mitigate the project impacts, as described in the applicant's habitat conservation plan (HCP). We invite comments on the applicant's permit application, HCP, and the associated EA, which we have prepared pursuant to the National Environmental Policy Act of 1969, as amended (NEPA; 42 U.S.C. 4321 *et seq.*), and its implementing regulations in the Code of Federal Regulations (CFR) at 40 CFR 1506.6. We will take comments into consideration before issuance of the requested permit.

The applicant has submitted a draft HCP as part of the application for an ITP under section 10(a)(1)(B) of the ESA. The draft HCP includes measures necessary to minimize and mitigate the impacts, to the maximum extent practicable, of potential taking of federally listed species to be covered by the HCP, and the habitats upon which they depend, resulting from construction and operation of the proposed Rooney Ranch Wind Repowering Project within the project area, to include portions of the Altamont Pass Wind Resource Area (APWRA) in Alameda County, California.

Background Information

Section 9 of the ESA prohibits the take of fish or wildlife species listed as endangered; as applicable to the species affected by the proposed action, the ESA implementing regulations also prohibit take of fish or wildlife species listed as threatened, with exceptions for certain ranching activities on private and tribal lands as described in 50 CFR 17.43(c)(3)(i)–(xi) and 50 CFR 17.43(d)(3)(i)–(xi). Regulations governing permits for endangered and threatened species are at 50 CFR 17.22 and 17.32. For more about the Federal habitat conservation plan (HCP) program, go to *http://www.fws.gov/endangered/esa-library/pdf/hcp.pdf.*

The National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) requires Federal agencies to analyze their proposed actions to determine whether the actions may significantly affect the human environment. In these NEPA analyses, the Federal agency will identify direct, indirect, and cumulative effects, as well as possible mitigation for effects on environmental resources that could occur with implementation of the proposed action and alternatives.

Proposed Action Alternative

We would issue an ITP to the applicant for a period of 36 years for certain covered activities (described below). The applicant has requested an ITP for three federally listed species. The HCP addresses four types of proposed activities (referred to as covered activities in the HCP): (1) Construction of facilities, (2) operation and maintenance (O&M) of facilities, (3) conservation actions, and (4) restoration actions. The project would consist of the installation of large-scale modern wind turbines with generating capacities between 2.3 and 4.0 megawatts (MW), all generally similar in size and appearance, to develop up to 25.1 MW. The proposed layout would include seven new-generation wind turbines. Generally, existing roads would be used, with temporary widening of approximately 2.7 miles of roads and construction of approximately 0.3 mile of new roads. An existing on-site substation, consisting of an approximately 0.2-acre gravel-covered footprint area, may be expanded by 0.1 acre to accommodate installation of upgraded equipment. Construction activities would result in 1.8 acres of permanent impacts to landcover from the installation of facilities, roads, and turbine structures. Construction activities would also result in 42.9 acres

of temporary land cover impacts from activities such as grading, trenching, excavation, access roads, and staging areas. Operations and maintenance activities would result in temporary landcover disturbance of up to 3.0 acres over the life of the permit. The project would result in 1.8 acres of permanent impacts (construction) and 45.9 acres of temporary impacts (construction + operations/maintenance).

Habitat Conservation Plan Area

The geographic scope of the draft HCP area comprises two separate permit areas: The project permit area and the mitigation permit area. The project permit area encompasses approximately 582 acres within the APWRA in eastern Alameda County, California, consisting of two Santa Clara City-owned parcels between I–580 to the south and Altamont Pass Road to the north. The repowering project would be constructed entirely within the project permit area. The mitigation permit area comprises potential mitigation lands, still to be identified, that the applicant, in coordination with the Service, is evaluating in Alameda County. Based on where the mitigation lands are located in the County, the estimated acreage required of the mitigation site would range from 48.3 to 51.3 acres. When the permit areas are combined, the HCP area will cover approximately 633.3 acres.

Covered Activities

The proposed ESA section 10 ITP would allow take of three covered species resulting from certain covered activities in the proposed HCP area. The proposed covered activities under this HCP include constructing and installing seven wind turbines and associated electrical facilities and access roads, installing a meteorological tower, a power collection system, expanding a substation as well as maintaining the new wind turbines and the associated facilities, and restoring the site. Specifically, proposed covered activities include grading, excavating to support access roads, trenching to install underground electrical lines, installing erosion-control measures during construction and maintenance covered activities, installation or temporary expansion of gravel roads, pouring a cement footing to support each turbine, installing of other infrastructure, gravel placement for road maintenance, vehicle travel, transport of equipment and supplies, and other similar actions necessary to support the construction, maintenance, and operation of the proposed Rooney Ranch Wind Repowering Project. All activities associated with monitoring and maintenance of habitat and listed species populations within the mitigation site would also be considered covered activities.

The applicant proposes to avoid, minimize, and mitigate the effects to the covered species associated with the covered activities by fully implementing the HCP. The following mitigation measures will be implemented for covered species as part of the HCP: Minimize impact area; avoid injury of covered species during implementation of covered activities through such measures as seasonal and daytime work limitation, the presence of a biological monitor, and the placement of wildlife exclusionary fencing in key areas; avoid habitat impacts associated with erosion and sedimentation generated by covered activities; minimize the risk of project-related toxic spills that could adversely affect listed species habitat; restore all temporarily disturbed listed species' habitat in the HCP area to pre-project conditions within 1 year of disturbance; ensure implementation of the avoidance and minimization measures; offset unavoidable impacts on covered species through the purchase of approximately 48.3 to 51.3 acres of covered species habitat to ensure that temporary and permanent effects are mitigated.

Covered Species

The applicants have requested an ITP for three federally listed threatened species: The threatened California red-legged frog (*Rana draytonii*), the threatened Central California distinct population segment (DPS) of the California tiger salamander (*Ambystoma californiense*) (Central California tiger salamander), and the endangered San Joaquin kit fox (*Vulpes macrotis mutica*). All species included on the ITP would receive assurances under the Service's ''No Surprises'' regulations at 50 CFR 17.22(b)(5).

National Environmental Policy Act Compliance

The draft EA was prepared to analyze the impacts of issuing an ITP based on the draft HCP and to inform the public of the proposed action, alternatives, and associated impacts and to disclose any irreversible commitments of resources. The proposed action presented in the draft EA will be compared to the no-action alternative. The no-action alternative represents estimated future conditions to which the proposed action's estimated future conditions can be compared. Other alternatives were not considered or addressed in the draft EA, because they did not fulfill the purpose and need of the project.

No Action Alternative

Under the no-action alternative, the HCP would not be implemented, and the proposed ITP would not be issued. There would be no take of federally listed species as a result of the project. This alternative assumes that existing wind power production facilities and approved repowering wind production facilities in the APWRA would continue to operate into the future.

Environmental Review and Next Steps

As described in our EA, we have made the preliminary determination that approval of the draft HCP and issuance of the permit would qualify as finding of no significant impact (FONSI) under NEPA (42 U.S.C. 4321 *et seq.*), as provided by Federal regulations (40 CFR 1500.5(k), 1507.3(b)(2), 1508.4) and the Department of the Interior Manual. Our EA articulates the project effects on all potential resources that could be adversely affected, including aesthetics, air quality and climate change, biological resources, cultural resources, geology, hazardous materials and public safety hazards, hydrology and water quality, noise, and traffic and transportation. It also includes an analysis of alternatives and other required analysis such as unavoidable adverse effects, irreversible and irretrievable commitments of resources, and finally, short-term uses versus long-term productivity and cumulative effects.

Public Comment Procedures

All comments and materials we receive in response to these requests will be available for public review at *http://www.regulations.gov.*

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Next Steps

Issuance of an ITP is a Federal proposed action subject to compliance with NEPA. The FWS will evaluate the application, associated documents, and any public comments we receive to determine whether the application meets the requirements of NEPA regulations and section 10(a) of the ESA. If the FWS determines that those requirements are met, we will issue a permit to the applicant for the

incidental take of the covered species from the implementation of the covered activities described in the HCP. A permit decision will be made no sooner than 30 days after the date of publication of this notice in the **Federal Register**.

Authority

We issue this notice pursuant to section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22 and 17.32), and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

Jennifer Norris,

Field Supervisor, Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife Service, Sacramento, California.

[FR Doc. 2020–11369 Filed 5–27–20; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMTC02000.L51100000.GA0000. LVEME14CE500]

Notice of Termination of Spring Creek Coal Mine Environmental Impact Statement, Big Horn County, MT

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of termination.

SUMMARY: The preparation of an Environmental Impact Statement (EIS) for Spring Creek Coal Mine is no longer necessary and the process is hereby terminated.

DATES: This termination takes effect immediately.

FOR FURTHER INFORMATION CONTACT: Irma Nansel, Planning and Environmental Coordinator, Miles City Field Office, telephone: 406–233–3653, email: *inansel@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact Ms. Nansel during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Pursuant to the National Environmental Policy Act of 1969 (NEPA), as implemented by the Council on Environmental Quality regulations, the Bureau of Land Management (BLM) announced its Notice of Intent (NOI) to prepare an EIS in the **Federal Register** on December 14, 2016 (81 FR 90380).

The EIS was to evaluate the potential impacts of four proposed actions related to coal mining at the Spring Creek Mine in Big Horn County, Montana: (1) Federal Coal Lease by Application; (2) Application To Modify Federal Coal Lease; (3) Application To Amend Land Use Permit; and (4) Application for a Land Use Lease. The proposed actions involved the potential sale of two tracts of Federal coal through a Lease-By-Application (LBA) and a lease modification application. Both applications covered proposed actions for Federal coal within the Spring Creek Mine. Related to these leasing requests, the EIS would have also evaluated proposed amendments to an existing land use permit to maintain access to mine monitoring and gauging stations and an existing land use lease to provide room for the placement of overburden and infrastructure.

Since the publication of the NOI to prepare an EIS, the BLM no longer proposes to take action due to the unknown timeframe to complete required lease transfers to the new company (the previous company filed for bankruptcy after the NOI was published). Lease transfers may be prolonged due to ongoing bankruptcy court proceedings and the primary need to obtain required State permits to continue current mine operations. In addition, depending on the request by the new company owner, the BLM would need to determine the type of NEPA document to be completed for the proposed action while considering the Miles City Field Office Supplemental EIS Record of Decision, which was signed on November 24, 2019. The lack of lease and mine permit transfers in the near future, in addition to an unknown proposed action, has eliminated the need for detailed analysis. Therefore, the BLM hereby terminates preparation of an EIS for the Spring Creek Coal Mine.

(Authority: 40 CFR 1506.6, 40 CFR 1506.10)

John Mehlhoff,

State Director, Montana/Dakotas BLM.

[FR Doc. 2020–11441 Filed 5–27–20; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVL0000–L51100000–GN0000– LVEMF1905850 19X MO #4500144424]

Notice of Intent to Prepare an Environmental Impact Statement for the Robinson Mine Plan of Operations Amendment and Proposed Resource Management Plan Amendment, White Pine County, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Ely District (EYDO), Nevada, intends to prepare an Environmental Impact Statement (EIS) for the Robinson Mine Plan of Operations Amendment and proposed Amendment of the BLM Ely District Resource Management Plan (RMP). By this Notice, BLM is announcing the beginning of the scoping process to solicit public comments and identify issues.

DATES: This Notice initiates the public scoping process for the EIS. Comments on issues may be submitted in writing until June 29, 2020. To maximize the opportunity for public input on this project while prioritizing the health and safety of BLM employees and the interested public, BLM will host online virtual public scoping meetings to provide information and gather input on the project. The date(s) and information on how to login and participate in these virtual scoping meetings will be announced at least 15 days in advance through local media and on the BLM website at *https://go.usa.gov/xvYad.* In order to be considered in the scope of analysis for the Draft EIS, all comments must be received prior to the close of the 30-day scoping period or 15 days after the last public scoping meeting, whichever is later. We will provide additional opportunities for public participation upon publication of the Draft EIS.

ADDRESSES: You may submit comments related to the Robinson Mine Plan of Operations Amendment and Proposed Ely District RMP Amendment by any of the following methods:

- *Website: https://go.usa.gov/xvYad.*
- *Email: blm_nv_edyo_robinson_eis@blm.gov.*
- *Mail:* BLM Bristlecone Field Office, ATTN: Robinson EIS Project, 702 North Industrial Way, Ely, Nevada 89301.

Documents pertinent to this proposal may be examined at the BFO.

FOR FURTHER INFORMATION CONTACT: Tiera Arbogast, telephone 775–289–1872, or email *tarbogast@blm.gov.* Contact Ms. Arbogast to have your name added to the mailing list. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact Ms. Arbogast during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours. Normal business hours are 7:30 a.m. to 4:30 p.m., Monday through Friday, except for Federal holidays.

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM EYDO, Ely, NV, intends to prepare an EIS for the Robinson Mine Plan of Operations Amendment, as well as a Proposed Ely District RMP Amendment. It also initiates the public scoping process, and seeks public input on preliminary issues regarding the proposed project and RMP amendment. The Robinson Mine is an 8,887.6-acre copper mining operation adjacent to Ruth, Nevada and seven miles west of Ely, Nevada via U.S. Route 50. Project area boundaries are within Township 16 North (T16N), Range 61 East (R61E), Sections 1, 2, 11 through 14, 23–26, 35, and 36; T16N, R62E, Sections 2 through 24, and 28 through 31; T16N, R63E, Sections 7, 8, and 17 through 20; and Township 17 North, Range 62 East, Sections 20, 21, 28, 29, and 32 through 35, Mount Diablo Baseline and Meridian. The BLM has received a proposal from KGHM—Robinson Nevada Mining Company to amend the Robinson Project Plan of Operations to extend the mine life to 2028 through authorization of the following actions: resume mining in the Liberty Pit, construct the new King Waste Rock Dump south of the Liberty and Ruth Pits, and expand storage capacity at the Giroux Wash Tailings Storage Facility. The EIS will analyze an alternative to resume waste rock placement on the North Tripp Waste Rock Dump, requiring North Tripp Waste Rock Dump expansion. The proposed activities would result in a total increase of approximately 1,227 acres of surface disturbance within the Project Area Boundary for a new end of mine life total surface disturbance of 10,115 acres. The proposed increase would comprise 246 acres of new disturbance on private land controlled by KGHM Robinson and 981 acres of new disturbance located on public lands administered by the BLM.

This EIS will also analyze a proposed amendment to the Ely District RMP for approximately 10,865 acres of BLM lands within the Plan of Operations boundary to be managed as Visual Resource Management (VRM) Class IV instead of the current VRM Class II and VRM Class III. This would provide for visual resource management that is consistent with current and future proposed mining operations.

The Robinson Mine currently operates four open pits including the Aultman Pit, Liberty Pit, Tripp/Veteran Pit and Ruth West and Ruth East Pits. The approximate total surface disturbance of the open pits is 2,061 acres. Ruth Pit is the only authorized pit that occurs on BLM-administered lands, with a total authorized surface disturbance of 36.6 acres on public land. Twelve Waste Rock Dumps and two ore stockpiles are authorized at Robinson Mine, with a total combined surface disturbance of approximately 3,055 acres, 721 acres on public lands. Tailings produced during milling operations are placed in the authorized Giroux Wash Tailings Storage Facility, approximately 1973 acres, 70.5 acres of which occur on public lands. Other facilities that support Robinson Mine operations include mill and flotation circuits, gold heap leach and process facilities, evaporations cells and ponds, pumps and pipelines, power substations and distribution lines, a landfill, and a number of other buildings and facilities, yards, and equipment. Robinson Mine has an ongoing exploration drilling program to provide information for the geologic model, better define the ore body, and provide metallurgical samples.

The purpose of the public scoping process is to determine relevant issues that will guide the planning process, including the range of alternatives and analysis included in the EIS.

You may submit comments in writing to the BLM as shown in the **ADDRESSES** section above. To be most helpful, your comments should be submitted by the close of the 30-day scoping period.

The BLM will use its fulfillment of the NEPA public participation requirements to assist the agency in satisfying the public involvement requirements under Section 106 of the National Historic Preservation Act (16 U.S.C. 470(f)) pursuant to 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources in the context of both NEPA and Section 106 of the NHPA.

The BLM will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed action that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

The public is encouraged to help identify any issues, including impact concerns or the range of alternatives that should be analyzed, so that they that may be addressed in the EIS. The BLM will work collaboratively with all interested parties to identify the issues.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 40 CFR 1501.7 and 43 CFR 1610.2)

Jared Bybee,

Associate District Manager, Ely District Office.

[FR Doc. 2020–11374 Filed 5–27–20; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLORL00000.L10200000. XZ0000.LXSSH1050000.20X.HAG 20–0058]

Notice of Public Meetings for the Southeast Oregon Resource Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management's (BLM) Southeast Oregon Resource Advisory Council (RAC) will meet as indicated below.

DATES: The Southeast Oregon RAC will hold meetings on June 10–11, 2020, and

again on October 21–22, 2020. The Wednesday meetings scheduled for June 10 and October 21 will begin at 1 p.m. Pacific Time and the Thursday meetings scheduled for June 11 and October 22 will begin and 8 a.m. Pacific Time. An opportunity for public comment will be offered each day.

ADDRESSES: The June 10–11, 2020 meeting will be a teleconference. Directions for accessing the meeting will published on the RAC's website *https://www.blm.gov/get-involved/resource-advisory-council/near-you/oregon-washington/southeast-oregon-rac.* The October 21–22, 2020 meeting will be held at the Burns District BLM Office, 28910 Hwy 20 W, Hines, Oregon 97738. A teleconference may substitute in-person meetings if public health restrictions remain in effect. Updates will be posted on the RAC's website, *https://www.blm.gov/get-involved/resource-advisory-council/near-you/oregon-washington/southeast-oregon-rac.*

FOR FURTHER INFORMATION CONTACT: Lisa McNee, Public Affairs Specialist, 1301 South G Street, Lakeview, Oregon 97630; 541–947–6811; *lmcnee@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Southeast Oregon RAC is chartered and the 15-members are appointed by the Secretary of the Interior. Their diverse perspectives are represented in commodity, conservation, and general interests. The Council serves in an advisory capacity to the BLM and U.S. Forest Service officials concerning the planning and management of the public land and national forest resources located, in whole or part, within the boundaries of BLM's Vale Field Office of the Vale District, the Burns District, and the Lakeview District, and the Fremont-Winema and Malheur National Forests. All meetings are open to the public in their entirety. Information to be distributed to the RAC is requested before the start of each meeting.

Agenda items include updates regarding the Southeast Oregon and Lakeview Resource Management Plan Amendment processes; management of energy and minerals, timber, rangeland and grazing, commercial and dispersed recreation, wildland fire and fuels, and wild horses and burros; review and/or recommendations regarding proposed actions by Burns, Vale or, Lakeview BLM Districts; and and any other business that may reasonably come before the RAC. A final agenda will be posted online at *https://www.blm.gov/get-involved/resource-advisory-council/near-you/oregon-washington/southeast-oregon-rac* at least one week before the meetings. Comments can be mailed to: BLM Lakeview District; Attn. Todd Forbes; 3050 NE 3rd Street; Lakeview, OR 97630.

Before including your address, phone number, email address, or other personal identifying information in your comments, please be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee we will be able to do so.

Authority: 43 CFR 1784.4–2.

James Forbes,

Lakeview District Manager.

[FR Doc. 2020–11370 Filed 5–27–20; 8:45 am]

BILLING CODE 4310–33–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–621 and 731–TA–1447 (Final)]

Ceramic Tile from China; Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that an industry in the United States is materially injured by reason of imports of ceramic tile from China, provided for in heading 6907 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (''Commerce'') to be sold in the United States at less than fair value (''LTFV''), and to be subsidized by the government of China.[2] [3]

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] The Commission also finds that imports subject to Commerce's affirmative critical circumstances determination are not likely to undermine seriously the remedial effect of the antidumping duty order on Ceramic Tile from China.

[3] Chairman David S. Johanson dissenting and Commissioner Randolph J. Stayin not participating.

Background

The Commission instituted these investigations effective April 10, 2019, following receipt of petitions filed with the Commission and Commerce by the Coalition for Fair Trade in Ceramic Tile. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of ceramic tile from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on December 2, 2019 (84 FR 66010). In light of the restrictions on access to the Commission building due to the COVID–19 pandemic, the Commission conducted its hearing (originally scheduled for April 2, 2020) through a series of written questions, submissions of written testimony, written responses to questions, posthearing briefs, and closing arguments/rebuttal remarks via videoconference . All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to sections 705(b) and 735(b) of the Act (19 U.S.C. 1671d(b) and 19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on May 21, 2020. The views of the Commission are contained in USITC Publication 5053 (May 2020), entitled *Ceramic Tile from China: Investigation Nos. 701–TA–621 and 731–TA–1447 (Final).*

By order of the Commission.

Issued: May 21, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–11395 Filed 5–27–20; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0018]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Application for Federal Firearms License—ATF Form 7 (5310.12)/7 CR (5310.16)

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit 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 an additional 30 days until June 29, 2020.

FOR FURTHER INFORMATION CONTACT: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

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 agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—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:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* Application for Federal Firearms License.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: ATF Form 7 (5310.12)/7 CR (5310.16).

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other: Individuals or households.

Abstract: The Application for Federal Firearms License—ATF Form 7 (5310.12)/7 CR (5310.16) is used by members of the public to apply for all types of federal firearm licenses (FFLs). The information requested on the form is used to determine the eligibility of the applicant to obtain a FFL, and verify the identity of a responsible person (RP).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 13,000 respondents will utilize the form annually, and it will take each respondent approximately one (1) hour to complete their responses.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 13,000 hours, which is equal to 13,000 (# of respondents) * 1 (# of responses per respondent) * 1 (60 minutes).

(7) *An Explanation of the Change in Estimates:* The adjustments associated with this information collection include a decrease in the total respondents and responses by 2,000, since the last renewal in 2017. However, due to an increase in the postal rate, the total mailing costs for this IC has also risen by $100 since 2017.

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: May 22, 2020.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2020–11476 Filed 5–27–20; 8:45 am]

BILLING CODE 4410–14–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Consortium for Execution of Rendezvous and Servicing Operations

Notice is hereby given that, on May 1, 2020, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Consortium for Execution of Rendezvous and Servicing Operations (''CONFERS'') filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Lift Me Off, London, United Kingdom and Momentus, Inc., Santa Clara, CA have been added as parties to this venture.

No organization has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and CONFERS intends to file additional written notifications disclosing all changes in membership.

On September 10, 2018, CONFERS filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on October 19, 2018 (83 FR 53106).

The last notification was filed with the Department on February 3, 2020. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on February 27, 2020 (85 FR 11393).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2020–11373 Filed 5–27–20; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–650]

Importer of Controlled Substances Application: Rhodes Technologies

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before June 29, 2020. Such persons may also file a written request for a hearing on the application on or before June 29, 2020.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on February 13, 2020, Rhodes Technologies, 498 Washington Street, Coventry, Rhode Island 02816, applied to be registered as an importer of the following basic class(es) of controlled substances:

Controlled substance	Drug code	Schedule
Tetrahydrocannabinols	7370	I
Methylphenidate	1724	II
Oxycodone	9143	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Morphine	9300	II
Opium, raw	9600	II
Oxymorphone	9652	II
Poppy Straw Concentrate	9670	II

The company plans to import Opium, raw (9600), and Poppy Straw Concentrate (9670) in order to bulk manufacture controlled substances in Active Pharmaceutical Ingredient (API) form. The company distributes the manufactured APIs in bulk to its customers.

The company plans to import the other listed controlled substances for internal reference standards use only. The comparisons of foreign reference standards to the company's domestically manufactured API will allow the company to export domestically manufactured API to foreign markets.

William T. McDermott,

Assistant Administrator.

[FR Doc. 2020–11393 Filed 5–27–20; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Report of Construction Contractor's Wage Rates

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Wage and Hour Division (WHD)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before June 29, 2020.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Anthony May by telephone at 202–693–4129 (this is not a toll-free number) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Davis-Bacon Act (40 U.S.C. 3141, *et seq.*) provides, in part, that every contract in excess of $2,000 to which the United States or the District of Columbia is a party for construction, alteration, and/or repair, which requires or involves the employment of mechanics and/or laborers, shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics that were determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village or other civil subdivision of the State where the work is to be performed. The Administrator of the Wage and Hour Division, through a delegation of authority, is responsible for issuing these wage determinations (WDs). Section 1.3 of Regulations 29 CFR part 1, Procedures for Predetermination of Wage Rates, provides, in part, that for the purpose of making WDs, the Administrator will conduct a continuing program for obtaining and compiling wage rate information. Form WD–10 (Davis-Bacon Wage Survey Report of Construction Contractor's Wage Rates) is used to determine locally prevailing wages under the Davis-Bacon and Related Acts. The wage data collection is a primary source of information and is essential to the determination of prevailing wages. For additional

substantive information about this ICR, see the related notice published in the **Federal Register** on November 25, 2019 (84 FR 64934).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–WHD.

Title of Collection: Report of Construction Contractor's Wage Rates.

OMB Control Number: 1235–0015.

Affected Public: Private Sector: Businesses or other for-profits, not-for-profit institutions.

Total Estimated Number of Respondents: 2,731.

Total Estimated Number of Responses: 21,029.

Total Estimated Annual Time Burden: 7,009 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: May 21, 2020.

Anthony May,

Acting Departmental Clearance Officer.

[FR Doc. 2020–11458 Filed 5–27–20; 8:45 am]

BILLING CODE 4510–27–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Registered Apprenticeship College Consortium

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA)-sponsored information collection request (ICR) reinstatement without change titled, ''Registered Apprenticeship College Consortium,'' to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995. Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before June 29, 2020.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202001-1205-005* (this link will only become active on the day following publication of this notice) or by contacting Frederick Licari by telephone at 202–693–8073, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Crystal Rennie by telephone at 202–693–0456 or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks approval, under the PRA, for a reinstatement without change to the Registered Apprenticeship College Consortium. The purpose of the consortium is to facilitate awarding the Registered Apprenticeship completion certificate towards college credit. Consortium post-secondary members agree to accept apprentice graduates from member Registered Apprenticeship sponsors with the approximate amount of credit towards college that has been designated by a third party evaluator. This consortium is based on the Service Members Opportunities Colleges Consortium supported by the Department of Defense. The data collection includes three application forms to join the consortium. There are three types of memberships and separate applications for each member: (1) The application for Registered Apprenticeship sponsors asks for contact information for the national, regional or single guideline standards or program, all participating training centers (if applicable) and the value of the apprenticeship program towards college credit; (2) the application for two- and four-year post-secondary institutions requests contact, degree and credit transfer information; and (3) national, regional or state organizations that represent sponsors and/or two- and four-year post-secondary colleges and will facilitate the membership in the consortium requests contact information and the nature of the relationship with sponsors or colleges. This information collection request allows the agency to use a previously approved version from the same information collection under the OMB Control Number provided with the original approval and has been classified as a reinstatement without change.

This proposed information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on September 30, 2019 (84 FR 51635).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty-(30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0512. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–ETA.

Title of Collection: Registered Apprenticeship College Consortium.

OMB Control Number: 1205–0512.

Affected Public: Federal Governments; State, Local, and Tribal Governments and Private Sector, Business or other for-profits and not-for-profits institutions.

Total Estimated Number of Respondents: 500.

Total Estimated Number of Responses: 815.

Total Estimated Annual Time Burden: 85 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Crystal R. Rennie,

Acting, Departmental Clearance Officer.

[FR Doc. 2020–11468 Filed 5–27–20; 8:45 am]

BILLING CODE 4510–FR–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; America's Promise Evaluation

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Chief Evaluation Office (CEO)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before June 29, 2020.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie by telephone at 202–693–0456, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Chief Evaluation Office of the U.S. Department of Labor (DOL) has commissioned an evaluation of the America's Promise Job-Driven Grant program (America's Promise). The America's Promise evaluation offers a unique opportunity to build knowledge about the implementation and effectiveness of these regional partnerships. Additionally, as the grants are in a mature state of operation, this evaluation is in a unique position to be able to learn about how grantees' established programs, employer partnerships, and service delivery approaches might be changing as a result of the COVID–19 pandemic. A request to collect information for data collection activities associated with the implementation evaluation, as required by the Paperwork Reduction Act (PRA) was approved by the Office of Management and Budget (OMB) (OMB Control Number 1290–0020) on February 2, 2019. This package requests clearance for five additional data collection activities as part of the implementation evaluation:

1. Program stakeholder interview protocol (in-person).
2. Employer interview protocol.
3. Participant focus group protocol.
4. Participant focus group information form.
5. Program stakeholder interview protocol (telephone). For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 1, 2018 (83 FR 54943).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OS.

Title of Collection: America's Promise Evaluation.

OMB Control Number: 1290–0NEW.

Affected Public: Individuals or Households: Private Sector; Business or other for-profits.

Total Estimated Number of Respondents: 103.

Total Estimated Number of Responses: 103.

Total Estimated Annual Time Burden: 120 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: May 21, 2020.

Anthony May,

Acting Departmental Clearance Officer.

[FR Doc. 2020–11459 Filed 5–27–20; 8:45 am]

BILLING CODE 4510–HX–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2009–0022]

Requirements for the OSHA Training Institute Education Centers Program and the OSHA Outreach Training Program; Requesting the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits comments concerning the proposal to extend the OMB approval of the information collection requirements contained in the OSHA Training Institute Education Centers Program and the OSHA Outreach Training Program.

DATES: Comments must be submitted (postmarked, sent, or received) by July 27, 2020.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Facsimile: If your comments, including attachments, are not longer than ten (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 your comments and attachments to the OSHA Docket Office, Docket No. OSHA–2009–0022, U.S. Department of Labor, Occupational Safety and Health Administration, Room N–3653, 200 Constitution Avenue NW, Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2009–0022) for the Information Collection Request (ICR). All comments, including any personal information you provide, such as social security number and date of birth, are placed in the public docket without change, and may be made available online at *http://www.regulations.gov.* For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION.**

Docket: To read or download comments or other material in the docket, go to *http://www.regulations.gov* or the OSHA Docket Office at the above address. All documents in the docket (including this **Federal Register** notice) are listed in the *http://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download from the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may contact Annette Braam, Assistant Director, Office of Training and Educational Programs, or Jim Brock, OSHA Training Institute Education Centers Program, at the below address below to obtain a copy of the ICR.

FOR FURTHER INFORMATION CONTACT: Annette Braam, Assistant Director, Office of Training Programs and Administration, or Jim Brock, Program Coordinator, OSHA Training Institute Education Centers Program, Directorate of Training and Education, OSHA, U.S. Department of Labor, Phone: (847) 759–7781.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. Consistent with the authority of Section 21 of the OSH Act, the agency created two educational programs, the OSHA Training Institute (OTI) Education Centers Program and the OSHA Outreach Training Program (Outreach).

To be a participant in the OTI Education Centers Programs or the Outreach Training Program, an individual/organization must provide the agency with certain information. The requested information is necessary to evaluate the applicant organization and to implement, oversee, and monitor the OTI Education Centers and Outreach Training Programs, courses and trainers. The 11 collection of information requirements are listed below.

A. Application to become an OSHA Training Institute Education Center (OTI Education Center);

B. OTI Education Centers Monthly Summary Report for the OTI Education Centers and the Outreach Training Program Monthly Summary Report;

C. Statement of Compliance with Outreach Training Program Requirements;

D. Outreach Training Program Report Forms (includes Construction, General Industry, Maritime, and Disaster Site);

E. Online Outreach Training Program Report;

F. Active Authorized Outreach Trainer List;

G. OSHA Training Institute Student Survey (OSHA Form 49 11–05 Edition) (OMB 1225–0059) (Attachment I, OSHA Form 49 11–05 Edition);

H. Attendance Documentation for OTI Education Centers;

I. Outreach Online Training Certification Statement;

J. Instructor and Staff Resumes (this includes anyone who may be assigned to conduct OSHA classes, contractor, subcontractor, employee, adjunct professor, etc.; and

K. Course Material upon Request by OSHA from OTI Education Centers.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply- for example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA is requesting a 385 burden hour adjustment increase (from 15,913 to 16,298) as a result of increasing the number of courses offered and the number of students attending these courses. The agency will summarize comments submitted in response to this notice and will include this summary in the request to OMB.

Type of Review: Extension of a previously approved collection.

Title: OSHA Training Institute (OTI) Education Centers Program, and OSHA Outreach Training Program Data Collection.

OMB Control Number: 1218–0262.

Affected Public: Not-for-profit institutions; Federal government; State, local and tribal governments.

Number of Respondents: 312.

Frequency: On occasion.

Total Responses: 56,694.

Average Time per Response: Ranges from 3 minutes for OTI Education Centers to provide OSHA a list of outreach trainers to 60 hours for a not-for-profit institution to prepare and submit an application to become an OTI Education Center.

Estimated Total:

Burden hours: 16,298.

Estimated Cost (Operation and Maintenance): $0.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

(1) Electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal; (2) by facsimile; or (3) by hard copy. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (Docket No. OSHA–2009–0022). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693–2350, TTY (877) 889–5627.

Comments and submissions are posted without change at *http://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth. Although all submissions are listed in the *http://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *http://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link. Contact the OSHA Docket Office for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Loren Sweatt, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1–2012 (77 FR 3912).

Signed at Washington, DC.

Loren Sweatt,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2020–11413 Filed 5–27–20; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of the Workers' Compensation Programs

Agency Information Collection Activities; Comment Request; Claim for Continuance of Compensation

AGENCY: Office of Workers' Compensation, Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, ''Claim for Continuance of Compensation (CA–12).'' This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

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

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free by contacting Anjanette Suggs by telephone at 202–354–9660 or by email at *suggs.anjanette@dol.gov.*

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Office of Workers' Compensation Programs, Room S3323, 200 Constitution Avenue NW, Washington, DC 20210; by email: *suggs.anjanette@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Anjanette Suggs by telephone at 202–354–9660 or by email at *suggs.anjanette@dol.gov.*

SUPPLEMENTARY INFORMATION: The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

Background: The Office of Workers' Compensation Programs administers the Federal Employees' Compensation Act, 5 U.S.C. 8133. Under the Act, eligible dependents of deceased employees receive compensation benefits on account of the employee's death. OWCP has to monitor death benefits for current marital status, potential for dual benefits, and other criteria for qualifying as a dependent under the law. The CA–12 form is sent annually to beneficiaries in death cases to ensure that their status has not changed and that they remain entitled to benefits. The information collected is used by OWCP claims examiners to ensure that death benefits being paid are correct, and that payments are not made to ineligible survivors. This information collection is currently approved for use through October 31, 2020.

DOL authorizes this information collection. This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Written comments will receive consideration, and summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB# 1240–0015.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

The DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility.

• Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL-Office of Workers' Compensation Programs.

Type of Review: Extension Without Changes.

Title of Collection: Claim for Continuance of Compensation.

Agency Form Number: CA–12.

OMB Control Number: 1240–0015.

Affected Public: Individuals or households.

Estimated Number of Respondents: 2,866.

Frequency: Annually.

Total Estimated Annual Responses: 2,866.

Estimated Average Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 239 hours.

Total Estimated Annual Other Cost Burden: $1,562.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Anjanette Suggs,

Agency Clearance Officer.

[FR Doc. 2020–11471 Filed 5–27–20; 8:45 am]

BILLING CODE 4510–CH–P

MILLENNIUM CHALLENGE CORPORATION

[MCC FR 20–02]

Notice of Open Meeting

AGENCY: Millennium Challenge Corporation.

ACTION: Notice.

SUMMARY: In accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C.—App., the Millennium Challenge Corporation (MCC) Advisory Council was established as a discretionary advisory committee on July 14, 2016. Its charter was renewed for a second term on July 11, 2018. The MCC Advisory Council serves MCC solely in an advisory capacity and provides insight regarding innovations in infrastructure, technology and sustainability; perceived risks and opportunities in MCC partner countries; new financing mechanisms for developing country contexts; and shared value approaches. The MCC Advisory Council provides a platform for systematic engagement with the private sector and other external stakeholders and contributes to MCC's mission—to reduce poverty through sustainable, economic growth.

DATES: Tuesday, June 16, 2020, from 10 a.m.–12 p.m. ET.

ADDRESSES: The meeting will be held via conference call.

FOR FURTHER INFORMATION CONTACT: Jennifer Rimbach, 202.521.3932, *MCCAdvisoryCouncil@mcc.gov* or visit *https://www.mcc.gov/about/org-unit/advisory-council.*

SUPPLEMENTARY INFORMATION: *Agenda.* During the Spring 2020 meeting of the MCC Advisory Council, members will be provided an update from MCC leadership. MCC Advisory Council Co-Chairs will provide updates from the subcommittee meetings, and council members will provide advice on the threshold development process and MCC's investment strategy in Ethiopia.

Public Participation. The meeting will be open to the public. Members of the public may file written statement(s) before or after the meeting. If you plan to attend, please submit your name and affiliation no later than Tuesday, June 9, 2020 to *MCCAdvisoryCouncil@mcc.gov* to receive dial-in instructions and to be placed on an attendee list.

Dated: May 21, 2020.

Thomas G. Hohenthaner,

Acting VP/General Counsel and Corporate Secretary.

[FR Doc. 2020–11408 Filed 5–27–20; 8:45 am]

BILLING CODE 9211–03–P

NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE

Solicitation of Written Comments by the National Security Commission on Artificial Intelligence

AGENCY: National Security Commission on Artificial Intelligence

ACTION: Request for comments.

SUMMARY: The National Security Commission on Artificial Intelligence (the ''Commission'') was created by Congress in the John S. McCain National Defense Authorization Act for Fiscal Year 2019 to ''consider the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies by the United States to comprehensively address the national security and defense needs of the United States.'' In connection with this effort, the Commission seeks to learn more about the general public's views on these topics.

DATES: *Comment Date:* The Commission requests comments on or before September 30, 2020 to be considered by the Commission in the formation of its final report.

ADDRESSES: You may submit comments, identified by Docket No. 05–2020–01, by one of the following methods:

• *Email: inquiry@nscai.gov.* Please include the docket number in the subject line of the message.

• *Mail:* National Security Commission on Artificial Intelligence, Attn: RFI COMMENT—Docket No. 05–2020–01, 2530 Crystal Drive, Box 45, Arlington, VA 22202.

• *Fax:* +1–571–778–5049. Please include the docket number on the cover page of the fax.

Due to the ongoing COVID–19 coronavirus pandemic, email is the Commission's primary method of receiving public comment. All submissions received must include the docket number. If the Commission cannot read your comment due to technical difficulties and cannot contact you for clarification, the Commission may not be able to consider your comment. Late comments will be considered as time permits. Please note, any comments received by the Commission may be published online or included with its reports and/or recommendations. Submitters should be aware that the Commission is subject to the Freedom of Information Act and will transfer official records, including comments received, to the National Archives and Records Administration upon termination of the Commission.

Website: The most current information about the Commission and its activities and recommendations is available on the Commission's website: *https://www.nscai.gov.*

FOR FURTHER INFORMATION CONTACT: For general inquiries, submission process questions, or any additional information about this request for comments, please contact Tara Rigler by email at *inquiry@nscai.gov* or by phone at 703–614–6379.

SUPPLEMENTARY INFORMATION:

Background: The John S. McCain National Defense Authorization Act for Fiscal Year 2019 (FY19 NDAA), Sec. 1051, Public Law 115–232, 132 Stat. 1636, 1962–65 (2018), as amended by the National Defense Authorization Act for Fiscal Year 2020, Sec. 1735, Public Law 116–92 (2019), created the National Security Commission on Artificial Intelligence (the ''Commission'') to ''consider the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies by the United States to comprehensively address the national security and defense needs of the United States.''

Specifically, in Section 1051 of the FY19 NDAA, Congress directed the Commission to consider:

A. ''The competitiveness of the United States in artificial intelligence, machine learning, and other associated technologies, including matters related to national security, defense, public-private partnerships, and investments.''

B. ''Means and methods for the United States to maintain a technological advantage in artificial intelligence, machine learning, and other associated technologies related to national security and defense.''

C. ''Developments and trends in international cooperation and competitiveness, including foreign investments in artificial intelligence, related machine learning, and computer science fields that are materially related to national security and defense.''

D. ''Means by which to foster greater emphasis and investments in basic and advanced research to stimulate private, public, academic and combined initiatives in artificial intelligence, machine learning, and other associated technologies, to the extent that such efforts have application materially related to national security and defense.''

E. ''Workforce and education incentives to attract and recruit leading talent in artificial intelligence and machine learning disciplines, including science, technology, engineering, and math programs.''

F. ''Risks associated with United States and foreign country advances in military employment of artificial intelligence and machine learning, including international law of armed conflict, international humanitarian law, and escalation dynamics.''

G. ''Associated ethical considerations related to artificial intelligence and machine learning as it will be used for future applications related to national security and defense.''

H. ''Means to establish data standards, and incentivize the sharing of open training data within related national security and defense data-driven industries.''

I. ''Consideration of the evolution of artificial intelligence and appropriate mechanism for managing such technology related to national security and defense.''

J. ''Any other matters the Commission deems relevant to the common defense of the Nation.''

The Commission is required to provide the President and the Congress a final report containing its findings and recommendations regarding these matters no later than March 2021. In connection with this effort, the Commission seeks to learn more about the general public's views on these topics.

Specific Topics to Address: The Commission invites written comments on any of the topics set forth above under ''Background'' for which Congress has requested Commission input.

In addition, the Commission would welcome comments on any of the following seven consensus principles from its November 2019 Interim Report, which can be accessed at *https://www.nscai.gov/reports:*

1. Global leadership in AI technology is a matter of national security.
2. Adopting AI for defense and security is an urgent priority.
3. Private sector and government share responsibility for our nation's future.
4. People matter more than ever in an AI competition.
5. Protecting our most valuable assets and ideas must not come at the expense of free inquiry and innovation.
6. Ethical and trustworthy AI is a strategic and operational necessity.
7. Any use of AI by the United States must have American values—including the rule of law—at its core.

Furthermore, the Commission also welcomes comments related to any of the Commission's November 2019 Interim Report judgments stemming from the Commission's lines of effort:

Line of Effort 1—Invest in AI Research & Development and Software

1. Federal R&D funding for AI has not kept pace with the revolutionary potential it holds or with aggressive investments by competitors. Investments that are multiple times greater than current levels are needed.
2. Untapped opportunities exist to build a nationwide AI R&D infrastructure and encourage regional innovation ''clusters.'' Such AI districts for defense would benefit both national security and economic competitiveness.
3. The U.S. government should implement more flexible funding mechanisms to support AI research. Business as usual is insufficient.
4. The U.S. government must identify, prioritize, coordinate, and urgently implement national security-focused AI R&D investments.
5. Bureaucratic and resource constraints are hindering government-affiliated labs and research centers from reaching their full potential in AI R&D.

Line of Effort 2—Apply AI to National Security Missions

6. AI can help the U.S. Government execute core national security missions, if we let it.
7. Implementation of the government's national security strategies for AI is threatened by bureaucratic impediments and inertia. Defense and intelligence agencies must urgently accelerate their efforts.
8. Pockets of successful bottom-up innovation exist across the Department of Defense (DoD) and the United States Intelligence Community (IC). These isolated programs cannot translate into strategic change without top-down leadership to overcome organizational barriers.
9. AI adoption and deployment requires a different approach to acquisition.
10. Rapidly fielding AI is an operational necessity. To get there requires investment in resilient, robust, reliable, and secure AI systems.
11. AI is only as good as the infrastructure behind it. Within DoD in particular this infrastructure is severely underdeveloped.
12. The U.S. government is not adequately leveraging basic, commercial AI to improve business practices and save taxpayer dollars. Departments and agencies must modernize to become more effective and cost-efficient.

Line of Effort 3—Train and Recruit AI Talent

13. National security agencies need to rethink the requirements for an AI-ready workforce. That includes extending familiarity with a range of relevant AI technologies throughout organizations, infusing training on the ethical and responsible development and fielding of AI at every level, and spreading the use of modern software tools.
14. DoD and the IC are failing to capitalize on existing technical talent because they do not have effective ways to identify AI-relevant skills already present in their workforce. They should systematically measure and incentivize the development of those skills.

15. The U.S. Government is not fully utilizing civilian hiring authorities to recruit AI talent. Agencies need to make better use of pipelines for people with STEM training.

16. Expanding AI-focused fellowships and exchange opportunities can give officials and service members access to cutting-edge technology, and bring talent from our top AI companies into federal service.

17. The military and national security agencies are struggling to compete for top AI talent. They need a better pitch, incentive structure, and better on-ramps for recent graduates.

18. American colleges and universities cannot meet the demand for undergraduate student interest in AI and computer science generally.

19. The American AI talent pool depends heavily on international students and workers. Our global competitiveness hinges on our ability to attract and retain top minds from around the world.

Line of Effort 4—Protect and Build Upon U.S. Technological Advantages & Hardware

20. The U.S. Government should continue to use export controls—including multilateral controls—to protect specific U.S. and allied AI hardware advantages, in particular those in semiconductor manufacturing equipment.

21. However, traditional item-based export controls and narrowly-scoped foreign investment reviews are by themselves insufficient to sustain U.S. competitiveness in AI.

22. The United States must continue leading in AI-related hardware, and ensure the government has trusted access to the latest technologies.

23. Law enforcement and academic leaders can and should find common ground on preserving an open research system while reducing security risks from foreign government-directed activity on American campuses.

Line of Effort 5—Marshal Global AI Cooperation

24. The United States must enhance its competitiveness in AI by establishing a network of partners dedicated to AI data sharing, R&D coordination, capacity building, and talent exchanges.

25. AI presents significant challenges for military interoperability. If the United States and its allies do not coordinate early and often on AI-enabled capabilities, the effectiveness of our military coalitions will suffer.

26. U.S. diplomacy should be open to possible cooperation with China and Russia on promoting AI safety and managing AI's impact on strategic stability.

27. The United States should lead in establishing a positive agenda for cooperation with all nations on AI advances that promise to benefit humanity.

Line of Effort 6—Ethics and Responsible AI (this cross-cutting priority has been elevated to an identified level of effort since the publication of the November 2019 Interim Report)

28. Developing trustworthy AI systems is essential for operational integrity and adoption. It is closely connected to, and depends on, reliability, robustness, auditability, explainability, and fairness.

29. From the earliest phase, systems should be designed with ethics in mind.

30. Each agency's design and deployment of AI, as with other technologies, must align with America's democratic values and institutional values.

31. Throughout their life cycles, ethical AI systems for national security will need to preserve individual rights and liberties as protected by law. In international contexts, this includes America's commitments to international humanitarian law and human rights.

Dated: May 22, 2020.

Michael Gable,

Chief of Staff.

[FR Doc. 2020–11453 Filed 5–27–20; 8:45 am]

BILLING CODE 3610–Y8–P

NATIONAL SCIENCE FOUNDATION

Information Collection; Improving Customer Experience (OMB Circular A–11, Section 280 Implementation)

AGENCY: National Science Foundation.

ACTION: Notice; request for comment.

SUMMARY: The National Science Foundation (NSF), as part of its continuing effort to reduce paperwork and respondent burden, is announcing an opportunity for public comment on a new proposed collection of information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on new collection proposed by the Agency.

DATES: Submit comments on or before: July 27, 2020.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Suite W18200, Alexandria, Virginia 22314; telephone (703) 292–7556; or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

SUPPLEMENTARY INFORMATION:

A. Purpose

Under the PRA, (44 U.S.C. 3501–3520) Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, GSA is publishing notice of the proposed collection of information set forth in this document.

Whether seeking a loan, Social Security benefits, veterans benefits, or other services provided by the Federal Government, individuals and businesses expect Government customer services to be efficient and intuitive, just like services from leading private-sector organizations. Yet the 2016 American Consumer Satisfaction Index and the 2017 Forrester Federal Customer Experience Index show that, on average, Government services lag nine percentage points behind the private sector.

A modern, streamlined and responsive customer experience means: Raising government-wide customer experience to the average of the private sector service industry; developing indicators for high-impact Federal programs to monitor progress towards excellent customer experience and mature digital services; and providing the structure (including increasing transparency) and resources to ensure customer experience is a focal point for agency leadership. To support this, OMB Circular A–11 Section 280 established government-wide standards for mature customer experience organizations in government and measurement. To enable Federal

programs to deliver the experience taxpayers deserve, they must undertake three general categories of activities: Conduct ongoing customer research, gather and share customer feedback, and test services and digital products.

These data collection efforts may be either qualitative or quantitative in nature or may consist of mixed methods. Additionally, data may be collected via a variety of means, including but not limited to electronic or social media, direct or indirect observation (*i.e.,* in person, video and audio collections), interviews, questionnaires, surveys, and focus groups. DHS will limit its inquiries to data collections that solicit strictly voluntary opinions or responses. Steps will be taken to ensure anonymity of respondents in each activity covered by this request.

The results of the data collected will be used to improve the delivery of Federal services and programs. It will include the creation of personas, customer journey maps, and reports and summaries of customer feedback data and user insights. It will also provide government-wide data on customer experience that can be displayed on performance.gov to help build transparency and accountability of Federal programs to the customers they serve.

Method of Collection

NSF will collect this information by electronic means when possible, as well as by mail, fax, telephone, technical discussions, and in-person interviews. NSF also may utilize observational techniques to collect this information.

Data:

Form Number(s): None.

Type of Review: New.

B. Annual Reporting Burden

Affected Public: Collections will be targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future. For the purposes of this request, ''customers'' are individuals, businesses, and organizations that interact with a Federal Government agency or program, either directly or via a Federal contractor. This could include individuals or households; businesses or other for-profit organizations; not-for-profit institutions; State, local or tribal governments; Federal government; and Universities.

Estimated Number of Respondents: 2,001,550.

Estimated Time per Response: Varied, dependent upon the data collection method used. The possible response time to complete a questionnaire or survey may be 3 minutes or up to 2 hours to participate in an interview.

Estimated Total Annual Burden Hours: 101,125.

Estimated Total Annual Cost to Public: $0.

C. Public Comments

NSF invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 22, 2020.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2020–11428 Filed 5–27–20; 8:45 am]

BILLING CODE 7555–01–P

PEACE CORPS

Submission for OMB Emergency Review: Request for Comments

AGENCY: Peace Corps.

ACTION: Notice of information collection—OMB emergency review and request for comments requested.

SUMMARY: The Peace Corps has submitted the following information collection request, utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 and OMB regulations. OMB approval has been requested by the Office of Staff Learning Development. OMB is particularly interested in comments that: Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; Enhance the quality, utility, and clarity of the information to be collected; and Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

DATES: Comments on this proposal for emergency review should be received by May 26, 2020. If granted, the emergency approval is only valid for 180 days. We are requesting OMB to take action within two calendar days from the close of this **Federal Register** Notice on the request for emergency review.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Peace Corps or sent via email to *oira_submission@omb.eop.gov* or faxed to (202) 395–3086.

FOR FURTHER INFORMATION CONTACT: Virginia Burke, FOIA Officer, Peace Corps, 1275 First Street NE, Washington, DC 20526, (202) 692–1887, or email at *pcfr@peacecorps.gov.*

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.13. The Peace Corps plans to follow this emergency request with a submission for a 3 year approval through OMB's normal PRA clearance process. We are seeking an emergency clearance to allow us to collect information from Returned Peace Corps Volunteers.

Title: Expedited Reinstatement Application.

OMB control number: Pending.

Type of Request: LearningSpace Portal.

Affected public: Volunteers, Trainees, and Response Volunteers, who were recently evacuated from their countries of service in response to the coronavirus disease 2019 (COVID 19) pandemic.

Respondents' obligation to reply: Voluntary.

Burden to the public:

a. Number of respondents: 7, 000.

b. Frequency of response: 1.

c. Completion time: 2 Minutes.

d. Annual burden hours: 233.

e. Estimated cost to respondents: $ 0.00.

This notice issued in Washington, DC, on May 22, 2020.

Virginia Burke,

FOIA/Privacy Act Officer/Management.

[FR Doc. 2020–11513 Filed 5–27–20; 8:45 am]

BILLING CODE 6051–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2020–136 and CP2020–145]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* May 30, 2020.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2020–136 and CP2020–145; *Filing Title:* Request of the United States Postal Service to Add Global Expedited Package Services—Non-Published Rates 15 (GEPS—NPR 15) to the Competitive Products List and Notice of Filing GEPS—NPR 15 Model Contract and Application for Non-Public Treatment of Materials Filed Under Seal; *Filing Acceptance Date:* May 21, 2020; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 *et seq.,* and 39 CFR 3035.105; *Public Representative:* Kenneth R. Moeller; *Comments Due:* May 30, 2020.

This Notice will be published in the **Federal Register.**

Erica A. Barker,

Secretary.

[FR Doc. 2020–11445 Filed 5–27–20; 8:45 am]

BILLING CODE 7710–FW–P

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88933; File No. SR–NYSE–2020–47]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Extend the Temporary Period for Specified Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C

May 22, 2020.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on May 20, 2020, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to extend the temporary period for specified Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C to end on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on June 30, 2020. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to extend the temporary period for specified Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C to end on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on June 30, 2020. The current temporary period that these Rules are in effect ends on the earlier of the reopening of the Trading Floor facilities or after the Exchange closes on May 22, 2020.

Background

To slow the spread of COVID–19 through social-distancing measures, on March 18, 2020, the CEO of the Exchange made a determination under Rule 7.1(c)(3) that, beginning March 23, 2020, the Trading Floor facilities located at 11 Wall Street in New York City would close and the Exchange would move, on a temporary basis, to fully electronic trading.[4] On May 14, 2020, the CEO of the Exchange made a determination under Rule 7.31(c)(3) to reopen the Trading Floor on a limited basis on May 26, 2020 to a subset of Floor brokers, subject to safety measures designed to prevent the spread of COVID–19.[5]

With this partial reopening, beginning May 26, 2020, Floor brokers present on the Trading Floor will have access to Floor-based trading systems and, thus, be able to enter orders on behalf of their customers as provided for under Exchange rules, including D Orders,[6] Opening and Closing D Orders,[7] Pegged Orders,[8] and orders with a Yielding Modifier,[9] and have access to Closing Auction Imbalance Information, as provided for in Rule 7.35B(e)(1)(B).

DMMs will continue to be provided access to the Trading Floor on trading days when an IPO Auction or Core Open Auction for a post-IPO public offering is scheduled.[10] Floor brokers present on the Trading Floor will be able to interact with DMMs in connection with such Auctions. DMMs will continue to otherwise be absent from the Trading Floor and, thus, all intra-day trading and other Auctions will be conducted remotely by the DMM[11] and Floor brokers will not be able to enter orders that require DMM involvement.[12]

Proposed Rule Change

For the period while the Trading Floor has been temporarily closed, the Exchange has modified the rules governing Auctions to add Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C[13] that are in effect until the earlier of the reopening of the Trading Floor facilities or after the Exchange closes on May 22, 2020.[14]

Because DMM access to the Trading Floor will not change with the partial reopening on May 26, 2020, the Exchange is proposing to extend the following Commentaries related to the absence of DMMs from the Trading Floor, until such time that there is a full reopening of the Trading Floor facilities to DMMs:

- Commentary .01 to Rule 7.35;[15]
- Commentaries .01, .02, .03, and .04 to Rule 7.35A;
- Commentary .01 to Rule 7.35B;[16] and
- Commentaries .01, .02, and .03 to Rule 7.35C

To reflect that the Trading Floor facilities will continue to be closed to DMMs after May 22, 2020, except on trading days when there is an IPO or post-IPO public offering scheduled to allow a DMM on the Trading Floor for the limited purpose of effecting such IPO Auction or Core Open Auction manually, the Exchange proposes to extend the end date of each of the above Commentaries to provide that such Rules would be in effect for the temporary period that ends on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on June 30, 2020.

The Exchange is not proposing any substantive changes to these Rules.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[17] in general, and furthers the objectives of Section 6(b)(5) of the Act,[18] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove

[4] Pursuant to Rule 7.1(e), the CEO notified the Board of Directors of the Exchange of this determination. The Exchange's current rules establish how the Exchange will function fully-electronically. The CEO also closed the NYSE American Options Trading Floor, which is located at the same 11 Wall Street facilities, and the NYSE Arca Options Trading Floor, which is located in San Francisco, CA. *See* Press Release, dated March 18, 2020, available here: *https://ir.theice.com/press/press-releases/all-categories/2020/03-18-2020-204202110*.

[5] *See* Trader Update, available here: *https://www.nyse.com/trader-update/history#110000251588*. Pursuant to Rule 7.1(e), the CEO notified the Board of Directors of the Exchange of this determination. All Floor broker firms are being provided the opportunity for a subset of their staff to return to the Trading Floor.

[6] *See* Rule 7.31(d)(4).

[7] *See* Rules 7.31(c)(1)(C) and (c)(2)(C).

[8] *See* Rule 7.31(h).

[9] *See* Rule 7.31(i)(5).

[10] On March 25, 2020, the CEO of the Exchange made a determination to partially reopen the Trading Floor on trading days when there is an IPO Auction to allow a DMM on the Trading Floor for the limited purpose of effecting such IPO Auction manually. *See* Securities Exchange Act Release Nos. 88488 (March 26, 2020), 85 FR 18286 (April 1, 2020) (SR–NYSE–2020–23) (Notice of filing and immediate effectiveness of proposed rule change). On April 1, 2020, the CEO of the Exchange made a determination to partially reopen the Trading Floor on trading days when a Core Open Auction is scheduled in connection with a listed company's post-IPO public offering to allow a DMM on the Trading Floor for the limited purpose of effecting such Core Open Auctions manually. *See* Securities Exchange Act Release No. 88546 (April 2, 2020), 85 FR 19782 (April 8, 2020) (SR–NYSE–2020–28) (Notice of filing and immediate effectiveness of proposed rule change).

[11] If a DMM is unable to facilitate an Auction electronically, the Exchange would facilitate such Auction pursuant to Rule 7.35C.

[12] *See, e.g.,* Rules 76 (describing crossing orders) and 7.35B(a)(1) (describing Floor broker interest that is verbally represented by a Floor broker by the end of Core Trading Hours, which must be electronically accepted by the DMM before it can participate in the Closing Auction).

[13] *See* Securities Exchange Act Release Nos. 88413 (March 18, 2020), 85 FR 16713 (March 24, 2020) (SR–NYSE–2020–19) (amending Rule 7.35C to add Commentary .01); 88444 (March 20, 2020), 85 FR 17141 (March 26, 2020) (SR–NYSE–2020–22) (amending Rules 7.35A to add Commentary .01, 7.35B to add Commentary .01, and 7.35C to add Commentary .02); 88488 (March 26, 2020), 85 FR 18286 (April 1, 2020) (SR–NYSE–2020–23) (amending Rule 7.35A to add Commentary .02); 88546 (April 2, 2020), 85 FR 19782 (April 8, 2020) (SR–NYSE–2020–28) (amending Rule 7.35A to add Commentary .03); 88562 (April 3, 2020), 85 FR 20002 (April 9, 2020) (SR–NYSE–2020–29) (amending Rule 7.35C to add Commentary .03); 88705 (April 21, 2020), 85 FR 23413 (April 27, 2020) (SR–NYSE–2020–35) (amending Rule 7.35A to add Commentary .04); 88725 (April 22, 2020), 85 FR 23583 (April 28, 2020) (SR–NYSE–2020–37) (amending Rule 7.35 to add Commentary .01); and 88829 (May 6, 2020), 85 FR 28115 (May 12, 2020) (SR–NYSE–2020–41) (amending Rule 7.35B to add Commentary .02 to Rule 7.35B).

[14] *See* Securities Exchange Act Release No. 88891 (May 15, 2020) (SR–NYSE–2020–45) (Notice of filing and immediate effectiveness of proposed rule change to extend the temporary period for Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C to end on the earlier of the reopening of the Trading Floor facilities or after the Exchange closes on May 22, 2020).

[15] Although a subset of Floor brokers will be on the Trading Floor after May 26, 2020, an IPO Auction may still be conducted by a DMM remotely as provided for in Commentary .04 to Rule 7.35A. If a DMM chooses to conduct an IPO Auction remotely, Floor brokers on the Trading Floor will not have access to IPO Auction imbalance information. For this reason, the Exchange is proposing to extend the temporary rule providing for the dissemination of Auction Imbalance Information for IPO Auctions.

[16] The Exchange is not proposing to extend the effective date of Commentary .02 to Rule 7.35B.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

impediments to and perfect the mechanism of a free and open market and a national market system.

To reduce the spread of COVID–19, the CEO of the Exchange made a determination under Rule 7.1(c)(3) that beginning March 23, 2020, the Trading Floor facilities located at 11 Wall Street in New York City would close and the Exchange would move, on a temporary basis, to fully electronic trading. In connection with such temporary closure of the Trading Floor, the Exchange adopted Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C, which are in effect until May 22, 2020. On May 14, 2020, the CEO made a determination under Rule 7.1(c)(3) that, beginning May 26, 2020, the Trading Floor would be partially reopened to allow a subset of Floor brokers to return to the Trading Floor. DMM access to the Trading Floor will not change after May 22, 2020.

The Exchange believes that the proposed rule change would remove impediments to and perfect the mechanism of a free and open market and a national market system because DMM access to the Trading Floor will not change after May 22, 2020. Accordingly, the Exchange believes that the temporary rule changes in effect pursuant to the Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C (other than Commentary .02 to Rule 7.35B), which are intended to be in effect during the temporary period while the Trading Floor is closed to DMMs, should be extended until such time that there is a full reopening of the Trading Floor facilities to DMMs. The Exchange is not proposing any substantive changes to these Rules.

The Exchange believes that, by clearly stating that this relief will be in effect through the earlier of a full reopening of the Trading Floor facilities to DMMs or the close of the Exchange on June 30, 2020, market participants will have advance notice of the temporary period during which the Commentaries to Rules 7.35, 7.35A, 7.35B, and 7.35C will be in effect, including that Commentary .02 to Rule 7.35B will sunset on May 22, 2020.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not designed to address any competitive issues but rather would extend the period during which Commentary .01 to Rule 7.35; Commentaries .01, .02, .03, and .04 to Rule 7.35A; Commentary .01 to Rule 7.35B; and Commentaries .01, .02, and .03 to Rule 7.35C will be in effect. These Commentaries are intended to be in effect during the temporary period while the Trading Floor is closed to DMMs and currently expire on May 22, 2020. Because the Trading Floor will remain temporarily closed to DMMs past May 22, 2020, the Exchange proposes to extend the temporary period for these Commentaries to end on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on June 30, 2020.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [19] and Rule 19b–4(f)(6) thereunder.[20] Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [21] and Rule 19b–4(f)(6) thereunder.[22]

A proposed rule change filed under Rule 19b–4(f)(6) [23] normally does not become operative for 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 the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The proposal would extend the temporary period during which Commentary .01 to Rule 7.35; Commentaries .01, .02, .03, and .04 to Rule 7.35A; Commentary .01 to Rule 7.35B; and Commentaries .01, .02, and .03 to Rule 7.35C will be in effect to end on the earlier of a full reopening of the Trading Floor facilities to DMMs or after the Exchange closes on June 30, 2020.[25] The proposal would not make any substantive changes to these Commentaries. The Exchange has represented that these Commentaries are intended to be in effect during the temporary period while the Trading Floor is closed to DMMs and currently expire on May 22, 2020. According to the Exchange, while the Trading Floor will partially reopen to a subset of Floor brokers on May 26, 2020, DMM access to the Trading Floor will not change after May 22, 2020.[26] The Commission notes that, without a waiver of the operative delay, these Commentaries would cease to apply while the Exchange's Trading Floor facilities are still temporary closed to DMMs.[27] For these reasons, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[28]

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 shall 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.

[19] 15 U.S.C. 78s(b)(3)(A)(iii).

[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)(iii).

[25] Commentary .02 to Rule 7.35B will sunset on May 22, 2020.

[26] According to the Exchange, the Trading Floor facilities will continue to be closed to DMMs, except on trading days when an IPO Auction or Core Open Auction for a post-IPO public offering is scheduled to allow a DMM on the Trading Floor for the limited purpose of effecting such IPO Auction or Core Open Auction manually.

[27] *See supra* note 26 and accompanying text.

[28] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2020–47 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSE–2020–47. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2020–47, and should be submitted on or before June 18, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[29]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11474 Filed 5–27–20; 8:45 am]

BILLING CODE 8011–01–P

[29] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88924; File No. SR–NYSEArca–2020–07]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Amendment No. 2 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 2, to List and Trade Shares of the SPDR SSGA Responsible Reserves ESG ETF under NYSE Arca Rule 8.600–E

May 21, 2020.

I. Introduction

On January 14, 2020, NYSE Arca, Inc. (''Exchange'' or ''NYSE Arca'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares (''Shares'') of the SPDR SSGA Responsible Reserves ESG ETF (''Fund''), under NYSE Arca Rule 8.600–E (Managed Fund Shares). The proposed rule change was published for comment in the **Federal Register** on January 30, 2020.[3] On March 12, 2020, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On April 22, 2020, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the proposed rule change as originally filed.[6] On April 24, 2020, the Commission published notice of Amendment No. 1 and instituted proceedings under Section 19(b)(2)(B) of the Act [7] to determine whether to approve or disapprove the proposed rule change.[8] On May 11, 2020, the Exchange filed Amendment No. 2 to the proposed rule change, which replaced and superseded the proposed rule change, as modified by Amendment No. 1.[9] The Commission has received no comment letters on the proposal. The Commission is publishing this notice to solicit comments on Amendment No. 2 from interested persons, and is approving the proposed rule change, as modified by Amendment No. 2, on an accelerated basis.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 2 [10]

A. Description of the Fund

The Exchange proposes to list and trade Shares of the Fund under NYSE Arca Rule 8.600–E, which governs the listing and trading of Managed Fund Shares on the Exchange. The Fund is a series of the SSGA Active Trust (''Trust'').[11] SSGA Funds Management, Inc. (''Adviser'') will be the investment adviser to the Fund,[12] State Street

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 88031 (January 24, 2020), 85 FR 5493.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 88364, 85 FR 15550 (March 18, 2020). The Commission designated April 29, 2020, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] Amendment No. 1 is available on the Commission's website at: *https://www.sec.gov/comments/sr-nysearca-2020-07/srnysearca202007-7104394-215848.pdf.*

[7] 15 U.S.C. 78s(b)(2)(B).

[8] *See* Securities Exchange Act Release No. 88738, 85 FR 24050 (April 30, 2020).

[9] In Amendment No. 2, the Exchange: (i) Clarified that the Fund would not be permitted to invest in sovereign debt obligations issued or guaranteed by emerging market countries or their agencies; (ii) represented that the Fund may not invest more than 5% of its total assets in any one Short-Term Fixed Income Security (as defined below) at the time of purchase (excluding U.S. Government securities and inflation-protected public obligations (''TIPS'')); (iii) clarified that the Fund's holdings in Short-Term Fixed Income Securities, and cash and cash equivalents will allow the Fund to maintain a maximum dollar-weighted average maturity of sixty days or less and dollar-weighted average life of 120 days or less and will have remaining maturities of 397 calendar days or less; (iv) represented that the Fund's Short-Term Fixed Income Securities all will be investment grade; (v) represented that the Fund's fixed income investments as a whole, including Short-Term Fixed Income Securities and cash equivalents, will include at least 13 non-affiliated issuers; and (vi) made technical, clarifying, and conforming changes. Amendment No. 2 is available on the Commission's website at: *https://www.sec.gov/comments/sr-nysearca-2020-07/srnysearca202007-7180920-216791.pdf.*

[10] Additional information regarding the Fund, the Trust, and the Shares can be found in Amendment No. 2, *supra* note 9, and in the Registration Statement, *infra* note 11.

[11] The Exchange states that on December 20, 2019, the Trust filed with the Commission an amendment to its registration statement on Form N–1A under the Securities Act of 1933 (15 U.S.C. 77a) (''Securities Act'') and the Investment Company Act of 1940 (''1940 Act'') relating to the Fund (File Nos. 333–173276 and 811–22542) (''Registration Statement''). The Exchange also states that the Commission has issued an order granting certain exemptive relief under the 1940 Act to the Trust. *See* Investment Company Act Release No. 29524, December 13, 2010) (File No. 812–13487) (''Exemptive Order''). The Exchange represents that investments made by the Fund will comply with the conditions set forth in the Exemptive Order.

[12] The Exchange states that the Adviser is a wholly-owned subsidiary of State Street Global Advisors, Inc., which itself is a wholly-owned subsidiary of State Street Corporation. The Exchange states that the Adviser is not registered as a broker-dealer but is affiliated with a broker-dealer and has implemented and will maintain a fire wall

Global Advisors Funds Distributors, LLC will be the distributor of the Fund's Shares, and State Street Bank and Trust Company will be the custodian and transfer agent for the Fund.

According to the Exchange, the investment objective of the Fund will be to seek to maximize current income while giving consideration to environmental, social and governance (''ESG'') criteria, consistent with the preservation of capital and liquidity by investing in a portfolio of high-quality, short-term debt obligations. The Fund will follow an investment process in which the Adviser bases its decisions on the relative attractiveness of different short-term debt instruments while considering ESG criteria at the time of purchase. According to the Exchange, the Adviser intends to consider ESG criteria at the time of purchase by using ESG-related metrics for each Fund investment. The potential investment universe will first be screened to remove issuers involved in, and/or which derive significant revenue from, certain practices, industries or product lines, including: extreme event controversies, controversial weapons, civilian firearms, thermal coal extraction, tobacco, and UN global compact violations. While issuers in the financial services sector are not included in the initial screening process, the Adviser will consider scoring criteria to assign an ESG rating to issuers in the financial services sector.

1. Principal Investments

According to the Exchange, the Fund will attempt to meet its investment objective by investing in a broad range of ''Short-Term Fixed Income Securities,'' as described below. Under normal market conditions,[13] the Fund will invest at least 80% of its net assets in Short-Term Fixed Income Securities, and cash and cash equivalents [14] to maintain a maximum dollar-weighted average maturity of sixty days or less and dollar-weighted average life of 120 days or less. Short-Term Fixed Income Securities in which the Fund will invest will have remaining maturities of 397 calendar days or less, and will consist of the following:

- short-term obligations of the U.S. Government, its agencies, instrumentalities, authorities or political subdivisions (other than cash equivalents);
- mortgage pass-through securities; [15]
- corporate bonds, floating rate bonds or variable rate bonds (including ''inverse floaters'');
- bank obligations, including negotiable certificates of deposit, time deposits and bankers' acceptances [16] (other than cash equivalents);
- zero coupon securities;
- Eurodollar Certificates of Deposit (''ECDs''), Eurodollar Time Deposits (''ETDs'') and Yankee Certificates of Deposit (''YCDs''); [17]
- TIPS of the U.S. Treasury, as well as TIPS of major governments other than the United States;
- repurchase and reverse repurchase agreements (other than repurchase and reverse repurchase agreements that are cash equivalents);
- sovereign debt obligations issued or guaranteed by foreign governments (excluding emerging market countries) or their agencies;
- commercial paper (other than cash equivalents); and
- private placements, restricted securities and Rule 144A securities.

2. Other Investments

While the Fund, under normal market conditions, will invest at least 80% of the Fund's net assets in the securities described above in ''Principal Investments,'' the Fund may invest its remaining assets in exchange traded funds (''ETFs'') [18] and securities of non-exchange-traded investment company securities, subject to applicable limitations under Section 12(d)(1) of the 1940 Act.[19] The Exchange represents that the Fund will not invest in securities or other financial instruments that have not been described in this proposed rule change.

B. Application of Generic Listing Requirements

The Exchange states that it submitted this proposed rule change because the portfolio for the Fund will not meet all of the generic listing requirements of Commentary .01 to NYSE Arca Rule 8.600–E applicable to the listing of Managed Fund Shares. The Exchange represents that the Fund's portfolio would meet all such requirements except for those set forth in Commentary .01(a)(1)(A) through (E) with respect to the Fund's investments in non-exchange-traded investment company securities [20] and Commentary .01(b)(3) to NYSE Arca Rule 8.600–E with respect to the Fund's investments in Short-Term Fixed Income Securities.[21]

The Fund may invest in shares of non-exchange traded open-end management investment company

with respect to such broker-dealer affiliate regarding access to information concerning the composition of and/or changes to the portfolio. The Exchange further states that in the event that (a) the Adviser becomes registered as a broker-dealer or newly affiliated with one or more broker-dealers, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement and maintain a fire wall with respect to its relevant personnel or its broker-dealer affiliate, as applicable, regarding access to information concerning the composition of and/or changes to the portfolio, and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding the portfolio.

[13] The term ''normal market conditions'' is defined in NYSE Arca Rule 8.600–E(c)(5).

[14] The term ''cash equivalents'' is defined in Commentary .01(c) to NYSE Arca Rule 8.600–E.

[15] The Exchange states that the Fund will seek to obtain exposure to U.S. agency mortgage pass-through securities primarily through the use of ''to-be-announced'' or ''TBA transactions.''

[16] Under normal market conditions, the Fund intends to invest more than 25% of its total assets in bank obligations.

[17] The Exchange states that ECDs and ETDs are U.S. dollar denominated certificates of deposit and time deposits, respectively, issued by non-U.S. branches of domestic banks and non-U.S. banks, and YCDs are U.S. dollar denominated certificates of deposit issued by U.S. branches of non-U.S. banks.

[18] The Exchange states that for purposes of this filing, ''ETFs'' are Investment Company Units (as described in NYSE Arca Rule 5.2–E(j)(3)); Portfolio Depositary Receipts (as described in NYSE Arca Rule 8.100–E); and Managed Fund Shares (as described in NYSE Arca Rule 8.600–E). All ETFs will be listed and traded in the U.S. on a national securities exchange. The Fund will not invest in inverse or leveraged (*e.g.,* 2X, –2X, 3X or –3X) ETFs.

[19] The Exchange states that investments in other non-exchange-traded open-end management investment company securities will not exceed 20% of the total assets of the Fund.

[20] Commentary .01(a)(1) to NYSE Arca Rule 8.600–E provides that the component stocks of the equity portion of a portfolio that are U.S. Component Stocks shall meet the following criteria initially and on a continuing basis (subject to exclusions for Derivative Securities Products and Index-Linked Securities): (A) component stocks that in the aggregate account for at least 90% of the equity weight of the portfolio each shall have a minimum market value of at least $75 million; (B) component stocks that in the aggregate account for at least 70% of the equity weight of the portfolio each shall have a minimum monthly trading volume of 250,000 shares, or minimum notional volume traded per month of $25,000,000, averaged over the last six months; (C) the most heavily weighted component stock shall not exceed 30% of the equity weight of the portfolio, and, to the extent applicable, the five most heavily weighted component shall not exceed 65% of the equity weight of the portfolio; (D) where the equity portion of the portfolio does not include Non-U.S. Component Stocks, the equity portion of the portfolio shall include a minimum of 13 component stocks; (E) except as provided in (F), equity securities in the portfolio shall be U.S. Component Stocks listed on a national securities exchange and shall be NMS Stocks as defined in Rule 600 of Regulation NMS under the Act; and (F) no more than 10% of the equity weight of a portfolio shall consist of non-exchange-traded American Depositary Receipts.

[21] Commentary .01(b)(3) to NYSE Arca Rule 8.600–E requires that an underlying portfolio (excluding exempted securities) that includes fixed income securities shall include a minimum of 13 non-affiliated issuers, provided, however, that there shall be no minimum number of non-affiliated issuers required for fixed income securities if at least 70% of the weight of the portfolio consists of equity securities as described in Commentary .01(a) to NYSE Arca Rule 8.600–E.

securities, which are equity securities. To the extent the Fund invests in shares of non-exchange-traded open-end management investment company securities, the Fund will not comply with the requirements of Commentary .01(a)(1)(A) through (E) to NYSE Arca Rule 8.600–E (U.S. Component Stocks) with respect to such holdings. The Exchange notes that investments in non-exchange-traded open-end management investment company securities will not exceed 20% of the total assets of the Fund. In addition, the Fund will invest in such securities only to the extent that those investments would be consistent with the requirements of Section 12(d)(1) of the 1940 Act and the rules thereunder. The Exchange further notes that such securities must satisfy applicable 1940 Act diversification requirements and have a net asset value based on the value of securities and financial assets the investment company holds.

In addition, the Exchange states that the Fund's investments in Short-Term Fixed Income Securities may not comply with Commentary .01(b)(3) to NYSE Arca Rule 8.600–E. Commentary .01(b)(3) requires that an underlying portfolio (excluding exempted securities) that includes fixed income securities to include a minimum of 13 non-affiliated issuers, unless at least 70% of the weight of the portfolio consists of equity securities as described in Commentary .01(a) to NYSE Arca Rule 8.600–E. The Exchange believes that any concerns related to non-compliance with this requirement are mitigated by the types of instruments that the Fund would hold. The Adviser represents that the Fund is not a money market fund but its investment strategy follows certain guidelines applicable to such funds. Specifically, the Fund will only invest in Short-Term Fixed Income Securities to allow the Fund to maintain a maximum dollar-weighted average maturity of sixty days or less and dollar-weighted average life of 120 days or less. The Fund will only invest in Short-Term Fixed Income Securities that have remaining maturities of 397 calendar days or less and that are investment grade. The Fund's Short-Term Fixed Income Securities will include those instruments that are included in the definition of cash and cash equivalents, but are not considered cash and cash equivalents because they have maturities of three months or greater and up to 397 days. In addition, the Fund's Short-Term Fixed Income Securities may include securities that are not of the type characterized as cash equivalents, including foreign government securities (excluding emerging market countries' securities) and corporate bonds. The Exchange represents that the Fund's investments in sovereign debt obligations (which will not include obligations of emerging market countries), corporate bonds, floating rate bonds, and variable rate bonds will be limited to 30% of the Fund's total assets. The Exchange also represents that the Fund may not invest more than 5% of its total assets in any one Short-Term Fixed Income Security (excluding U.S. Government securities and TIPS) at time of purchase. In addition, the Exchange states that the Fund's fixed income investments as a whole, including Short-Term Fixed Income Securities and cash equivalents, will include at least 13 non-affiliated issuers.

The Exchange notes that, other than Commentary .01(a)(1)(A) through (E) regarding the Fund's investments in non-exchange-traded investment company securities and Commentary .01(b)(3) regarding the Fund's investments in Short-Term Fixed Income Securities, as described above, the Fund will meet all other requirements of Rule 8.600–E.

III. Discussion and Commission's Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 2, is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange.[22] In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 2, is consistent with Section 6(b)(5) of the Act,[23] which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

According to the Exchange, other than Commentary .01(a)(1)(A) through (E) with respect to the Fund's investments in non-exchange-traded investment company securities and Commentary .01(b)(3) with respect to the Fund's investments in Short-Term Fixed Income Securities, as described above, the Fund will meet all other requirements of NYSE Arca Rule 8.600–E, and the Shares of the Fund will conform to the initial and continued listing criteria under NYSE Arca Rule 8.600–E.

With respect to the Fund's investments in shares of non-exchange-traded open-end investment company securities, which will not comply with the requirements for equity securities set forth in Commentary .01(a)(1)(A) through (E) to NYSE Arca Rule 8.600–E,[24] the Commission notes that: (1) Such securities must satisfy applicable 1940 Act diversification requirements; and (2) the value of such securities is based on the value of securities and financial assets held by those investment companies.[25] In addition, the Exchange states that investments in non-exchange-traded open-end management investment company securities will not exceed 20% of the total assets of the Fund.[26] The Commission therefore believes that the Fund's investments in non-exchange-traded open-end management investment company securities would not make the Shares susceptible to fraudulent or manipulative acts and practices.[27]

The Fund's investments in Short-Term Fixed Income Securities will not meet the requirement for 13 non-affiliated issuers in Commentary .01(b)(3) to NYSE Arca Rule 8.600–E.[28] The Commission, however, believes that certain restrictions on the Short-Term Fixed Income Securities help to mitigate concerns regarding the Shares being susceptible to manipulation because of the Fund's investment in the Short-Term Fixed Income Securities.[29] Specifically, the Exchange states that Short-Term Fixed Income Securities will include instruments that are included in the definition of cash equivalents,[30] but are not considered cash equivalents because they have maturities of three months or greater. As proposed, the Fund's investments in Short-Term Fixed Income Securities will also include sovereign debt

[22] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[23] 15 U.S.C. 78f(b)(5).

[24] *See supra* note 20.

[25] *See* Amendment No. 2, *supra* note 9.

[26] *See id.*

[27] The Commission notes it has approved other exchange-traded funds that can hold non-exchange-traded open-end management investment company securities in a manner that does not comply with Commentary .01(a)(1) to Rule 8.600–E. *See, e.g.,* Securities Exchange Act Release No. 86362 (July 12, 2019), 84 FR 34457 (July 18, 2019) (SR–NYSEArca–2019–36).

[28] *See supra* note 21.

[29] The Commission notes that the Short-Term Fixed Income Securities will comply with all other requirements for fixed income securities set forth in Commentary .01(b) to NYSE Arca Rule 8.600–E, and the cash equivalents the Fund may invest in will comply with the requirements of Commentary .01(c). *See* Amendment No. 2, *supra* note 9.

[30] *See supra* note 14.

obligations (which will not include obligations of emerging market countries), corporate bonds, floating rate bonds and variable rate bonds, but such holdings would be limited to 30% of the Fund's total assets.[31] In addition, although the Fund's investments in Short-Term Fixed Income Securities would include sovereign debt, they would exclude sovereign debt obligations of emerging market countries.[32] Further, the Short-Term Fixed Income Securities in which the Fund may invest will have remaining maturities of 397 days or less and will be investment grade.[33] In addition, the Fund may not invest more than 5% of its total assets, measured at the time of purchase, in any one Short-Term Fixed Income Security (excluding U.S. Government securities and TIPS).[34] The Exchange also states that the Fund's fixed income investments as a whole, including Short-Term Fixed Income Securities and cash equivalents, will include at least 13 non-affiliated issuers.[35]

The Exchange represents that all statements and representations made in the filing regarding (a) the description of the portfolio holdings or reference assets, (b) limitations on portfolio holdings or reference assets, or (c) the applicability of Exchange listing rules specified in the filing shall constitute continued listing requirements for listing the Shares of the Fund on the Exchange. In addition, the issuer has represented to the Exchange that it will advise the Exchange of any failure by the Fund to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Act, the Exchange will monitor[36] for compliance with the continued listing requirements. If the Fund is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under NYSE Arca Rule 5.5–E(m).

This approval order is based on all of the Exchange's representations, including those set forth above and in Amendment No. 2. For the foregoing reasons, the Commission finds that the proposed rule change, as modified by Amendment No. 2, is consistent with Section 6(b)(5) of the Act[37] and the rules and regulations thereunder applicable to a national securities exchange.

IV. Solicitation of Comments on Amendment No. 2 to the Proposed Rule Change

Interested persons are invited to submit written views, data, and arguments concerning whether Amendment No. 2 is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEArca–2020–07 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–NYSEArca–2020–07. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEArca–2020–07 and should be submitted on or before June 18, 2020.

V. Accelerated Approval of the Proposed Rule Change, as Modified by Amendment No. 2

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 2, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 2 in the **Federal Register**. The Commission notes that Amendment No. 2 clarified the investments of the Fund and restrictions thereon and the application of NYSE Arca Rule 8.600–E, Commentary .01 to the Fund's investments. Amendment No. 2 also provided other clarifications and additional information related to the proposed rule change. The changes and additional information in Amendment No. 2 assist the Commission in evaluating the Exchange's proposal and in determining that it is consistent with the Act. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[38] to approve the proposed rule change, as modified by Amendment No. 2, on an accelerated basis.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[39] that the proposed rule change (SR–NYSEArca–2020–07), as modified by Amendment No. 2, be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[40]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11400 Filed 5–27–20; 8:45 am]

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[31] *See* Amendment No. 2, *supra* note 9.

[32] *See id.*

[33] *See id.*

[34] *See id.*

[35] *See id.*

[36] The Commission notes that certain proposals for the listing and trading of exchange-traded products include a representation that the exchange will ''surveil'' for compliance with the continued listing requirements. *See, e.g.,* Securities Exchange Act Release No. 77499 (April 1, 2016), 81 FR 20428, 20432 (April 7, 2016) (SR–BATS–2016–04). In the context of this representation, it is the Commission's view that ''monitor'' and ''surveil'' both mean ongoing oversight of compliance with the continued listing requirements. Therefore, the Commission does not view ''monitor'' as a more or less stringent obligation than ''surveil'' with respect to the continued listing requirements.

[37] 15 U.S.C. 78f(b)(5).

[38] 15 U.S.C. 78s(b)(2).

[39] *Id.*

[40] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88929; File No. SR–ICC–2020–003]

Self-Regulatory Organizations; ICE Clear Credit LLC; Order Approving Proposed Rule Change Relating to the Clearance of Additional Credit Default Swap Contracts

May 21, 2020.

I. Introduction

On March 26, 2020, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to revise the ICC Rulebook (the ''Rules'') [3] to provide for the clearance of an additional Standard Emerging Market Sovereign CDS contract (the ''EM Contract'') and additional Standard Western European Sovereign CDS contracts (collectively, the ''SWES Contracts''). The proposed rule change was published for comment in the **Federal Register** on April 7, 2020.[4] The Commission did not receive comments regarding the proposed rule change. For the reasons discussed below, the Commission is approving the proposed rule change.

II. Description of the Proposed Rule Change

The principal purpose of the proposed rule change is to revise the Rules to provide for the clearance of an additional EM Contract and additional SWES Contracts.[5] Specifically, ICC proposes amending Subchapter 26D of its Rules to provide for the clearance of the additional EM Contract, the Republic of Croatia. This additional EM Contract has terms consistent with the other EM Contracts approved for clearing at ICC and governed by Subchapter 26D of the Rules. Minor revisions to Subchapter 26D (Standard Emerging Market Sovereign (''SES'') Single Name) are made to provide for clearing the additional EM Contract. Specifically, in Rule 26D–102 (Definitions), ''Eligible SES Reference Entities'' is modified to include the Republic of Croatia in the list of specific Eligible SES Reference Entities to be cleared by ICC.

Additionally, ICC proposes amending Subchapter 26I of its Rules to provide for the clearance of the additional SWES Contracts, the Republic of Finland and the Hellenic Republic. These additional SWES Contracts have terms consistent with the other SWES Contracts approved for clearing at ICC and governed by Subchapter 26I of the Rules. Minor revisions to Subchapter 26I (Standard Western European Sovereign Single Name) are made to provide for clearing the additional SWES Contracts. Specifically, in Rule 26I–102 (Definitions), ''Eligible SWES Reference Entities'' is modified to include the Republic of Finland and the Hellenic Republic in the list of specific Eligible SWES Reference Entities to be cleared by ICC.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization.[6] Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of ICC be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, as well as to assure the safeguarding of securities and funds which are in the custody or control of ICC or for which it is responsible.[7]

The Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act.[8] The Commission has reviewed the terms and conditions of these additional contracts proposed for clearing and has determined that they are substantially similar to the other contracts listed in Subchapters 26D and 26I of the ICC Rules, all of which ICC currently clears, with the key difference being that the underlying reference obligations will be issuances by the Republic of Croatia, the Republic of Finland, and the Hellenic Republic. Moreover, after reviewing the Notice and ICC's Rules, policies and procedures, the Commission finds that the additional EM and SWES Contracts will be cleared pursuant to ICC's existing clearing arrangements and related financial safeguards, protections and risk management procedures. In addition, based on its own experience and expertise, including a review of data on volume, open interest, and the number of ICC clearing participants (''CPs'') that currently trade in the additional EM and SWES Contracts as well as certain model parameters for the additional EM and SWES Contracts, the Commission finds that ICC's rules, policies, and procedures are reasonably designed to price and measure the potential risk presented by these products, collect financial resources in proportion to such risk, and liquidate these products in the event of a CP default, all of which should help ensure ICC's ability to maintain the financial resources it needs to provide its critical services and function as a central counter party, thereby promoting the prompt and accurate settlement of EM and SWES Contracts and other credit default swap transactions. For the same reasons, the Commission believes that the proposed rule change should help assure the safeguarding of securities or funds in the custody or control of ICC, and would be consistent with the protection of investors and the public interest.

Therefore, the Commission finds that acceptance of the additional EM and SWES Contracts, on the terms and conditions set out in ICC's Rules, is consistent with the prompt and accurate clearance and settlement of securities transactions and derivative agreements, contracts, and transactions cleared by ICC and the safeguarding of securities and funds in the custody or control of ICC, within the meaning of Section 17A(b)(3)(F) of the Act.[9]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of Section 17A(b)(3)(F) of the Act.[10]

It is therefore ordered pursuant to Section 19(b)(2) of the Act [11] that the proposed rule change (SR–ICC–2020–003), be, and hereby is, approved.[12]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Capitalized terms used but not defined herein have the meanings specified in the Rules.

[4] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change Relating to the Clearance of Additional Credit Default Swap Contracts; Exchange Act Release No. 88537 (April 1, 2020); 85 FR 19551 (April 7, 2020) (''Notice'').

[5] The description that follows is excerpted from the Notice, 85 FR 19551.

[6] 15 U.S.C. 78s(b)(2)(C).

[7] 15 U.S.C. 78q–1(b)(3)(F).

[8] 15 U.S.C. 78q–1(b)(3)(F).

[9] 15 U.S.C. 78q–1(b)(3)(F).

[10] 15 U.S.C. 78q–1(b)(3)(F).

[11] 15 U.S.C. 78s(b)(2).

[12] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11404 Filed 5–27–20; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88927; File No. SR–ICC–2020–006)]

Self-Regulatory Organizations; ICE Clear Credit LLC; Order Approving Proposed Rule Change Relating to ICC's Treasury Operations Policies and Procedures

May 21, 2020.

I. Introduction

On April 8, 2020, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4,[2] a proposed rule change to revise the ICC Treasury Operations Policies and Procedures (''Treasury Policy''). The proposed rule change was published for comment in the **Federal Register** on April 20, 2020.[3] The Commission did not receive comments regarding the proposed rule change. For the reasons discussed below, the Commission is approving the proposed rule change.

II. Description of the Proposed Rule Change

The proposed rule change would revise the Treasury Policy to clarify ICC's approval process for adding a new settlement bank, ICC's minimum criteria applicable to settlement banks, and ICC's backup settlement banks. Currently, the Direct Settlement Section of the Treasury Policy requires that ICC's Director of Treasury and the Risk Department (credit analyst) conduct a review before ICC begins using a bank as a settlement bank, with final approval from the ICC President. Under the proposed rule change, ICC's Director of Treasury and the Risk Department (credit analyst) would still conduct a review before ICC begins using a bank as a settlement bank. The proposed rule change would require, however, that the Credit Review Subcommittee of the Participant Review Committee (the ''CRS''), rather than ICC's President, approve ICC's use of a bank. The CRS is comprised of ICC staff, including the ICC President, ICC Chief Operating Officer, and representatives from various departments, and is tasked with counterparty review responsibilities. Thus, under the proposed rule change, ICC's President would still be involved in the approval of a bank (as a member of the CRS) but other ICC personnel, as CRS members, would also participate in such approval.

Moreover, the proposed rule change would amend the Direct Settlement Section of the Treasury Policy to set forth the minimum criteria that ICC applies when determining whether to use a bank as a settlement bank. Currently, the Treasury Policy requires that ICC's Director of Treasury and the Risk Department (credit analyst) review a bank's capitalization, creditworthiness, access to liquidity, operational reliability and supervision before approval of that bank. In addition to those items, the proposed rule change would specify the minimum criteria that ICC applies to its settlement banks. Among other things, these criteria require that a bank be subject to certain regulatory oversight and supervision (*i.e.,* the bank must be subject to regulation and supervision by a competent authority such as the Federal Reserve Board or Office of the Comptroller of the Currency or such other applicable prudential regulatory body acceptable to ICC and if the bank is located outside the United States and will be used for customer funds, it must have in excess of $1 billion of regulatory capital), complete documentation which would allow ICC to assess the bank's financial stability and credit/counterparty risk, and demonstrate requisite operational capability.

Finally, the proposed rule change would amend the Direct Settlement Section of the Treasury Policy and make amendments elsewhere in the Treasury Policy to clarify that ICC currently has two backup settlement banks in addition to one primary settlement bank. Currently, the Treasury Policy notes ICC's primary banking relationship and one backup banking relationship. The proposed rule change would incorporate a reference to the second backup banking relationship, which was inadvertently excluded and does not represent a new banking relationship.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization.[4] For the reasons given below, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act[5] and Rules 17Ad–22(d)(5) and 17Ad–22(d)(8).[6]

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of ICC be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, as well as to assure the safeguarding of securities and funds which are in the custody or control of ICC or for which it is responsible.[7] The Commission believes that ICC's use of settlement banks poses potential risks that, if not mitigated and managed, could disrupt its ability to clear and settle transactions and safeguard securities and funds in its custody and control. For example, failure of a settlement bank, due to operational or financial issues, could inhibit ICC's ability to receive and make payments, which could prevent the final settlement of transactions and transfer of margin. As discussed above, the proposed rule change would revise the Treasury Policy to state that the CRS must approve ICC's use of a bank before ICC begins using that bank as a settlement bank and to provide minimum criteria that ICC must apply when determining whether to use a bank as a settlement bank. The Commission believes that the proposed rule change should help to manage and mitigate the potential risks associated with using a settlement bank, by improving the approval process for a settlement bank. The Commission believes the proposed rule change would improve this process by expanding the personnel within ICC that consider and approve a potential settlement bank and by providing certain minimum standards that a settlement bank must meet for ICC to use that bank, in addition to the criteria for review already listed in the Treasury

[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change, Security-Based Swap Submission, or Advance Notice Relating to ICC's Treasury Operations Policies and Procedures, Exchange Act Release No. 88633 (Apr. 14, 2020); 85 FR 21911 (Apr. 20, 2020) (SR–ICC–2020–006) (''Notice'').

[4] 15 U.S.C. 78s(b)(2)(C).

[5] 15 U.S.C. 78q–1(b)(3)(F).

[6] 17 CFR 240.17Ad–22(d)(5), (d)(8).

[7] 15 U.S.C. 78q–1(b)(3)(F).

Policy. The Commission therefore believes that the proposed rule change should help to promote the prompt and accurate clearance and settlement of securities transactions and assure the safeguarding of securities and funds in ICC's custody and control.

Similarly, in specifying that ICC has two backup settlement banks in addition to one primary settlement bank, the Commission believes that the proposed rule change should better reflect that ICC has backup settlement banks available, and therefore should be able to continue clearing and settling transactions should its primary settlement bank fail.

Therefore, the Commission finds that the proposed rule change should promote the prompt and accurate clearance and settlement of securities transactions and assure the safeguarding of securities and funds in ICC's custody and control, consistent with the Section 17A(b)(3)(F) of the Act.[8]

B. Consistency With Rule 17Ad–22(d)(5)

Rule 17Ad–22(d)(5) requires that ICC establish, implement, maintain and enforce written policies and procedures reasonably designed to employ money settlement arrangements that eliminate or strictly limit its settlement bank risks, that is, its credit and liquidity risks from the use of banks to effect money settlements with its participants; and require funds transfers to the clearing agency to be final when effected.[9] By establishing that the CRS must approve ICC's use of a bank before ICC begins using that bank as a settlement bank, the Commission believes that the proposed rule change should limit the risks of ICC's use of banks to effect money settlements with its Clearing Participants by establishing CRS approval as an additional check on the adequacy and fitness of a proposed settlement bank. Similarly, the Commission believes that the minimum criteria discussed above should require a bank to demonstrate sufficient regulatory oversight and operational ability before becoming a settlement bank, thereby further limiting the risks of ICC's use of banks to effect money settlements with its Clearing Participants. Finally, in specifying that ICC has two backup settlement banks in addition to one primary settlement bank, the Commission believes the proposed rule change should help reflect that ICC has backup settlement banks available should its primary settlement bank fail, thereby further helping to reduce settlement bank risk.

For these reasons, the Commission finds that the proposed rule change is consistent with Rule 17Ad–22(d)(5).[10]

C. Consistency With Rule 17Ad–22(d)(8)

Rule 17Ad–22(d)(8) requires that ICC establish, implement, maintain and enforce written policies and procedures reasonably designed to have governance arrangements that are clear and transparent to fulfill the public interest requirements in Section 17A of the Act[11] applicable to clearing agencies, to support the objectives of owners and participants, and to promote the effectiveness of ICC's risk management procedures.[12] As discussed above, the proposed rule change would require approval by the CRS before ICC establishes a new bank as a settlement bank. The Commission believes this aspect of the proposed rule change would establish a governance arrangement (CRS approval) that is clear and promotes the effectiveness of ICC's procedures to mitigate the risks arising from use of a settlement bank by ensuring that appropriate personnel at ICC are involved in the approval of a new settlement bank. For this reason, the Commission finds that the proposed rule change is consistent with Rule 17Ad–22(d)(8).[13]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of Section 17A(b)(3)(F) of the Act[14] and Rules 17Ad–22(d)(5) and 17Ad–22(d)(8).[15]

It is therefore ordered pursuant to Section 19(b)(2) of the Act[16] that the proposed rule change (SR–ICC–2020–006) be, and hereby is, approved.[17]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11402 Filed 5–27–20; 8:45 am]

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[8] 15 U.S.C. 78q–1(b)(3)(F).

[9] 15 U.S.C. 17Ad–22(d)(5).

[10] 15 U.S.C. 17Ad–22(d)(5).

[11] 15 U.S.C. 78q–1.

[12] 15 U.S.C. 17Ad–22(d)(8).

[13] 15 U.S.C. 17Ad–22(d)(8).

[14] 15 U.S.C. 78q–1(b)(3)(F).

[15] 17 CFR 240.17Ad–22(d)(5), (d)(8).

[16] 15 U.S.C. 78s(b)(2).

[17] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[18] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88930; File No. SR–NYSEArca–2020–45]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Arca Equities Fees and Charges to Institute Ratio Threshold Fees

May 21, 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 May 13, 2020, NYSE Arca, Inc. (''NYSE Arca'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the 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 the NYSE Arca Equities Fees and Charges (''Fee Schedule'') to institute Ratio Threshold Fees. The Exchange proposes to implement the fee change effective May 13, 2020. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule to institute Ratio

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Threshold Fees, which would be applied to orders ranked Priority 2—Display Orders and to shares of Auction-Only Orders that have a disproportionate ratio of orders that are not executed. The Exchange proposes to implement the fee change effective May 13, 2020.[3]

The purpose of the proposed rule change is to encourage efficient usage of Exchange systems by ETP Holders. The Exchange believes that it is in the best interests of all ETP Holders and investors who access the Exchange to encourage efficient systems usage. Unproductive share entry and cancellation practices, such as when ETP Holders flood the market with displayed orders that are frequently and/or rapidly cancelled, do little to support meaningful price discovery, may create investor confusion about the extent of trading interest in a security. The Exchange further believes that inefficient order entry practices of a small number of ETP Holders may place excessive burdens on Exchange systems and to the systems of other ETP Holders that are ingesting market data, while also negatively impacting the usefulness of market data feeds that transmit each order and subsequent cancellation.[4] ETP Holders with an excessive ratio of cancelled to executed orders do little to support meaningful price discovery.

The Exchange believes that market quality can be improved through the imposition of a fee on market participants that have a disproportionate ratio of orders that are not executed. The Exchange believes that the proposed rule change would promote a more efficient marketplace and enhance the trading experience of all ETP Holders by encouraging them to more efficiently participate in the marketplace, while at the same time allowing for the provision of liquidity in volatile, high-volume markets and provide ETP Holders with order management flexibility without being subject to this proposed fee.

Unnecessary ratios of executed orders due to cancellations can have a detrimental effect on all market participants who are potentially compelled to upgrade capacity as a result of the bandwidth usage of other participants. All ETP Holders are free to manage their order and message flow as is consistent with their business models, and the vast majority of ETP Holders are able to do so without even approaching the ratio thresholds proposed for the fee, as described below. The Exchange believes that the proposed rule change would promote a more efficient marketplace, encourage liquidity provision and enhance the trading experience of all ETP Holders by imposing a financial incentive for the small number of ETP Holders that are currently exceeding the proposed ratio thresholds. The Exchange notes that its technology and infrastructure is adequately able to handle high-volume and high-volatility situations for ETP Holders that exceed the thresholds established by the Exchange. As described below, the proposed fee would take into consideration the number of shares that are executed or trades that occur.

Only a small number of ETP Holders are executing orders at a disproportionately low ratio to the number of orders that have been entered and, thus, the impact of the proposed fee would be narrow and limited to those ETP Holders. These ETP Holders could avoid the proposed fee by changing their behavior. The Exchange believes the proposed fee would encourage ETP Holders that could be impacted by the proposed fee to modify their practices in order to avoid the fee, thereby improving the market for all participants. Accordingly, the Exchange does not expect the proposed fee to result in meaningful, if any, revenue. Prior to the submission of the proposed fee change, the Exchange engaged in discussions with ETP Holders that could be impacted by the proposed fee based on their prior trading behavior so that they may enhance the efficiency of their order entry practices and avoid the fee. The Exchange also provided notice to ETP Holders generally regarding the proposed fee.[5]

As proposed, the Ratio Threshold Fee would apply to orders ranked Priority 2—Display Orders and to shares of Auction-Only Orders during the period when Auction Imbalance information is being disseminated.

Ratio Threshold for Priority 2—Display Orders (''RT—Display Fee'')

For orders ranked Priority 2—Display Orders, ETP Holders that have characteristics indicative of inefficient order entry practices would be charged an RT—Display Fee on a monthly basis.[6] For purposes of determining the RT—Display Fee:

- The ''Weighted Order Total'' is the total number of orders ranked Priority 2—Display Orders entered by that ETP Holder in a month, as adjusted by a ''Weighting Factor.'' The Weighted Order Total calculation excludes (i) all orders in securities in which an ETP Holder is registered as a Market Maker[7] or Lead Market Maker[8] and (ii) all orders for an ETP Holder that is registered as a Market Maker or Lead Market Maker in 100 or more securities.
- The ''Weighting Factor'' applied to each order based on its price in comparison to the national best bid or best offer (''NBBO'') at the time of order entry is:

Order's price versus NBBO at entry	Weighting factor
Less than 0.20% away	0x
0.20% to 0.99% away	1x
1.00% to 1.99% away	2x
2.00% or more away	3x

For example, an order more than 2.0% away from the NBBO would be equivalent to three orders that were 0.50% away. Due to the applicable Weighting Factor of 0x, orders entered less than 0.20% away from the NBBO would not be included in the Weighted Order Total but would be included in the ''executed'' orders component of the Order Entry Ratio if they execute in full or part.

- The ''Order Entry Ratio'' would be calculated by dividing an ETP Holder's Weighted Order Total by the greater of (i) the number of orders ranked Priority 2—Display Orders that execute in full or in part or (ii) the number one (1).[9]
- ''Excess Weighted Orders'' would be calculated by subtracting (i) the Weighted Order Total that would result in the ETP Holder having an Order

[3] The Exchange originally filed to amend the Fee Schedule on May 1, 2020 (SR–NYSEArca-2020–40). SR–NYSEArca–2020–40 was subsequently withdrawn and replaced by this filing.

[4] *See generally* Recommendations Regarding Regulatory Reponses to the Market Events of May 6, 2010, Joint CFTC–SEC Advisory Committee on Emerging Regulatory Issues, at 11 (February 18, 2011) (''The SEC and CFTC should also consider addressing the disproportionate impact that [high frequency trading] has on Exchange message traffic and market surveillance costs. . . . The Committee recognizes that there are valid reasons for algorithmic strategies to drive high cancellation rates, but we believe that this is an area that deserves further study. At a minimum, we believe that the participants of those strategies should properly absorb the externalized costs of their activity.'').

[5] *See* Trader Update at *https://www.nyse.com/publicdocs/nyse/notifications/trader-update/NYSE_Arca_Price_Change_2020_May.pdf.*

[6] The proposed fee focuses on displayed orders because such orders use more system resources than non-displayed orders.

[7] The term ''Market Maker'' is defined in Rule 1.1(z) to mean an ETP Holder that acts as a Market Maker pursuant to Rule 7–E.

[8] The term ''Lead Market Maker'' is defined in Rule 1.1(w) to mean a registered Market Maker that is the exclusive Designated Market Maker in listings for which the Exchange is the primary market.

[9] In the case where no orders entered by an ETP Holder executed, this component of the ratio would be assumed to be 1, so as to avoid the impossibility of dividing by zero.

Entry Ratio of 100 from (ii) the ETP Holder's actual Weighted Order Total.

An ETP Holder with a daily average Weighted Order Total of 100,000 or more [10] during a month would be charged the RT—Display Fee, which is calculated by multiplying the Applicable Rate in the chart below by the number of Excess Weighted Orders.

ETP Holders that exceed the Order Entry Ratio threshold of 1,000:1 would pay a fee of $0.01 on each order that caused the ETP Holder to surpass the threshold. ETP Holders that exceed the Order Entry Ratio threshold of 100:1 but less than 1,000:1 would pay a fee of $0.005 on all orders that caused ETP Holder's ratio to exceed 100:1.

Order entry ratio	Applicable rate
0–100	$0.00
101–1,000	0.005
More than 1,000	0.01

The following example illustrates the calculation of the Order Entry Ratio and resulting RT—Display Fee:

- In a month, ETP Holder A enters 35,000,000 displayed, liquidity-providing orders:
  - 20,000,000 of the orders are in securities in which ETP Holder A is an LMM. These orders are excluded from the calculation.
  - 10,000,000 orders are entered at the NBBO. The Weighting Factor for these orders is 0x.
  - 5,000,000 orders are entered at a price that is 1.50% away from the NBBO. The Weighting Factor for these orders is 2x.
- The Weighted Order Total is $(10{,}000{,}000 \times 0) + (5{,}000{,}000 \times 2) = 10{,}000{,}000$.
- Of the 15,000,000 orders included in the calculation, 90,000 are executed in full or in part.
- The Order Entry Ratio is 10,000,000 (Weighted Order Total)/90,000 (executed orders total) = 111

In the example above, the Weighted Order Total that would result in an Order Entry Ratio of 100 is 9,000,000, since 9,000,000/90,000 = 100. Accordingly, the Excess Weighted Orders would be $10{,}000{,}000 - 9{,}000{,}000 = 1{,}000{,}000$.

The RT—Display Fee charged to an ETP Holder would then be determined by multiplying the Applicable Rate by the number of Excess Weighted Orders.

In the example above, because ETP Holder A had an Order Entry Ratio of 111, the Applicable Rate would be $0.0005. Accordingly, the monthly RT—Display Fee would be 1,000,000 (Excess Weighted Orders) x $0.005 (Applicable Rate) = $5,000.

Ratio Threshold for Auction-Only Orders During the Period When Auction Imbalance Information is Being Disseminated for a Core Open Auction or Closing Auction (''RT—Auction Fee'')

For Auction-Only Orders,[11] ETP Holders with an average daily number of orders of 10,000 or more [12] would be charged an RT—Auction Fee on a monthly basis.[13] For purposes of determining the RT—Auction Fee:

- The number of ''Ratio Shares'' is the average daily number of shares of Auction-Only Orders that are cancelled by the ETP Holder at a disproportionate ratio to the average daily number of shares executed by that ETP Holder. Orders ranked Priority 2—Display Orders designated for the Core Trading Session only that are entered during the period when Auction Imbalance Information for the Core Open Auction is being disseminated are included in the Ratio Shares calculation.[14] All orders entered by an ETP Holder for securities in which it is registered as a Lead Market Maker are not included the calculation of Ratio Shares.
- The ''Ratio Shares Threshold'' is an ETP Holder's Ratio Shares divided by the average daily executed shares by the ETP Holder.

The Exchange proposes to charge the RT—Auction Fee for Auction-Only Orders during the period when Auction Imbalance Information is being disseminated.[15]

The Exchange proposes that it would not charge the RT—Auction Fee if Auction-Only Orders have a Ratio Shares Threshold of less than 50. If the Ratio Shares Threshold is greater than or equal to 50, the fee would be as follows:

- No Charge for ETP Holders with an average of fewer than 20 million Ratio Shares per day.
- $1.00 per million Ratio Shares for ETP Holders with an average of 20 million to 200 million Ratio Shares per day.
- $10.00 per million Ratio Shares for ETP Holders with an average of more than 200 million Ratio Shares per day.

ETP Holders would be charged for the entirety of their Ratio Shares at a rate of $1.00 per million Ratio Shares if the ETP Holder has an average of 20 million to 200 million Ratio Shares; and $10.00 per million Ratio Shares if the ETP Holder has an average of more than 200 million Ratio Shares.

The following example illustrates the calculation of the RT—Auction Fee for Auction-Only Orders.

- In a month, ETP Holder B enters a daily average of 100,000 Auction-Only Orders for the Closing Auction, with an average size of 600 shares.
- Thus, ETP Holder B's daily average number of shares submitted in Auction-Only Orders for the Closing Auction is 60,000,000 shares (100,000 orders $\times$ 600 shares).
- During the period when Closing Auction Imbalance Information is being disseminated, ETP Holder B cancels a daily average of 59,000,000 shares and executes a daily average of 1,000,000 shares in the Closing Auction.
- ETP Holder B has an average daily Ratio Shares quantity of 58,000,000 ($59{,}000{,}000 - 1{,}000{,}000$), and a Ratio Shares Threshold of 58 (58,000,000/1,000,000).
- Since the Ratio Shares Threshold is greater than 50 and the average daily Ratio Shares quantity is between 20 million and 200 million, ETP Holder B would be subject to the proposed fee of

[10] The Exchange believes it is reasonable to exclude ETP Holders with a daily average Weighted Order Total of less than 100,000 during the month because an ETP Holder with an extremely low volume of entered orders has only a de minimis impact on Exchange systems.

[11] An Auction-Only Order is a Limit or Market Order that is to be traded only within an auction pursuant to Rule 7.35–E or routed pursuant to Rule 7.34–E. *See* Rule 7.31–E(c). Auction-Only Orders are orders submitted by an ETP Holder during the Early Open Auction, Core Open Auction, Closing Auction and Trading Halt Auction. *See* Rule 7.35–E.

[12] The Exchange believes it is reasonable to exclude ETP Holders with average daily orders of less than 10,000 during the month because an ETP Holder with an extremely low volume of entered orders has only a de minimis impact on Exchange systems.

[13] Similar to orders ranked Priority 2—Display Orders, the proposed fee focuses on Auction-Only Orders because a disproportionate ratio of such orders that are not executed uses more system resources, including updates to the Auction Imbalance Information as such orders are entered and cancelled, than other order entry and cancellation practices of ETP Holders. Accordingly, for Auction-Only Orders, Ratio Shares include shares of Auction-Only Orders executed in a disproportionate ratio to the quantity of shares entered during the period when Auction Imbalance Information is being disseminated for the Core Open Auction and Closing Auction.

[14] For purposes of the Ratio Threshold Fees, orders ranked Priority 2—Display Orders designated for the Core Trading Session only that are cancelled during the period when Auction Imbalance Information for the Core Open Auction is being disseminated are included in the calculation of the proposed RT—Auction Fee. The Exchange proposes to include such orders as Auction-Only Orders for purposes of such fee because prior to the Core Open Auction, such orders would not be eligible to trade and therefore would not be included in the RT—Display Fee calculation, yet such orders would be included in the imbalance calculation for the Core Open Auction.

[15] *See* Rules 7.35–E(c)(1) (Core Open Auction Imbalance Information begins at 8:00 a.m. ET) and 7.35–E(d)(1) (Closing Auction Imbalance Information begins at 3:00 p.m. ET).

$1.00 per million Ratio Share, resulting in a fee of $1,218 assuming a 21-day month (58,000,000/1,000,000 × $1.00 × 21).

As noted above, the Exchange is not proposing to implement this fee in order to create revenue, but rather to provide an incentive for a small number of ETP Holders to change their order entry practices. Therefore, the Exchange also proposes to limit the amount an ETP Holder would pay by adopting a cap such that the combined RT—Display Fee and RT—Auction Fee for an ETP Holder would not exceed $2,000,000 per month. Based on an analysis of the impact to ETP Holders, the Exchange does not believe that many ETP Holders would be impacted. For example, the median Order Entry Ratio across all ETP Holders in April 2020 [16] for orders ranked Priority 2—Display Orders is 0.32. The median Ratio Shares Threshold across all ETP Holders in April 2020 [17] for Auction-Only Orders is approximately -0.68, which indicates that the median ETP Holder has more executed shares than Ratio Shares.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[18] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,[19] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed fee would help to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, because it is designed to reduce the numbers of orders and shares being entered and then cancelled prior to an execution.

The Proposed Changes are Reasonable

The Exchange operates in a highly competitive market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [20]

As the Commission itself recognized, the market for trading services in NMS stocks has become ''more fragmented and competitive.'' [21] Indeed, equity trading is currently dispersed across 13 exchanges,[22] numerous alternative trading systems,[23] and broker-dealer internalizers and wholesalers, all competing for order flow. Based on publicly-available information, no single exchange currently has more than 20% market share (whether including or excluding auction volume).[24] The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, or discontinue or reduce use of certain categories of products, in response to fee changes. Accordingly, the Exchange's fees, including the proposed Ratio Threshold Fee, are reasonably constrained by competitive alternatives and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

The Exchange believes that the proposed Ratio Threshold Fees are reasonable because they are designed to achieve improvements in the quality of displayed liquidity—both intraday and in advance of auctions—on the Exchange for the benefit of all market participants. In addition, the proposed fees are reasonable because market participants may readily avoid the fee by adjusting their order entry and/or cancellation practices, which would result in more orders or shares being cancelled before execution.

The Exchange believes it is also reasonable to charge a Ratio Threshold Fee on the basis of the number of orders ranked Priority 2—Display Orders and to charge a Ratio Threshold Fee that is based on the number of shares of Auction-Only Orders because, as a general matter, displayed orders entered on the Exchange have fewer shares associated with each order whereas, the share quantity of an Auction-Only Order typically is much larger. The Exchange believes that applying the Ratio Threshold Fee to orders ranked Priority 2—Display Orders based on the number of shares of each order would not promote efficient order entry practice by ETP Holders in a meaningful way because, as noted above, the average size of each displayed order is relatively small in terms of shares. Therefore, to properly incentivize ETP Holders, the Exchange believes assessing the proposed fee based on orders, rather than number of shares, is more appropriate. The Exchange further believes that it is reasonable to apply the proposed fee to Auction-Only Orders only during the period when Auction Imbalance Information is being disseminated, because such orders are not displayed prior to such information being disseminated. By contrast, cancelling shares of Auction-Only Orders during the period when Auction Imbalance Information is being disseminated could result in excessive and unnecessary changes to imbalance information.

Although only a small number of ETP Holders could be subject to the proposed fee, the Exchange believes that the proposed fee is necessary because of the negative externalities that such behavior imposes on others through order entry practices resulting in a disproportionate ratio of executed orders or shares to those that are not executed. Accordingly, the Exchange believes that it is fair to impose the fee on these market participants in order to incentivize them to modify their practices and thereby benefit the market. Importantly, whether an ETP Holder would be subject to the proposed fee would be independent of any determination of whether such ETP Holder is complying with Exchange and federal rules, including those governing order entry and cancellation.

The Exchange believes that the proposed combined fee cap of $2,000,000 is reasonable as it would reduce the impact of the fee on ETP Holders. As noted above, the purpose of

[16] Through April 20, 2020.

[17] *Id.*

[18] 15 U.S.C. 78f(b).

[19] 15 U.S.C. 78f(b)(4) and (5).

[20] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37495, 37499 (June 29, 2005) (S7–10–04) (''Regulation NMS'').

[21] *See* Securities Exchange Act Release No. 51808, 84 FR 5202, 5253 (February 20, 2019) (File No. S7–05–18) (Final Rule).

[22] *See* Cboe U.S Equities Market Volume Summary, available at *https://markets.cboe.com/us/equities/market_share. See generally https://www.sec.gov/fast-answers/divisionsmarketregmrexchangesshtml.html.*

[23] *See* FINRA ATS Transparency Data, *available at https://otctransparency.finra.org/otctransparency/AtsIssueData.* A list of alternative trading systems registered with the Commission is *available at https://www.sec.gov/foia/docs/atslist.htm.*

[24] *See* Cboe Global Markets U.S. Equities Market Volume Summary, available at *http://markets.cboe.com/us/equities/market_share/.*

the proposed fee is not to generate revenue for the Exchange, but rather to provide an incentive for a small number of ETP Holders to change their order entry and/or cancellation behavior. As a general principal, the Exchange believes that greater participation on the Exchange by ETP Holders improves market quality for all market participants. Thus, in adopting the proposed fee, and the cap, the Exchange balanced the desire to improve market quality against the need to discourage inefficient order entry and/or cancellation practices.

The Exchange believes the proposed rule change is designed to promote just and equitable principles of trade by adopting a fee that is comparable to a fee charged by the NASDAQ Stock Market LLC (''Nasdaq'') [25] and by Exchange's options market, NYSE Arca Options, to OTP Holders to disincentivize a disproportionate ratio of orders that are not executed.[26] With respect to the RT—Display Fee, the proposed fee is identical to the Excess Order Fee currently in place on Nasdaq and would subject ETP Holders to the fee if they exceed the Order Entry Ratio thresholds established by the Exchange, which thresholds are also identical to those on Nasdaq. Additionally, while the RT—Auction Fee is novel in that no other exchange currently assesses such a fee, the proposed fee, similar to the RT—Display fee, is intended to disincentivize a disproportionate ratio of orders that are not executed. Therefore, the RT—Auction Fee focuses on Auction-Only Orders because a disproportionate ratio of such orders that are not executed uses more system resources, including updates to the Auction Imbalance Information as such orders are entered and cancelled, than other order entry and cancellation practices of ETP Holders. Finally, the RT—Auction Fee, unlike the RT—Display Fee which would be assessed on a tiered basis, would be applied on the entirety of each ETP Holder's Ratio Shares, which, as defined above, is calculated net of shares that have been executed, and therefore, the fee would be applied only to those shares that remain unexecuted. The Exchange believes it would be appropriate to assess the fee in a non-tiered manner because Auction-Only Orders generally have a larger number of shares associated with each order than orders ranked Priority 2—Display Orders and therefore, the number of shares that could be impacted could increase significantly in a short period of time since the auction imbalance period only lasts for one hour. Additionally, the submission, and subsequent cancellation, of Auction-Only Orders during the imbalance dissemination period could lead to disruption in trading as each order, which could contain a large number of shares, would require the Exchange to update and disseminate the new order information on its market data feed. Accordingly, the Exchange believes assessing the fee on a share basis is appropriate because it would more effectively disincentivize ETP Holders from submitting a disproportionate ratio of shares that are not executed.

The Proposal Is an Equitable Allocation of Fees

For the reasons noted above, the Exchange believes the proposed fees are also equitably allocated among its market participants. Although only a small number of ETP Holders may be subject to the proposed fees based on their current trading practices, any ETP Holder could determine to change their order entry practices at any time, and the proposed fees would be applied to any ETP Holder that determined to engage in such inefficient order entry practices. The proposed fee is therefore designed to encourage better displayed order entry practices by all ETP Holders for the benefit of all market participants. Moreover, the purpose of the proposal is not to generate revenue for the Exchange, but rather to provide an incentive for a small number of ETP Holders to change their order entry and/or cancellation behavior.

The Exchange believes that the proposal constitutes an equitable allocation of fees because all similarly situated ETP Holders would be subject to the proposed fees. As noted above, the Exchange believes that because having a disproportionate ratio of unexecuted orders is a problem associated with a relatively small number of ETP Holders, the impact of the proposal would be limited to those ETP Holders, and only if they do not alter their trading practices. The Exchange believes the proposal would encourage ETP Holders that could be impacted to modify their practices in order to avoid the fee, thereby improving the market for all participants.

The Proposal Is Not Unfairly Discriminatory

The Exchange believes that the proposal is not unfairly discriminatory. In the prevailing competitive environment, ETP Holders are free to disfavor the Exchange's pricing if they believe that alternatives offer them better value, and are free to transact on competitor markets to avoid being subject to the proposed fees. The Exchange believes that the proposed fees neither target nor will they have a disparate impact on any particular category of market participant. The Exchange believes that the proposal change does not permit unfair discrimination because it would be applied to all similarly situated ETP Holders, who would all be subject to the proposed fee on an equal basis.

The Exchange further believes that it is not unfairly discriminatory to exclude Market Makers and Lead Market Makers from the proposed RT—Display Fee in securities in which they are registered, or if they are registered in more than 100 securities. Market Makers and Lead Market Makers have independent obligations to maintain a two-sided quotation a specified percentage away from the NBBO. In order to meet this obligation, such ETP Holders are more likely to need to cancel their resting orders so that they can update their quotes. The Exchange believes that such independent obligation to maintain a fair and orderly market outweighs any impact such cancellations would have on Exchange systems. The Exchange similarly believes that, unlike Lead Market Makers, Market Makers do not have a similar obligation leading into an auction, therefore it is not necessary to exclude Market Makers from the proposed RT—Auction Fee.

Finally, the submission of orders to the Exchange is optional for ETP Holders in that they could choose whether to submit orders to the Exchange and, if they do, the extent of its activity in this regard. For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[27] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the Exchange believes that the proposed fee would encourage

[25] *See* Securities Exchange Act Release No. 66951 (May 9, 2012), 77 FR 28647 (May 15, 2012) (SR–NASDAQ–2012–055) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Institute an Excess Order Fee).

[26] *See* Ratio Threshold Fee, at *https://www.nyse.com/publicdocs/nyse/markets/arca-options/NYSE_Arca_Options_Fee_Schedule.pdf.* The Ratio Threshold Fee is charged to OTP Holders based on the number of orders entered compared to the number of executions received in a calendar month.

[27] 15 U.S.C. 78f(b)(8).

ETP Holders to modify their order entry and/or cancellation practices so that fewer orders or shares are cancelled without resulting in an execution, thereby promoting price discovery and transparency and enhancing order execution opportunities on the Exchange.

Intramarket Competition. The Exchange believes the proposed Ratio Threshold Fees would not place any undue burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed fees are designed to encourage ETP Holders to submit orders or shares into the market that are actionable. Further, the proposal would apply to all ETP Holders on an equal basis, and, as such, the proposed change would not impose a disparate burden on competition among market participants on the Exchange. To the extent that these purposes are achieved, the Exchange believes that the proposal would serve as an incentive for ETP Holders to modify their order entry practices, thus enhancing the quality of the market and increase the volume of orders or shares directed to, and executed on, the Exchange. In turn, all the Exchange's market participants would benefit from the improved market liquidity.

Intermarket Competition. The Exchange operates in a highly competitive market in which market participants can readily favor other exchange and off-exchange venues. In such an environment, the Exchange must continually review, and consider adjusting its services along with its fees and rebates, to remain competitive with other exchanges and with off-exchange venues. Because competitors are free to modify their own services, and their fees and credits in response, the Exchange does not believe the proposed fee change can impose any burden on intermarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [28] of the Act and subparagraph (f)(2) of Rule 19b–4 [29] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [30] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEArca–2020–45 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–NYSEArca–2020–45. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEArca–2020–45, and should be submitted on or before June 18, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[31]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11405 Filed 5–27–20; 8:45 am]

BILLING CODE 8011–01–P

[28] 15 U.S.C. 78s(b)(3)(A).

[29] 17 CFR 240.19b–4(f)(2).

[30] 15 U.S.C. 78s(b)(2)(B).

[31] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[[Release No. 34–88925; File No. SR–ICC–2020–004]

Self-Regulatory Organizations; ICE Clear Credit LLC; Order Approving Proposed Rule Change Relating to the ICC CDS Instrument On-Boarding Policies and Procedures

May 21, 2020.

I. Introduction

On March 30, 2020, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4,[2] a proposed rule change to update and formalize the ICC CDS Instrument On-boarding Policies and Procedures (''Instrument On-boarding Policy''). The proposed rule change was published for comment in the **Federal Register** on April 8, 2020.[3] The Commission did not receive comments regarding the proposed rule change. For the reasons discussed below, the Commission is approving the proposed rule change.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change, Security-Based Swap Submission, or Advance Notice Relating to the ICC CDS Instrument On-boarding Policies and Procedures; Exchange Act Release No. 88545 (Apr. 2, 2020); 85 FR 19785 (Apr. 8, 2020) (SR–ICC–2020–004) (''Notice'').

II. Description of the Proposed Rule Change

The proposed rule change would update and formalize the Instrument On-boarding Policy.[4] The Instrument On-boarding Policy would describe ICC's procedures for selecting new products for clearing, and would organize those procedures into the following components: Instrument selection, on-boarding governance, operational setup, risk evaluation, pricing evaluation, and dress rehearsal.

With respect to instrument selection, ICC would, as described in the Instrument On-boarding Policy, establish an initial universe of new products that it potentially could clear. ICC would establish this initial universe based on (1) its current business strategy, (2) products that are actively traded bilaterally between ICC Clearing Participants but not cleared at ICC, and (3) feedback from Clearing Participants and the Trading Advisory Group regarding the products they would like ICC to clear. From there, ICC would analyze the initial universe of new products that it potentially could clear to see which of those products met ICC's guiding principles. As described in the On-boarding Policy, these guiding principles would require that ICC consider products that meet certain standards for open interest and volume, be capable of being cleared through ICC's existing systems and processes, and support industry wide initiatives and protocols.

Once ICC has determined that a product meets its guiding principles, it would next proceed with the appropriate governance actions for clearing the proposed new product. As described in the Instrument On-boarding Policy, the specific governance actions required before clearing the product would depend on which of four categories the product falls into: (1) A new product that falls under a previously approved product category and type, such as a previously approved CDS corporate single name (*e.g.,* North American Corporate Single Names) or a previously approved CDS sovereign single name type (*e.g.,* Emerging Market Sovereign Single Names), (2) a new product that falls under an approved product category but is a new type that is not considered in the ICC Rules (*e.g.,* a new type of single name CDS not already considered in the ICC Rules), (3) a new product that falls under a new product category that is not considered in the ICC Rules (*e.g.,* a product in a category other than CDS on indices and CDS on single names), and (4) a new product that falls out of scope of the standard on-boarding process, such as a new CDS index issued after a credit event affecting one of the companies in the index. For each category, the Instrument On-boarding Policy would explain the governance process, including notification to and review and approval by relevant stakeholders such as ICC's Board, committees and working groups, and regulators. Moreover, for all of the categories, ICC would review with the Risk Committee a risk impact analysis and pricing analysis with respect to clearing the new product and would also review the risk and pricing parameters and evaluation results with the Trading Advisory Committee and Risk Working Group.

The Instrument On-boarding Policy would also require that ICC complete an operational configuration before clearing a new product. Specifically, ICC would be required to configure its systems to evaluate and accept transactions, process and net transactions, and price the proposed product. Moreover, the On-boarding Policy would describe how ICC defines the reference obligation (meaning the particular bond that is either guaranteed or issued by the reference entity) for a new product and further would describe how ICC defines the legal and economic terms of a new product using the ISDA Credit Derivatives Physical Settlement Matrix.

Regarding risk evaluation, the Instrument On-boarding Policy would describe how ICC would ensure that its risk model adequately captures the risks associated with the new product. As described in the Instrument On-boarding Policy, ICC would do so by performing back-testing and stress-testing on portfolios containing the proposed new product. In doing so, ICC would seek to demonstrate that the risks associated with the proposed product are appropriately accounted for by ICC's risk models and that Initial Margin and Guaranty Fund requirements will provide adequate protection to ICC and its Clearing Participants.

Similarly, for pricing evaluation, the Instrument On-boarding Policy would require that ICC ensure its end-of-day price discovery process operates effectively with the proposed product and adequately captures the price dynamics of the new product. Additional detail with respect to the end-of-day price discovery process would be available in ICC's End-of-Day Price Discovery Policies and Procedures.

Finally, before launching clearing of a new product, the Instrument On-boarding Policy would require that ICC perform a dress rehearsal, lasting at least two weeks, during which the end-of-day price discovery process would be executed for the new product each business day. During the dress rehearsal, ICC would collect price submissions and fine tune pricing parameters, as needed.

Once ICC has successfully completed this dress rehearsal and the other steps in the on-boarding process and received any required regulatory approvals, the Instrument On-boarding Policy would allow ICC to deem a product eligible for clearing and add it to the ICC Cleared Products list.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization.[5] For the reasons given below, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act[6] and Rule 17Ad–22(d)(4).[7]

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of ICC be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, as well as to assure the safeguarding of securities and funds which are in the custody or control of ICC or for which it is responsible.[8] As discussed above, the proposed rule change would update and formalize the Instrument On-boarding Policy. The Instrument On-boarding Policy would describe ICC's procedures for selecting new products for clearing, including instrument selection, governance, operational setup, risk evaluation, pricing evaluation, and dress rehearsal. In doing so, the Commission believes that the Instrument On-boarding Policy should provide a method for ICC to determine whether to clear new products and prepare for the clearance of such new products, thereby promoting the

[4] Capitalized terms not otherwise defined herein have the meanings assigned to them in the Instrument On-boarding Policy or the ICC Rules, as applicable.

[5] 15 U.S.C. 78s(b)(2)(C).

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] 17 CFR 240.17Ad–22(d)(4).

[8] 15 U.S.C. 78q–1(b)(3)(F).

accurate clearance and settlement of transactions in such products.

Moreover, the Commission believes the Instrument On-boarding Policy, by setting standards for instrument selection, operational set up, risk and pricing evaluation, and governance for clearing new products would help to mitigate potential risks created by clearing new products, such as the risk that ICC's risk model would not adequately manage the risks associated with a new product. Similarly, the Commission believes that the required dress rehearsal would allow ICC to identify potential issues with the end-of-day pricing process before accepting a new product for clearing. The Commission believes that the risks associated with clearing a new product, including application of ICC's existing risk model and end-of-day pricing process, could, if not adequately managed, disrupt ICC's ability to clear and settle transactions in other products and safeguard securities and funds in its custody and control. Thus the Commission believes that, in providing ICC means for managing the risks associated with clearing a new product, the proposed rule change should help to promote the prompt and accurate clearance and settlement of securities transactions and assure the safeguarding of securities and funds in ICC's custody and control.

Therefore, the Commission finds that the proposed rule change would promote the prompt and accurate clearance and settlement of securities transactions and assure the safeguarding of securities and funds in ICC's custody and control, consistent with the Section 17A(b)(3)(F) of the Act.[9]

B. Consistency With Rule 17Ad–22(d)(4)

Rule 17Ad–22(d)(4) requires that ICC establish, implement, maintain and enforce written policies and procedures reasonably designed to identify sources of operational risk and minimize them through the development of appropriate systems, controls, and procedures.[10] As discussed above, the Commission believes that the Instrument On-boarding Policy would help to mitigate potential risks associated with new products. In particular, the Commission believes that in requiring ICC to complete an operational configuration to evaluate and accept transactions, process and net transactions, and price the proposed new product, the Instrument On-boarding Policy should help ICC to identify potential operational risks before clearing the new product. Similarly, the Commission believes that the required dress rehearsal should allow ICC to identify potential operational issues with the end-of-day pricing process and settlement before accepting a new product for clearing. Taken together, the Commission believes the Instrument On-boarding Policy should enable ICC to identify the operational risks associated with a new product and minimize those risks prior to clearing a new product. For these reasons, the Commission finds that the proposed rule change is consistent with Rule 17Ad–22(d)(4).[11]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of Section 17A(b)(3)(F) of the Act[12] and Rule 17Ad–22(d)(4).[13]

It is therefore ordered pursuant to Section 19(b)(2) of the Act[14] that the proposed rule change (SR–ICC–2020–004), be, and hereby is, approved.[15]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11401 Filed 5–27–20; 8:45 am]

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[9] 15 U.S.C. 78q–1(b)(3)(F).

[10] 15 U.S.C. 17Ad–22(d)(4).

[11] 15 U.S.C. 17Ad–22(d)(4).

[12] 15 U.S.C. 78q–1(b)(3)(F).

[13] 17 CFR 240.17Ad–22(d)(4).

[14] 15 U.S.C. 78s(b)(2).

[15] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88928; File No. SR–ICEEU–2020–007]

Self-Regulatory Organizations; ICE Clear Europe Limited; Notice of Filing of Proposed Rule Change, as Modified by Partial Amendment No. 1, Relating to the ICE Clear Europe Auction Terms for CDS Default Auctions and CDS Default Management Policy (formerly the CDS Default Management Framework).

May 21, 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 May 12, 2020, ICE Clear Europe Limited (''ICE Clear Europe'' or the ''Clearing House'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule changes described in Items I, II and III below, which Items have been prepared by ICE Clear Europe. On May 20, 2020, ICE Clear Europe filed Partial Amendment No. 1 to the proposed rule change.[3] The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Partial Amendment No. 1 (hereinafter the ''proposed rule change''), from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

ICE Clear Europe Limited (''ICE Clear Europe'' or the ''Clearing House'') proposes to amend its Auction Terms for CDS Default Auctions (the ''CDS Auction Terms'') and CDS Default Management Policy (the ''Policy''), formerly the CDS Default Management Framework. The revisions do not involve any changes to the ICE Clear Europe Clearing Rules (the ''Rules'') or other Procedures.[4]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICE Clear Europe 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. ICE Clear Europe has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

ICE Clear Europe is proposing to amend its CDS Auction Terms and the Policy. The proposed amendments to the CDS Auction Terms would (1) add a new ''all or nothing'' bidding type, (2) clarify certain procedures regarding determination of minimum bid requirements, (3) provide for the use of ICEU's default management system, in lieu of email or other manual forms of communication, for submission of bids

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Partial Amendment Number 1 amended Exhibit 5A of the filing to correct the paragraph numbering in Part 2 of the CDS Auction Terms.

[4] Capitalized terms used but not defined herein have the meanings specified in the Rules.

and provision of certain notices to auction participants by the Clearing House, (4) clarify certain regulatory and compliance obligations of auction participants, and (5) generally update and clarify certain terms and provisions and correct certain typographical errors. The proposed amendments to the Policy would make corresponding changes to reference the new ''all or nothing'' bidding type and make general updates and clarifications.

I. CDS Auction Terms

1. All or Nothing Bid Type

The amendments would allow auction participants to submit a new type of bid for an Auction Lot, an ''All or Nothing Bid.'' As provided in the proposed new definition in paragraph 1.2 as well as paragraph 3.8 of Part 1 and paragraph 3.6 of Part 2, an All or Nothing Bid would constitute a bid for the entire Auction Lot which, if it is the winning bid, would provide for the bidder to receive 100% of the Auction Lot without that award being split among more competitively priced bids (as may occur with bids under the current bidding process (referred to as ''Standard Bids'')). Use of All or Nothing Bids would be optional, and auction participants could continue to use Standard Bids as under the current process. An auction participant may also submit both Standard Bids and an All or Nothing Bid. Revised paragraph 3.8 of Part 1 and paragraph 3.6 of Part 2 would also address the manner in which an All or Nothing Bid may satisfy the Minimum Bid Requirement for an Auction Lot and the requirement to identify an All or Nothing Bid as such.

The term ''BP'' would be similarly amended to include the price of any valid All or Nothing Bid made by a Primary CDS Auction Participant or Secondary CDS Auction Participant in the Primary CDS Auction or Secondary CDS Auction, in either case proportionately scaled to a portfolio size representing 100% of the relevant Auction Lot. This definition would be further amended to provide that where the Standard Bids submitted by an auction participant do not comply with any applicable Minimum Bid Requirement, the BP shall be only the price of any All or Nothing Bid made by such participant, should it have made one. If a participant does not comply with any applicable Minimum Bid Requirement based on its Standard Bids, and does not provide a valid All or Nothing Bid, then the participant would be considered a Non-Bidding CDS Clearing Member. Where a participant submitted only Standard Bids, or only an All or Nothing Bid, BP would be the weighted average bid price of the Standard Bids, or the price of the All or Nothing Bid, respectively.

The definitions of Primary CDS Auction Priority AC Sequence and Primary CDS Auction Priority GF Sequence (previously CDS Auction Priority AC Sequence and CDS Auction Priority GF Sequence) would be amended to clarify that each amount in the sequence would be applied pro rata for the relevant Auction Lot of a Primary CDS Auction by applying the Auction Lot Guaranty Fund Weighting. As discussed below, the terms CDS Auction Priority AC Sequence and CDS Auction Priority GF Sequence, would be renamed to indicate more clearly that these terms relate to the Primary CDS Auction. A number of other terms relating to the Primary CDS Auction would be similarly renamed. The clarification that the amount in the sequence would be applied pro rata would provide additional detail that is consistent with existing practice. The term Lot Guaranty Fund Weighting has been renamed Auction Lot Guaranty Fund Weighting, consistent with the update from the term Lot to Auction Lot. The definition of this term has been clarified to refer to the aggregate of the PRIs for all Auction Lots in a Defaulter's portfolio rather than all Lots in a CDS Auction or Secondary CDS Auction, which is a more precise definition, but the change is not intended to result in a substantive change in practice. The definitions of Secondary CDS Auction Priority AC Sequence, Secondary CDS Auction Priority GF Sequence would be amended generally to conform to the corresponding Primary CDS Auction definitions, including to cross-refer, for clarity, to Rule 908(i) (which is the relevant provision of the Rules relating to the order of application of Guaranty Fund Contributions) and to clarify that each amount in the sequence would be applied pro rata for the relevant Auction Lot of a Secondary CDS Auction by applying the Auction Lot Guaranty Fund Weighting. The cross-reference would be added to ensure clarity and consistency between the relevant terms used for Primary and Secondary Auctions and between the CDS Auction Terms and the Rules, but is not intended to change the substance of current practice. The definition of CDS Auction Clearing Price would be redefined as Primary CDS Auction Clearing Price and a proviso would be added to this defined term and to the defined term Secondary CDS Auction Clearing Price stating that in the event that an All or Nothing Bid is included in such sum of the notional amount of CDS Contracts, the term would mean the price of the All or Nothing Bid in accordance with paragraph 5.4 of Part 1 or paragraph 5.4 of Part 2, as applicable, of the CDS Auction Terms. If an All or Nothing Bid is not submitted to or accepted by the Clearing House, then consistent with the current CDS Auction Terms, the Auction Lot will be allocated in full to bids at or above the Primary CDS Auction Clearing Price or Secondary CDS Auction Clearing Price, as applicable. If, however, an All or Nothing Bid is included in the group of bids with equal or higher bid prices, then the price of such All or Nothing Bid would be the Primary CDS Auction Clearing Price. The examples in Paragraph 5.4 of Part 1 would be modified to take into account All or Nothing Bids, including to show information regarding a ''price rank'', whether it is an All or Nothing Bid, the bid size (as a percentage of auction lot), bid price (payment per 100%), size multiplied by price and the allocation percentage of the auction lot. The examples in Paragraph 5.4 of Part 2 would be removed, and cross-reference to the examples in Paragraph 5.4 of Part I would be added instead.

Paragraph 5.5 of Parts 1 and 2 would clarify that All or Nothing Bids are given precedence over Standard Bids, in the sense that if an All or Nothing Bid is accepted, a Standard Bid will not be accepted even if it had a higher price than the Primary CDS Auction Clearing Price or Secondary CDS Auction Clearing Price, as applicable. It would also provide that if multiple All or Nothing Bids are received at the Primary CDS Auction Clearing Price or Secondary CDS Auction Clearing Price, as applicable, the Auction Lot will be allocated equally among those bidders.

Paragraph 5.6 in Part 1 would be amended to clarify that in the scenario where the Clearing House elects to determine the CDS Auction Clearing Price for less than 100% of the contracts in the lot and hold a further auction (a ''Repeat CDS Auction'') for the remainder, any All or Nothing Bids would be disregarded. Related examples in paragraph 5.6 have been amended accordingly.

2. Minimum Bid Requirement

The amendments would revise Paragraph 2.2 of Parts 1 and 2 to reflect that a Clearing Member could have a zero Minimum Bid Requirement (in which case it would not be required to bid for the relevant lot) and to remove a stated exception from the requirement for each CDS Clearing Member to bid in every Primary CDS Auction or

Secondary CDS Auction (as such terms are defined in the CDS Auction Terms), as applicable, for those whose membership privileges permit them not to participate (as there are no such CDS Clearing Members).

Paragraph 2.4 of Parts 1 and 2 would be amended such that a CDS Clearing Member's Minimum Bid Requirement would be communicated to it through the DMS (or via such other means as specified by the Clearing House), as discussed below, as soon as practicable prior to the relevant CDS Auction instead of through the template notification set out in an annex to the CDS Auction Terms (which would accordingly be removed). The amendments to Paragraph 2.4 of Part 1 and Paragraphs 2.4 and 2.5 of Part 2 would also clarify the procedures for the Clearing House to determine that a Minimum Bid Requirement would be inappropriate for a particular CDS Clearing Member in particular circumstances, which would permit the Clearing House greater flexibility in appropriate circumstances. A CDS Clearing Member would be required to notify the Clearing House promptly, but in any event within one hour of the Clearing House publishing details of the CDS Contracts comprising the relevant Auction Lot (instead of 12 hours prior to the opening of the auction), in writing, if it reasonably considers that the Minimum Bid Requirement would not apply to it. ICE Clear Europe does not believe the current 12 hour period is necessarily practicable as an operational matter, as the Clearing House may need to conduct an auction with less than 12 hours' notice. The current requirement could thus either create an undesirable delay in conducting an auction or impose an unnecessary limitation on the CDS Clearing Member's ability to request an exception to the Minimum Bid Requirement. The proposed change, to allow notice within one hour after the Clearing House publishes auction details, will allow the Clearing House to move more quickly to minimize losses and preserve the CDS Clearing Member's ability to request an exception where warranted. The amendments would also clarify that CDS Clearing Members could outsource the operational processing of any of their auction obligations under Rule 102(w) (regarding outsourcing). CDS Clearing Members could also transfer their Minimum Bid Requirements to an Affiliate that is also a CDS Clearing Member, subject to notification to the Clearing House prior to an auction and execution of an agreement in an approved format. The amendments would clarify that a CDS Clearing Member that outsources any of its obligations would remain liable for any breach by any Affiliate or outsourcee of the CDS Auction Terms or the Primary CDS Auction Specifications, including without limitation in respect of CDS Guaranty Fund juniorization. This amendment broadens the existing requirement which only refers to transfers or outsources of the Minimum Bid Requirement rather than any obligation, and makes specific reference to the CDS Guaranty Fund juniorization, and reflects the general principle that outsourcing or transfer of an obligation does not avoid responsibility for complying with the obligation. The amendments would further add that a CDS Clearing Member that transfers or outsources its Minimum Bid Requirement to an Affiliate would, for the purposes of determining its Senior Guaranty Fund Contribution, Subordinate Guaranty Fund Contribution, Senior Assessment Contribution and/or Subordinate Assessment Contribution, and for determining whether it should be designated as a Non-Bidding CDS Clearing Member, assume the same position as a Senior Bidder, Split Bidder, Subordinate Bidder or Non-Bidding CDS Clearing Member as the Affiliate, as appropriate.

3. Default Management System

The amendments would provide for the use of the DMS for a number of communications between the Clearing House and auction participants, in lieu of the current manual notice process. Pursuant to amended paragraph 2.1 of Parts 1 and 2 and the revised definitions of Primary CDS Auction Announcement and Secondary CDS Auction Announcement, the Clearing House would notify CDS Clearing Members electronically through the DMS (or other means specified by the Clearing House) of an auction taking place instead of by Circular. Conforming changes would be made throughout the CDS Auction Terms to make reference to communication through the DMS instead of through existing means. For example, as noted above, the Clearing House would notify Clearing Members of Minimum Bid Requirements through the DMS, pursuant to revised paragraph 2.4 in Parts 1 and 2. Paragraph 2.5 of Part 1 and Paragraph 2.7 of Part 2 would be amended to state that Primary CDS Auction Specifications or Secondary CDS Auction Specifications, as applicable would be provided through the DMS instead of in the template format currently attached to the CDS Auction Terms. Further, in Paragraph 2.5 of Part 1 and Paragraph 2.7 of Part 2, the statement that the Clearing House will provide each auction participant (other than Defaulters) with information about CDS Contracts to be auctioned would be amended to remove the exception for Defaulters because it is clear that Defaulters would not be auction participants and as such, the exception was unnecessary. The requirement that any minimum or maximum reserve price be provided would be deleted because, consistent with Paragraph 5.2, any reserve price would not necessarily be disclosed to bidders.

Paragraph 2.9 and 2.10 of Part 1 and Paragraphs 2.10 and 2.11 of Part 2 would be amended to state that all bids must be submitted via DMS (or other means specified by the Clearing House) instead of through the existing bid form. Former Paragraph 2.11 of Part 1 and Paragraph 2.12 of Part 2 has been correspondingly removed as no longer relevant with electronic submission through DMS. Paragraph 3.12 of Part 1 and Paragraph 3.10 of Part 2 (each as renumbered) would be amended to provide that modified or amended bids may be submitted through DMS (or another format specified by the Clearing House). Pursuant to revised Paragraph 5.7 of Part 1, further Primary CDS Auction Specifications for any repeat CDS Auction would be notified by the Clearing House through the Primary CDS Auction Announcement and through the DMS (or via such other means and in such format as is specified by the Clearing House). Pursuant to revised Paragraph 5.8 of Part 1 and Paragraph 5.9 of Part 2, winning bidders could also be notified through the DMS. References to submission of a bid form would be removed from the definition of ''Bid'' and the term ''Bid Form'' would be amended to ''Bid Submission'' and would mean submission of a bid via DMS rather than via the ICE file transfer server.

4. Clarification of Certain Regulatory and Compliance Obligations

Paragraph 7.7 of Parts 1 and 2 would be amended to clarify and state explicitly certain obligations for auction participants in respect of information they may receive in connection with an auction, including the contents of the portfolio or the outcome or timing of an auction. Specifically, the auction participant would acknowledge that such information may constitute inside information for the purposes of the Market Abuse Regulation (Regulation (EU) No 596/2014) (''MAR'') or fall within the definition of any similar term

under Applicable Law (''Market Abuse Laws'') in respect of any Contracts cleared by the Clearing House or in respect of securities of a Defaulter. Under the revisions, each such participant would be required to assess whether such information is inside information and, if so, agree to: (a) Comply with applicable Market Abuse Laws; (b) generally not disclose such information to persons outside of its organization; (c) prevent persons engaged in client trading at such organization from possessing such information; (d) prevent those in possession of such information from trading on such information until it ceases to be inside information; and (e) where such information constitutes inside information under Regulation (EU) No. 596/2014, maintain an insider list of persons with access to this information.

5. Other Clarifications and Updates

The amendments would make a number of other clarifications, drafting improvements and corrections to the CDS Auction Terms. Certain changes to defined terms would be made throughout the CDS Auction Terms, including the use of the term ''CDS Default Auction Procedures'' instead of CDS Auction Procedures, the new defined term ''Bidding Close Time'' instead of ''Closing Time'' (which ICE Clear Europe views as a more precise term in this context (as the concept of closing time more generally has other uses), but which would have the same definition), and the defined term ''Auction Lot'' instead of ''Lot'' to better distinguish the term from the generic term, ''lot''. The definition of Auction Lot would also be clarified to refer only to CDS Contracts of the Defaulter (rather than the generic term ''portfolio'' of a Defaulter), and to all or any part of such contracts as determined by the Clearing House for a particular discrete auction. ICE Clear Europe does not believe such change would result in any change in practice. Conforming changes would be made to the defined terms for Lot Assessment Contribution, Lot CDS Direct Auction Participant Contribution, Lot Guaranty Fund Contribution, Lot Guaranty Fund Weighting, Lot Resources and Lot Resource Shortfall.

A series of other changes is intended to more clearly distinguish between primary auctions under Part 1 and secondary auctions under Part 2. Thus, the term ''CDS Auction'' would be amended to ''Primary CDS Auction'' with corresponding changes to CDS Auction Announcement, CDS Auction Clearing Price, CDS Auction Participant, CDS Auction Priority, CDS Auction Priority AC Sequence, CDS Auction Priority GF Sequence and CDS Auction Specifications to refer to Primary CDS Auction Announcement, Primary CDS Auction Clearing Price, Primary CDS Auction Participant, Primary CDS Auction Priority, Primary CDS Auction Priority AC Sequence, Primary CDS Auction Priority GF Sequence and Primary CDS Auction Specifications. Conforming changes would be made throughout the CDS Auction Terms. The terms ''Non-Bidding CDS Clearing Member'' and ''Non-Bidding Direct Participating Customer'' would be clarified to explicitly reference such persons that do not submit or make (or would not be deemed to submit or make) a bid in the relevant Primary CDS Auction or Secondary CDS Auction in order to clarify that the terms capture those persons who do not participate or who are deemed not to participate (such as where their bid has been declared invalid under the CDS Auction Terms), whether or not they can be said to have ''chosen'' not to participate. The term ''Elective CDS Auction Participants'' and references to this term would be removed, as there are no CDS Clearing Members in such category. The term ''Second CDS Auction'' would be amended to ''Repeat CDS Auction'', which term currently refers to a further Primary CDS Auction under Part 1 after an unsuccessful or partially unsuccessful first CDS auction, with the intention to more clearly distinguish such an auction from a Secondary CDS Auction under Part 2. The terms ''Split Bidder'' and ''Subordinate Bidder'' would be amended to explicitly note that this could be either a Primary CDS Participant or a Secondary CDS Auction Participant, as applicable for the relevant auction. This does not reflect a change in substance, but is intended to make the drafting consistent with the deletion of the term ''CDS Auction Participant'' and addition of the more specific terms, Primary CDS Auction Participant and Secondary CDS Auction Participant.

Proposed amendments to paragraph 1.64 would clarify that references to CDS Contracts, for purposes of the CDS Auction Terms, include (i) where automatic early termination has taken place under Part 9 of the Rules or Contract Terms, a reference to the terminated CDS Contracts or notional amounts representing such terminated CDS Contracts and (ii) where contracts have arisen from hedging transactions pursuant to Rule 903(c), a reference to any such hedging contracts executed by the Clearing House. These amendments thus clarify that such contracts may be auctioned for purposes of establishing replacement contracts with non-defaulting Clearing Members to balance the Clearing House's positions as part of the default management process, and thereby also establishing an auction price to be used in determining the Clearing House's loss with respect to the close out of the defaulter's positions for purposes of the Rules. Amendments to this paragraph would also add a general introductory note that the CDS Auction Terms govern the auctioning of lots representing one or more CDS Contracts to which a Defaulter is or was a party, where such auction is administered by the Clearing House pursuant to Part 9 of the Rules. In paragraph 1.65, the amendments would clarify that nothing in the CDS Auction Terms would prevent the Clearing House from administering a sale or entering into offsetting transactions without holding an auction to which the CDS Auction Terms apply. This reflects the Clearing House's existing authority under the Rules, and is intended to avoid any potential confusion as to the scope of the CDS Auction Terms.

Introductory provisions would be added in paragraph 1.67 and following paragraphs to address matters such as governing law and dispute resolution (including submission to arbitration and jurisdiction). These are substantially similar to existing provisions in the Rules and the other Procedures, and ICE Clear Europe is proposing to add them here for consistency across its documentation.

Paragraph 2.11 of Part 1 and Paragraph 2.13 of Part 2 would be amended to clarify that after the Bidding Close Time, the Clearing House will notify participants of the fact that the CDS Auction took place, in addition to the outcome.

Paragraph 3.3 of Parts 1 and 2 would clarify that the specified order of application of CDS Guaranty Fund Contributions and Assessment Contributions in the Primary CDS Auction Priority or Secondary CDS Auction Priority, as applicable, would only apply to bids indicated or deemed related to Minimum Bid Requirements (*i.e.,* those Standard Bids, or if applicable the All or Nothing Bid, that count toward the Minimum Bid Requirement).

An additional clarification would be made in Paragraph 3.8 of Part 1 and Paragraph 3.6 of Part 2 that the Minimum Bid Requirement could be satisfied by submitting multiple bids provided that any individual bid is *equal to* (and not merely larger than) any applicable minimum bid size.

A clarification would be made in Paragraph 3.11 of Part 1 and Paragraph 3.9 of Part 2 that a bidder making a referential Bid (*e.g.* a Bid which purports to be a Bid which is €1 higher or lower than the highest or lowest Bidder) would be treated as if it had not made such bid. This change is consistent with other changes to the CDS Auction Terms to refer to a person that does not bid in the auction (or is deemed not to bid) as ''Non-Bidding CDS Clearing Member'' or ''Non-Bidding Direct Participating Customer'', without regard to whether the person ''chose'' not to participate. Similarly, under revised Paragraph 3.12 of Part 1 and Paragraph 3.10 of Part 2, following the bidding close time, upon request of a CDS Auction Participant stating that a mistake was made in the bid submission, the Clearing House could invalidate the bid and the participant would be treated as if it had not made such a bid. The Clearing House would no longer provide for the submitter to withdraw or correct the bid in this case. This reflects the operation of DMS, which does not permit submission of a bid following the bidding close time, and further reflects ICE Clear Europe's view that given the objective of ensuring a fair and orderly auction, it is not appropriate for Clearing Members to modify bids following the bidding close deadline.

Similar amendments changing ''treated as if it had chosen not to participate'' to ''as if it had not made such Bid'' would be made to Paragraphs 3.13, 3.14, 3.15, 4.4 and 5.5 of Part 1 and Paragraphs 3.11, 3.12, 3.13, 4.4, 5.4 and 5.5 of Part 2 for similar reasons. An additional amendment to Paragraph 5.4 of Parts 1 and 2 would provide that in the event of invalid or void bid or no CDS Contract being established, such bid would not be accepted and the CDS Auction Participant would be treated as if it had not made such bid, instead of chosen not to participate, for similar reasons.

The amendments to Paragraph 4.1 of Parts 1 and 2 would remove a statement that a CDS Clearing Member may make an unlimited number of separate bids and clarify that the member may make separate bids for Customers or Sponsored Principals for whom it acts as Sponsor in the same way as it may make a bid for one of its Proprietary Accounts and subject to the same provisions of the relevant Part of the CDS Auction Terms. This amendment reflects that relevant systems do not permit an infinite number of separate bids, and in practice is intended to give ICE Clear Europe flexibility to set a maximum number of bids if it determines that is appropriate. Amendments to Paragraph 4.3 of Parts 1 and 2 would require that each Direct Participating Customer (as defined in the CDS Auction Terms) enter into a CDS Auction Participation Agreement with its CDS Clearing Member prior to participation in a Primary CDS Auction or Secondary CDS Auction, as applicable (rather than deeming them to be bound by the CDS Auction Terms). ICE Clear Europe believes it is preferable to have a formal agreement with the Direct Participating Customer in this situation, as it provides a clearer and stronger basis for enforcement of the CDS Auction Terms against the Direct Participating Customer.

Amendments to Paragraph 5.3 of Parts 1 and 2 would also permit the Clearing House to at its discretion withdraw an auction lot after (as well as prior to) the bidding close time.

In Paragraph 5.5 of Parts 1 and 2, an additional clarification would add that bids invalidated pursuant to certain Paragraph 3 (Bidding Process) provisions could, at the Clearing House's discretion, be excluded for purposes of calculating the auction clearing price or allocating sizes at that price.

Amendments to Paragraph 5.8 of Part 1 and Paragraph 5.9 of Part 2 would clarify the mechanism under the Rules through which CDS Contracts are entered into as a result of an auction, by providing that each bid constitutes an offer by the CDS Clearing Member to the Clearing House to enter into CDS Contracts pursuant to a Transfer governed by Rule 904(b) (but without regard to any Customer or Customer-CM Transactions of the Defaulter) and Part 4 of the Rules. The amendment is intended as a clarification of the existing process for entering into contracts and is not a substantive change in the CDS Auction Terms. Any unnecessary reference to acceptance of such offer by the Clearing House would be removed (as the paragraph provides for the relevant contracts to arise between the Clearing House and the winning bidder without need for any further step). Other changes in this paragraph would clarify that resulting CDS Contracts would arise between the Clearing House and the winning bidder, in accordance with such a Transfer and Part 4 of the Rules, but without regard to any Customer or Customer-CM Transactions of the Defaulter, on economically identical terms to the CDS Contracts that are the subject of the auction lot in the relevant Primary CDS Auction or Secondary CDS Auction, as applicable.

Clarifying amendments as to the treatment of Individually Segregated Sponsored Accounts as a form of Customer Account, consistent with other amendments discussed above, would be made in Paragraph 7.1 of Parts 1 and 2.

Throughout the CDS Auction Terms, various provisions would be renumbered as a result of the changes described above and related cross-references would be corrected and updated.

II. CDS Default Management Policy

ICE Clear Europe is also proposing to make various amendments to its CDS Default Management Framework, which would be renamed the CDS Default Management Policy. The amendments would be consistent with the amendments to the CDS Auction Terms discussed above and make certain other clarifications and updates. Conforming changes would also be made throughout the document to reflect the name change.

In terms of the procedures for declaring a default, the Policy would be revised to remove a requirement that the default management process be implemented ''immediately'' after approval by appropriate management of the declaration of a default. Although ICE Clear Europe expects that such process would be implemented in a timely manner under the circumstances, it is not necessary (or necessarily feasible) to specify that it do so immediately. A similar change would be made to the requirement that ICE Clear Europe cease clearing trades for the defaulting Clearing Member when it is declared in default.

With respect to activation of the clearing risk team, the Policy would be amended to remove the statement that in the event that the President/Chief Operating Officer being absent, the Head of Clearing Risk has the ability to overrule any other head of department (including Head of Treasury and Head of Operations) where necessary, on matters relating to default management. The amendment reflects a change in the Board's delegation of authority to the President (and not to the Chief Operating Officer or Head of Clearing Risk in the President's absence).

With respect to liquidation of a defaulting member's collateral, the amendments would remove a statement that for all assets the Clearing House ensures that it can sell the collateral, subject to settlements terms, within a single working day. This statement is unnecessary and an oversimplification, and the Clearing House in any event relies on its existing and detailed

collateral and liquidity policies to ensure it has sufficient access to liquidity in case of default. A related statement that the Head of Clearing Risk will have the discretion to postpone the collateral sale would be removed as unnecessary in light of the general standard that the Clearing House will take appropriate action to ensure an orderly close out. Amendments would also clarify that the Clearing House may (but need not) convert any portion of the defaulting Clearing Member's non-cash margin or collateral into cash, as the Clearing House determines appropriate. This is intended as a drafting improvement that provides greater clarity, but does not affect the Clearing House's rights with respect to such margin or collateral.

The provisions of the Policy regarding bidding mechanics would be amended to address ''All or Nothing'' bids. A paragraph would be added to this section to provide that auction participants may submit ''All or Nothing'' bids for each auction. The amendments provide explanation as to the meaning of such a bid and an example of how such bids work. The amendments would also provide that further information on the bidding types utilized in any given auction would be published as part of the CDS Default Auction Terms Specifications.

The existing requirement that ICE Clear Europe conduct quarterly reviews of the Policy would be deleted as the Policy would reviewed as part of the ICE Clear Europe's separate annual documentation review process. The Policy would continue to require ICE Clear Europe, in coordination with its Clearing Members, conduct an annual mock Clearing Member default test with the Clearing Risk Department, appropriate Clearing House management and CDS Default Committee Members for each Clearing Member.

The amendments to the Policy would also update arrangements for breach management, ongoing Policy reviews and exception handling. The amendments are intended to make the Policy consistent in this regard with other ICE Clear Europe policies and governance processes. Pursuant to the amendments, the document owner, as specified in ICE Clear Europe policies, would be responsible for reporting report material breaches or unapproved deviations from this document to the Head of Department, the Chief Risk Officer and the Head of Compliance (or their delegates) who together would determine if further escalation should be made to relevant senior executives, the Board and/or competent authorities. Exceptions to the Policy would approved in accordance with ICE Clear Europe's governance process for the approval of changes to the Policy.

(b) Statutory Basis

ICE Clear Europe believes that the proposed amendments are consistent with the requirements of Section 17A of the Act [5] and the regulations thereunder applicable to it. In particular, Section 17A(b)(3)(F) of the Act [6] requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, the safeguarding of securities and funds in the custody or control of the clearing agency or for which it is responsible, and the protection of investors and the public interest. ICE Clear Europe believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to ICE Clear Europe, in particular, to Section 17(A)(b)(3)(F),[7] because ICE Clear Europe believes that the proposed changes to the CDS Auction Terms enhance ICE Clear Europe's ability to manage the risk of defaults. The proposed changes introduce All or Nothing Bidding to ICE Clear Europe's existing auction methodology. This new bid type is intended to reward auction participants for bidding competitively on both size and price, rather than just price (as with a Standard Bid). If an All or Nothing Bid sets the auction clearing price, the revised CDS Auction Terms award 100% to that bid, rather than splitting the award with participants bidding more competitively on price but with smaller size. Such changes incentivize competitive bidding by rewarding auction participants for bidding competitively on both price and size and are designed to promote effective and efficient auctions to facilitate the close-out of the defaulter's portfolio.

The proposed amendments also implement the use of the automated DMS to replace certain manual communication tasks in the auction process, including announcing the auction, communicating Minimum Bid Requirements and auction specifications, submitting bids and notifying winning bidders. Such changes allow ICE Clear Europe to more efficiently and safely manage its auction process and reduce the risk of miscommunication or error. The added compliance requirements around treatment of information concerning the auction will help prevent market abuse, enhance compliance with applicable law and thus generally promote the public interest. Finally, the clarification and clean-up changes provide greater specificity with respect to the CDS Auction Terms such that auction participants have greater certainty and clarity regarding the auction process and the requirements for their participation. ICE Clear Europe believes that the proposed amendments augment ICE Clear Europe's procedures relating to default management and enhance ICE Clear Europe's ability to withstand defaults and continue providing clearing services, thereby promoting the prompt and accurate clearance and settlement of securities transactions, derivatives agreements, contracts, and transactions, the safeguarding of securities and funds which are in the custody or control of ICE Clear Europe or for which it is responsible; and the protection of investors and the public interest, within the meaning of Section 17A(b)(3)(F) of the Act.[8]

In addition, the proposed rule change is consistent with the relevant requirements of Rule 17Ad–22.[9] Rule 17Ad–22(e)(4)(ii) [10] requires ICE Clear Europe to establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to participants and those arising from its payment, clearing, and settlement processes, including by maintaining additional financial resources at the minimum to enable it to cover a wide range of foreseeable stress scenarios that include, but are not limited to, the default of the two participant families that would potentially cause the largest aggregate credit exposure for the covered clearing agency in extreme but plausible market conditions. ICE Clear Europe believes that the proposed revisions enhance its CDS Auction Terms. As described above, the optional All or Nothing Bid incentivizes competitive bidding, promoting the goal of reaching an efficient auction clearing price that permits ICE Clear Europe to close out the defaulter's portfolio and return ICE Clear Europe to a matched book. Such new bid type rewards auction participants for bidding competitively on both size and price and may increase the willingness and ability of participants and their

[5] 15 U.S.C. 78q–1.

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] 15 U.S.C. 78q–1(b)(3)(F).

[8] 15 U.S.C. 78q–1(b)(3)(F).

[9] 17 CFR 240.17Ad–22.

[10] 17 CFR 240.17Ad–22(e)(4)(ii).

customers to participate in an auction and absorb the defaulter's positions through the default management process. In ICE Clear Europe's view, these enhancements represent tools that strengthen ICE Clear Europe's ability to maintain its financial resources and withstand the pressures of defaults, consistent with the requirements of Rule 17Ad–22(e)(4)(ii).[11]

In addition, ICE Clear Europe believes the amendments satisfy Rule 17Ad–22(e)(13),[12] which requires a clearing agency to ensure that it ''has the authority and operational capacity to take timely action to contain losses and liquidity demands'' in the case of default. As discussed above, the proposed amendments would enhance ICE Clear Europe's default management capabilities in CDS default auctions. Specifically, ICE Clear Europe believes the proposed addition of All or Nothing Bidding and the automated DMS enhance ICE Clear Europe's ability to withstand defaults and continue providing clearing services, including by incentivizing competitive bidding to promote effective and efficient auctions that facilitate the close-out of the defaulter's portfolio and maximizing ICE Clear Europe's ability to efficiently and safely manage its auction process in default events, to ensure that ICE Clear Europe can take timely action to contain losses and liquidity pressures and to continue meeting its obligations in the event of a participant default consistent with the requirements of Rule 17Ad–22(e)(13).[13]

Rule 17Ad–22(e)(1)[14] requires that clearing agencies establish policies and procedures that provide for a well-founded, clear, transparent, and enforceable legal basis for each aspect of its activities in all relevant jurisdictions. The amendment to Paragraph 7.7 of Parts 1 and 2 are designed to enhance compliance by CDS auction participants with Market Abuse Laws to the extent that they receive any inside information relating to any Contracts cleared by the Clearing House or in respect of securities of a Defaulter. In ICE Clear Europe's view, the amendments are therefore consistent with the requirements of Rule 17Ad–22(e)(1).[15]

Rule 17Ad–22(e)(3)(i)[16] requires clearing agencies to maintain a sound risk management framework that identifies, measures, monitors and manages the range of risks that it faces. The amendments to the Policy are intended to ensure that the Policy is consistent with the CDS Auction Terms and to ensure risks relating to defaults continue to be well managed. In ICE Clear Europe's view, the amendments are therefore consistent with the requirements of Rule 17Ad–22(e)(3)(i).[17]

Rule 17Ad–22(e)(2)[18] requires clearing agencies to establish reasonably designed policies and procedures to provide for governance arrangements that are clear and transparent and specify clear and direct lines of responsibility. The proposed amendments to the Policy more clearly define the roles and responsibilities of the document owner, the Head of Department, the senior members of the Risk Oversight Department and the senior members of the Compliance Department, and are therefore consistent with the requirements of Rule 17Ad–22(e)(2).[19]

(B) Clearing Agency's Statement on Burden on Competition

ICE Clear Europe does not believe the proposed amendments would have any impact, or impose any burden, on competition not necessary or appropriate in furtherance of the purposes of the Act. The amendments are being adopted further clarify and update the CDS Auction Terms, with the goal of enhancing default management. The addition of All or Nothing Bids would provide an additional bidding option for Clearing Members if they choose to use it. The amendments will otherwise apply to all CDS Clearing Members. ICE Clear Europe does not expect that the proposed changes will adversely affect access to clearing or the ability of Clearing Members, their customers or other market participants to continue to clear contracts. ICE Clear Europe also does not believe the amendments would materially affect the cost of clearing or otherwise impact competition among Clearing Members or other market participants or limit market participants' choices for selecting clearing services. Accordingly, ICE Clear Europe does not believe the amendments would impose any burden on competition not necessary or appropriate in furtherance of the purpose of the Act.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed amendments have not been solicited or received by ICE Clear Europe. ICE Clear Europe will notify the Commission of any written comments received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove the proposed rule change or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.

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–ICEEU–2020–007 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–ICEEU–2020–007. 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

[11] 17 CFR 240.17Ad–22(e)(4)(ii).
[12] 17 CFR 240.17Ad–22(e)(13).
[13] 17 CFR 240.17Ad–22(e)(13).
[14] 17 CFR 240.17Ad–22(e)(1).
[15] 17 CFR 240.17Ad–22(e)(1).
[16] 17 CFR 240.17 Ad–22(e)(3)(i).
[17] 17 CFR 240.17 Ad–22(e)(3)(i).
[18] 17 CFR 240.17 Ad–22(e)(2).
[19] 17 CFR 240.17 Ad–22(e)(2).

change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filings will also be available for inspection and copying at the principal office of ICE Clear Europe and on ICE Clear Europe's website at *https://www.theice.com/clear-europe/regulation.* All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ICEEU–2020–007 and should be submitted on or before June 18, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11403 Filed 5–27–20; 8:45 am]

BILLING CODE 8011–01–P

[20] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88932; File No. SR–NASDAQ–2020–019]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Make Certain Amendments To Eliminate the Requirement That the Intraday Indicative Value Be Disseminated for Certain Series of Index Fund Shares and All Series of Managed Fund Shares

May 22, 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 May 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to eliminate the requirement that the Intraday Indicative Value be disseminated as set forth under Nasdaq Rule 5705(b) (''Index Fund Shares'') for certain series of Index Fund Shares and under Nasdaq Rule 5735 (''Managed Fund Shares'') for all series of Managed Fund Shares. Additionally, the Exchange proposes to define the term ''Portfolio Holdings'' as it pertains to Index Fund Shares. Finally, the Exchange proposes to amend Nasdaq Rule 4120 (Limit Up-Limit Down Plan and Trading Halts) as it pertains to dissemination of the Intraday Indicative Value.

The text of the proposed rule change is available on the Exchange's website at *http://nasdaq.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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

Nasdaq Rules 5705(b) and 5735 relate to the listing and trading of Index Fund Shares and Managed Fund Shares, respectively, on the Exchange. Among a number of other requirements, numerous subparagraphs of each of these rules require that an intraday estimate of the value of a share of each series (the ''Intraday Indicative Value'' or ''IIV'') of Index Fund Shares and Managed Fund Shares be disseminated and updated at least every 15 seconds.[3] The Exchange is proposing to eliminate the requirement to disseminate an IIV for all series of Managed Fund Shares[4] listed on the Exchange and for those series of Index Fund Shares that also publish their Portfolio Holdings (as defined below) on a daily basis.

As part of this proposal, the Exchange is also proposing to adopt proposed Nasdaq Rule 5705(b)(1)(F) to define the term ''Portfolio Holdings'' to mean the holdings of a particular series of Index Fund Shares that will form the basis for the calculation of its net asset value (''NAV'') at the end of the business day.[5] Existing Nasdaq Rules require issuers of Managed Fund Shares to provide IIV and daily disclosure of the Disclosed Portfolio.[6] Similarly, existing Exchange Rules require issuers of Index Fund Shares to disseminate an IIV for each fund, but do not universally require daily disclosure of a fund's underlying holdings.

The dissemination of an IIV, together with disclosure of the fund's underlying holdings, was designed to allow investors to determine the value of the underlying portfolio of such funds on a daily basis and provide a close estimate of that value throughout the trading day. However, as consistently highlighted in the adopting release of Rule 17 CFR 270.6c–11 (''Rule 6c–11'')[7] under the Investment Company Act of 1940[8] (the ''1940 Act''), the Commission has expressed concerns regarding the

[3] *See* subparagraphs (3)(C), (6)(A), and (9)(B)(i)e. of Nasdaq Rule 5705(b). *See also* subparagraphs (c)(3), (c)(4), (d)(2)(A), (d)(2)(C)(ii), and (d)(2)(D) of Nasdaq Rule 5735.

[4] The Exchange notes that Nasdaq Rule 5735(d)(2)(B)(i) requires that the Disclosed Portfolio for a series of Managed Fund Shares be disseminated at least once daily and be made available to all market participants at the same time. Further, Nasdaq 5735(d)(2)(C)(ii) requires that the Exchange consider suspension of trading in and commence delisting proceedings for a series of Managed Fund Shares where the Disclosed Portfolio is not made available to all market participants at the same time. As such, the Exchange is proposing to eliminate the IIV dissemination requirements entirely from Nasdaq Rule 5735.

[5] For purposes of Nasdaq Rule 5705(b), Portfolio Holdings would include various information, to the extent applicable, as listed in proposed subparagraphs (1)(F)(i) through (1)(F)(xi). The proposed definition of Portfolio Holdings is substantively identical to the definition of ''Disclosed Portfolio'' as set forth in Nasdaq Rule 5735(c)(2).

[6] *See* subparagraphs (c)(2), (d)(1)(B), and (d)(2)(B)(i) of Nasdaq Rule 5735. The term ''Disclosed Portfolio'' (as defined in Nasdaq Rule 5735(c)(2)) means the identities and quantities of the securities and other assets held by the Investment Company that will form the basis for the Investment Company's calculation of net asset value at the end of the business day.

[7] *See* Investment Company Act Release No. 10695 (September 25, 2019), 84 FR 57162 (October 24, 2019) (the ''Adopting Release'').

[8] 15 U.S.C. 80a–1.

accuracy of IIV estimates for certain Exchange-Traded Funds (''ETFs'').[9]

Specifically, the Commission noted that an IIV may not accurately reflect the value of an ETF that holds securities that trade less frequently as such IIV can be stale or inaccurate.[10] Similarly, the Commission also expressed concerns with the IIV of ETFs with frequently traded component securities because ''in today's fast moving markets, given the dissemination lags, an IIV may not accurately reflect the value of an ETF that holds frequently traded component securities.'' [11] Additionally, the Commission indicated that even in circumstances when an IIV may be reliable, retail investors do not have easy access to free, publicly available IIV information.[12] Further, in instances when IIV may be free and publicly available, it can be delayed by up to 45 minutes.[13]

Aside from the fact that the disseminated IIV may provide investors with stale or misleading data, the Commission also stated that market makers and authorized participants typically calculate their own intraday value of an ETF's portfolio with proprietary algorithms that use an ETF's daily portfolio disclosure and available pricing information.[14] Such information allows those market participants to support the arbitrage mechanism for ETFs.

The arbitrage mechanism is designed to help keep the market price of ETF shares at or close to the NAV per share of an ETF, and is important because it helps to ensure ETF investors are treated equitably when buying and selling fund shares.[15] Therefore, as market participants who engage in arbitrage typically calculate their own intraday value of an ETF's portfolio based on the ETF's daily portfolio disclosure and pricing information and use an IIV only as a secondary check to their own calculation,[16] the Commission noted that IIV was not necessary to support the arbitrage mechanism.[17]

Given this, combined with shortcomings of the IIV noted above, the Commission concluded that ETFs will not be required to disseminate an IIV under Rule 6c–11.[18] As such, Exchange listing rules are the only reason that a series of Managed Fund Shares is required to disseminate an IIV. Similarly, Exchange listing rules are the only reason that a series of Index Fund Shares that also publishes its Portfolio Holdings on a daily basis is required to disseminate an IIV.

The Exchange believes that the limitations and shortcomings of IIV as it pertains to ETFs relying on Rule 6c–11 and highlighted in the Adopting Release are equally applicable to all Managed Fund Shares listed on the Exchange and Index Fund Shares for which the Portfolio Holdings are disclosed on a daily basis. The Exchange further agrees with the conclusion of the Adopting Release that the ''IIV is not necessary to support the arbitrage mechanism for ETFs that provide daily portfolio holdings disclosure.''

The transparency that comes from daily portfolio holdings disclosure provides market participants with sufficient information to facilitate the intraday valuation of the shares of an ETF, including Managed Fund Shares and Index Fund Shares for which Portfolio Holdings are disclosed daily, which, ignoring the many criticisms of IIV in the Adopting Order, renders IIV at the very least duplicative and unnecessary. The Commission has previously approved a proposed rule change by Cboe BZX Exchange, Inc. (''Cboe BZX'') that is substantively identical to the proposed amendments to Nasdaq Rules 5705(b) and 5735.[19]

Therefore, the Exchange is proposing to eliminate the requirement for the dissemination of the IIV for all series of Managed Fund Shares and for Index Fund Shares for which Portfolio Holdings are disclosed on a daily basis.

In addition, the Exchange is proposing to amend Nasdaq Rule 4120(a)(9) to remove certain references to Managed Fund Shares as it relates to halting a series of Managed Fund Shares for not disseminating an IIV. Managed Fund Shares are not required to disseminate and [sic] underlying index value and, as a result of this rule proposal, would not be required to disseminate an IIV. Nasdaq believes that including Managed Fund Shares as a security that can be halted for not disseminating an underlying index value or an IIV is no longer necessary. The Exchange notes that this proposal does not seek to remove certain references to Index Fund Shares because Nasdaq Rule 4120(a)(9) only applies to Index Fund Shares if dissemination of an underlying index value or IIV is required.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[20] in general, and furthers the objectives of Section 6(b)(5) of the Act,[21] in particular, in that it is consistent with the Section 6(b)(5) requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The proposed amendment seeks to eliminate the requirement that Managed Fund Shares and Index Fund Shares for which the Portfolio Holdings are disclosed daily disseminate an IIV for the same reasons articulated in the Adopting Order for Rule 6c–11, which does not require the dissemination of IIV. The Exchange believes that the proposed amendment will eliminate the dissemination of potentially stale and misleading IIV information to market participants, as was also noted in the Adopting Order. Further, as the proposed rule text would only eliminate the requirement for series of Index Fund Shares [22] and Managed Fund Shares [23] that provide full daily portfolio transparency, such full daily portfolio transparency would provide market participants with a tool to calculate the IIV of a series of Managed Fund Shares or Index Fund Shares, which the Exchange believes generally mitigates the need for the dissemination of an IIV. Nonetheless, nothing in this proposal limits the ability of such Index Fund Shares or Managed Fund Shares from disseminating the IIV should they

[9] An Exchange-Traded Fund means a registered open-end investment company: (i) That issues (and redeems) creation units to (and from) authorized participants in exchange for a basket and a cash balancing amount if any; and (ii) Whose shares are listed on a national securities exchange and traded at market-determined prices. *See supra* note 7.

[10] *Id.* at 62.

[11] *Id.*

[12] *Id.* at 66.

[13] *Id.*

[14] *Id.* at 63.

[15] *Id.* at 12.

[16] *Id.* at 63.

[17] *Id.* at 65.

[18] *Id.* at 61.

[19] *See* Securities Exchange Act Release No. 88558 (April 3, 2020), 85 FR 20012 (April 9, 2020) (SR–CboeBZX–2020–007) (Order Approving a Proposed Rule Change, as Modified by Amendment No. 1, To Eliminate the Requirement That an Intraday Indicative Value Be Disseminated as Set Forth Under Rule 14.11(c) for Certain Series of Index Fund Shares and Under Rule 14.11(i) for All Series of Managed Fund Shares).

[20] 15 U.S.C. 78f(b).

[21] 15 U.S.C. 78f(b)(5).

[22] As provided in proposed Rules 5705(b)(3)(C) and 5705(b)(6)(A), a series of Index Fund Shares would only be exempt from IIV dissemination requirements where there is daily public website disclosure of Portfolio Holdings.

[23] *See supra* note 4.

choose to do so. Further, the Exchange notes that its rules still include certain circumstances in which an issuer would be required to disseminate an IIV.[24]

As a result of the proposed rule change, the Exchange believes issuers may benefit from cost savings because of the eliminated requirement to disseminate an IIV. The reduced cost could also result in lower barriers to entry for new issuers and new series of Managed Fund Shares and Index Fund Shares for which the Portfolio Holdings are disclosed daily, which will result in enhanced competition among products and issuers of such funds, which can lead to lower fees for investors, encourage financial innovation, and increase investor choice in the ETF market.

Finally, with respect to the proposed change to Nasdaq Rule 4120(a)(9) to remove Managed Fund Shares, the Exchange believes that this strengthens the consistency among Nasdaq's rules and benefits investors and the marketplace by making clear rules that lessen potential confusion for market participants.

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 that is not necessary or appropriate in furtherance of the purposes of the Act. To the contrary, the Exchange believes that issuers may benefit from cost savings and lower barriers to entry because of the eliminated requirement to disseminate an IIV. In turn, the proposed rule change will enable increased product competition among issuers of such funds, which can lead to lower fees for investors, encourage financial innovation, and increase investor choice in the ETF market.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[25] and Rule 19b–4(f)(6) thereunder.[26]

A proposed rule change filed under Rule 19b–4(f)(6)[27] normally does not become operative for 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[28] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that the proposed rule change will lead to listing standards that are substantially similar to the rules of Cboe BZX that the Commission has recently approved.[29] The Commission notes that the proposed rule change raises no novel or unique issues not already considered by the Commission. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[30]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[31] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml);* or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2020–019 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–2020–019. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml).* Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are

[24] For example, a series of Index Fund Shares that does not provide daily portfolio transparency would still be required to disseminate an IIV. Additionally, IIV dissemination will continue to be required for certain products that are not subject to the 1940 Act. Moreover, the Exchange notes that Nasdaq Rules related to the listing and trading of other product types (that is, products that are not listed pursuant to Nasdaq Rule 5705(b) or 5735) require the dissemination of an IIV, which the Exchange is not proposing to eliminate at this time. Specifically, the Exchange is only proposing to remove the requirement of IIV dissemination as it pertains to certain Index Fund Shares and all Managed Fund Shares because such product types represent the vast majority of products listed on the Exchange and may consider proposing to eliminate the IIV dissemination requirement for other product types in a future proposal.

[25] 15 U.S.C. 78s(b)(3)(A).

[26] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[27] 17 CFR 240.19b–4(f)(6).

[28] 17 CFR 240.19b–4(f)(6)(iii).

[29] *See supra* note 19.

[30] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[31] 15 U.S.C. 78s(b)(2)(B).

cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2020–019 and should be submitted on or before June 18, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11473 Filed 5–27–20; 8:45 am]

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[32] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88934; File No. SR–BOX–2020–04]

Self-Regulatory Organizations; BOX Exchange LLC; Order Granting Approval of a Proposed Rule Change To Amend the Provisions of the Limited Liability Company Agreement and Bylaws

May 22, 2020.

I. Introduction

On February 4, 2020, BOX Exchange LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the provisions of the Exchange's limited liability company agreement and bylaws to accommodate the Exchange's potential regulation of multiple facilities. The proposed rule change was published for comment in the **Federal Register** on February 25, 2020.[3] On April 2, 2020, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] The Commission received no comment letters on the proposed rule change. The Commission is approving the proposed rule change.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 88236 (February 19, 2020), 85 FR 10765 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 88542, 85 FR 19787 (April 8, 2020). The Commission designated May 25, 2020, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

II. Description of the Proposed Rule Change [6]

According to the proposal, the Exchange currently regulates one facility, BOX Options Market LLC (''BOX Options Market''). The Exchange now proposes to amend the provisions of its limited liability company agreement (''LLC Agreement'') and bylaws (''Bylaws'') (collectively ''Governing Documents'') to accommodate the Exchange's regulation of potential multiple facilities.[7] According to the Exchange, the proposed changes to the Governing Documents are designed to: (i) Provide sufficient flexibility to contemplate multiple Exchange facilities under the Exchange's regulatory authority; (ii) simplify the defined terms in the Governing Documents; and (iii) make certain other changes to the terms of the Governing Documents to align them with the structure of the Exchange and its relationships.[8]

Among other things, to provide for flexibility to accommodate more than one facility, the Exchange proposes to replace the term ''BOX Options'' and ''BOX Options Market'' with the term ''Exchange Facility'' in the LLC Agreement. Likewise, the Exchange would replace in the LLC Agreement the term ''BOX Options Participant'' with ''Exchange Facility Participant.'' And to simplify the defined terms in the Governing Documents, the Exchange proposes, for example, to remove the definition of ''Related Agreements'' from the LLC Agreement. According to the Exchange, the term is used in only one section of the LLC Agreement, and the Exchange believes that the deletion of the defined term would not otherwise affect the LLC Agreement.[9] Lastly, to align the Governing Documents with the structure of the Exchange and its relationships, the Exchange proposes to remove BOX Holdings Group LLC (''BOX Holdings''), the parent and 100% owner of BOX Options Market, as a party to the LLC Agreement, as well as remove its right to appoint a director to the Exchange Board of Directors (''Exchange Board''). In connection with these changes, the Exchange also proposes to provide Exchange Facility representation on the Exchange Board and its nominating committee (''Nominating Committee''), rather than BOX Holdings representation, as is currently provided in the Governing Documents.[10] According to the Exchange, because BOX Holdings is the 100% owner of BOX Options Market and the composition of the board of directors for each entity is the same, the close alignment between the entities and their interests has allowed BOX Options Market to be fairly represented on the Exchange Board through BOX Holdings. However, the Exchange now proposes that any Exchange Facility would have direct representation on the Exchange Board and the Nominating Committee, rather than through BOX Holdings.[11]

Finally, the Exchange proposes various technical amendments to the Governing Documents to effectuate the changes discussed above.[12]

[6] For a more complete description of all the changes as proposed, *see* Notice, *supra* note 3.

[7] *See id.* at 10765.

[8] *See id.* at 10765–66.

[9] *See id.* at 10767.

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange. In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(1) of the Act,[13] which requires a national securities exchange to be so organized and have the capacity to carry out the purposes of the Act and to comply, and to enforce compliance by its members and persons associated with its members, with the provisions of the Act. The Commission also finds that the proposed rule change is consistent with Section 6(b)(3) of the Act,[14] which requires that the rules of a national securities exchange assure a fair representation of its members in the selection of its directors and the administration of its affairs and provide that one or more directors shall be representative of issuers and investors and not be associated with a member of the exchange, broker, or dealer. The Commission further finds that the

[10] *See id.* at 10765, 10768–71.

[11] Specifically, the Exchange proposes to amend its Bylaws to ensure that each Exchange Facility would have a representative on the Exchange Board (''Facility Director''). According to the Exchange, the Facility Director would come from the leadership of and be directly designated by the Exchange Facility, rather than BOX Holdings. In addition, as is the case today, the Facility Director would serve on certain committees of the Exchange Board. *See* Notice, *supra* note 3, at 10771.

[12] For example, the Exchange proposes to amend the definition of ''Confidential Information'' in the LLC Agreement to remove the reference to ''BOX Options Market'' and replace it with a reference to the newly proposed defined term ''Exchange Facility.'' *See* Notice, *supra* note 3, at 10766–67.

[13] 15 U.S.C. 78f(b)(1).

[14] 15 U.S.C. 78f(b)(3).

proposed rule change is consistent with Section 6(b)(5) of the Act,[15] which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, and processing information with respect to, and facilitating transactions in, securities, 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.

The Exchange proposes to modify the Governing Documents to accommodate a potential for multiple facilities. To that end, the Exchange proposes to amend certain terms so that the Governing Documents more generally reference the Exchange's facility rather than BOX Options Market specifically. The Exchange also proposes to make certain ministerial amendments throughout its Governing Documents, such as deleting terms that are not deemed necessary.[16] With respect to such changes and to changes that provide the Exchange with flexibility to operate more than one facility, the Commission finds that they are technical in nature, do not raise any material concerns, and are therefore consistent with the Act.

As discussed above, the proposal would also modify the Governing Documents to remove BOX Holdings as a party to the LLC Agreement and allow the Exchange's facility to have direct representation on the Exchange Board and Nominating Committee, rather than through BOX Holdings. In its proposal, the Exchange states that ''it is in keeping with the original intent of the LLC Agreement with respect to BOX Options Market to have BOX Options Market's rights reside directly in BOX Options Market, rather than with its upstream owner, and that similar rights will reside directly with any other new Exchange Facility. . . .'' [17] The Exchange further states that ''it is appropriate to provide direct representation on the Exchange Board to facilities of the Exchange to promote their fair representation in the administration of the Exchange's affairs and the selection of its directors.'' [18] Further, the Exchange believes that the proposed removal of BOX Holdings from the LLC Agreement is consistent with the Act because BOX Holdings is only a party to the LLC Agreement with respect to its rights to appoint individuals to serve on the Exchange Board and the Nominating Committee, and the right to appoint a director to the Exchange Board is now proposed to reside in each Exchange Facility.

The Commission finds that the changes with respect to BOX Holdings and the representation of the Exchange's facility on the Exchange Board is consistent with the Act. The Commission believes that, to the extent that these changes provide mechanisms whereby a facility of the Exchange would have more direct representation on the Exchange Board, the changes are appropriate.

Based on the foregoing, the Commission therefore finds that the proposed rule change is consistent with the Act.[19]

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[20] that the proposed rule change (SR–BOX–2020–04) be, and hereby is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2020–11475 Filed 5–27–20; 8:45 am]

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[15] 15 U.S.C. 78f(b)(5).

[16] For example, the Exchange proposes to delete the terms ''MX,'' ''System'' and ''TOSA'' from the LLC Agreement because these definitions have limited use in the LLC Agreement and removing them will simplify the structure of the defined terms in the LLC Agreement. *See* Notice, *supra* note 3, at 10767–68. *See also supra* note 9 and text discussing removal of defined term ''Related Agreements.''

[17] *See* Notice, *supra* note 3, 10769.

[18] *See id.* at 10768.

[19] In approving these proposed rule changes, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[20] 15 U.S.C. 78s(b)(2).

[21] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–88923; File No. SR–CBOE–2020–046]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to the Debit/Credit Price Reasonability Check

May 21, 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 May 14, 2020, Cboe Exchange, Inc. (''Exchange'' or ''Cboe Options'') 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 Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [3] and Rule 19b–4(f)(6) thereunder.[4] 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

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes to amend its debit/credit price reasonability check. The text of the proposed rule change is provided below.

(additions are italicized; deletions are [bracketed])

* * * * *

Rules of Cboe Exchange, Inc.

* * * * *

Rule 5.34. Order and Quote Price Protections Mechanisms and Risk Controls

The System's acceptance and execution of orders, quotes, and bulk messages, as applicable, pursuant to the Rules, including Rules 5.31 through 5.33, and orders routed to PAR pursuant to Rule 5.82 are subject to the following price protection mechanisms and risk controls, as applicable.

(a) No change.

(b) *Complex Orders.*

(1) *Definitions.* For purposes of this subparagraph (b):

(A)–(C) No change.

(D) *Calendar Spread. A ''calendar'' spread is a two-legged complex order with one leg to buy a number of calls (puts) and one leg to sell the same number of calls (puts) with the same exercise price but different expiration dates.*

(2) No change.

(3) *Debit/Credit Price Reasonability Checks.*

(A) The Exchange cancels or rejects a complex order (or unexecuted portion) that is a limit order for a debit strategy with a net credit price that exceeds a pre-set buffer, a limit order (or unexecuted portion) for a credit strategy with a net debit price that exceeds a pre-set buffer, or a market order (or unexecuted portion) for a credit strategy that would execute at a net debit price that exceeds a pre-set buffer (the pre-set

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

buffers are determined by the Exchange *on a class and strategy (i.e., vertical, calendar, butterfly, orders with different expiration dates and exercise prices) basis).*

(B) The System defines a complex order as a debit or credit as follows:

(i)–(ii) No change.

(iii) an order for which all pairs and loners are debits (credits) is a debit (credit). For purposes of this check, a ''pair'' is a pair of legs in an order for which both legs are calls or both legs are puts, one leg is a buy and one leg is a sell, and the legs have the same expiration date but different exercise prices *(i.e., vertical),* [or] the same exercise price but different expiration dates *(i.e., calendar), or the exercise price for the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration date.* A ''loner'' is any leg in an order that the System cannot pair with another leg in the order. Notwithstanding the foregoing, if the stock component of a stock-option order is to buy (sell), the stock-option order is a debit (credit).

(a) No change.

(b) The System then pairs legs to the extent possible [with the same exercise prices] across expiration dates, pairing one [leg]*call (put)* with the [leg]*call (put)* that has the next nearest expiration date *and the same or next lower (higher) exercise price.*

(c) A pair of calls is a credit (debit) if the exercise price of the buy (sell) leg is higher than the exercise price of the sell (buy) leg (if the pair has the same expiration date) or if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg (if the [pair has the same] exercise price *of the sell (buy) leg is the same as or lower than the exercise price of the buy (sell) leg*).

(d) A pair of puts is a credit (debit) if the exercise price of the sell (buy) leg is higher than the exercise price of the buy (sell) leg (if the pair has the same expiration date) or if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg (if the [pair has the same] exercise price *of the sell (buy) leg is the same as or higher than the exercise price of the buy (sell) leg*).

* * * * *

The text of the proposed rule change is also available on the Exchange's website (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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

The proposed rule change amends the debit/credit price reasonability check for complex orders in Rule 5.34(b)(3) to expand its applicability and provide flexibility with respect to its application. Pursuant to the debit/credit price reasonability check, the Exchange cancels or rejects a complex order (or unexecuted portion) that is a limit order for a debit strategy with a net credit price that exceeds a pre-set buffer, a limit order (or unexecuted portion) for a credit strategy with a net debit price that exceeds a pre-set buffer, or a market order (or unexecuted portion) for a credit strategy that would execute at a net debit price that exceeds a pre-set buffer (the pre-set buffers are determined by the Exchange). The System defines a complex order as a debit (credit) if all pairs and loners are debits (credits).[5] For purposes of the debit/credit price reasonability check, a ''pair'' is a pair of legs in an order for which both legs are calls or both legs are puts, one leg is a buy and one leg is a sell, and both legs have the same expiration date but different exercise prices[6] or the same exercise price but different expiration dates.[7] A ''loner'' is any leg is an order that the System cannot pair with another leg in the order.

(1) The System first pairs legs to the extent possible within each expiration date, pairing one leg with the leg that has the next highest exercise price.

(2) The System then pairs legs to the extent possible with the same exercise prices across expiration dates, pairing one leg with the leg that has the next nearest expiration date.

(3) A pair of calls is a credit (debit) if the exercise price of the buy (sell) leg is higher than the exercise price of the sell (buy) leg (if the pair has the same expiration date) or if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg (if the pair has the same exercise price).

(4) A pair of puts is a credit (debit) if the exercise price of the sell (buy) leg is higher than the exercise price of the buy (sell) leg (if the pair has the same expiration date) or if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg (if the pair has the same exercise price).

(5) A loner to buy is a debit, and a loner to sell is a credit.

The System does not apply the debit/credit price reasonability check to an order for which the System cannot define whether it is a debit or credit.

Background

The Exchange implemented a debit/credit reasonability check in 2016.[8] The version of the debit/credit price reasonability check in place until the Exchange's System migration on October 7, 2019 was substantially similar to the current version described above. However, under that version, the Exchange previously applied the debit/credit price reasonability check to pairs with different expiration dates and exercise prices for which the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration (*i.e.,* diagonals), except to options that are European-settled.[9] Diagonal options in European-settled options were excluded from the debit/credit price reasonability check, because certain market conditions could cause options with nearer expirations to be worth more than options with farther expirations (as further discussed below). Additionally, under the prior version of the debit/credit price reasonability check, while the Exchange did not apply a pre-set buffer, it was able to apply the debit/credit price reasonability check on a class-by-class basis.

In connection with the System migration on October 7, 2019, the Exchange adopted the current version of the debit/credit price reasonability check.[10] The Exchange adopted flexibility to apply a buffer rather than the flexibility to turn the debit/credit price reasonability check on or off, as the Exchange believed it would provide

[5] Rule 5.34(b)(3)(B). The System also determines certain call and put butterfly spreads as debits and credits. *See id.*

[6] The proposed rule change defines this as a ''vertical,'' which is consistent with the definition of a vertical in Rule 5.34(b)(1)(A).

[7] The proposed rule change defines this as a ''calendar,'' and adds the definition of a calendar spread to Rule 5.34(b)(1)(D).

[8] *See* Securities Exchange Act Release Nos. 76960 (January 21, 2016), 81 FR 4728 (January 27, 2016) (SR–CBOE–2015–107) (Notice of Filing of Amendment No. 2 and Order Granting Accelerated Approval of Proposed Rule Change, as Modified by Amendment Nos. 1 and 2 Thereto, Relating to Price Protection Mechanisms for Quotes and Orders); and 79589 (December 19, 2016), 81 FR 94469 (December 23, 2019) (SR–CBOE–2016–086).

[9] *Id.*

[10] *See* Securities Exchange Act Release No. 86923 (September 10, 2019), 84 FR 48664 (September 16, 2019) (SR–CBOE–2019–057).

additional flexibility to adapt the check to market conditions. The Exchange inadvertently omitted the debit/credit price reasonability check's application to the diagonal pairs that were subject to the check under the prior version of the rule; however, the debit/credit price reasonability check was included in the new System and has been applied to complex orders, including diagonals, since October 7, 2019. The Exchange did not exclude European-settled options from the debit/credit price reasonability check in the Rules, as it previously did, because the System was built to permit the buffer to be modified on a class-by-class basis as well as a strategy basis. The proposed rule change codifies the applicability of the debit/credit price reasonability check to diagonal pairs, as well as the Exchange's ability to modify the debit/credit price reasonability check on class and strategy basis, which the Exchange believes is appropriate given that market conditions impact classes and strategies in different manners, and the flexibility will permit it modify the debit/credit price reasonability check to adapt to these market conditions so that legitimate strategies may receive execution opportunities.

As discussed in the rule filing that first proposed adoption of the debit/credit price reasonability check, the System determines whether an order is a debit or credit based on general options volatility and pricing principles, which the Exchange understands are used by market participants in their option pricing models.[11] With respect to options with the same underlying:

- if two calls have the same expiration date, the price of the call with the lower exercise price is more than the price of the call with the higher exercise price;
- if two puts have the same expiration date, the price of the put with the higher exercise price is more than the price of the put with the lower exercise price; and
- if two calls (puts) have the same exercise price, the price of the call (put) with the nearer expiration is less than the price of the call (put) with the farther expiration.

In other words, a call (put) with a lower (higher) exercise price is more expensive than a call (put) with a higher (lower) exercise price, because the ability to buy stock at a lower price is more valuable than the ability to buy stock at a higher price, and the ability to sell stock at a higher price is more valuable than the ability to sell stock at a lower price. A call (put) with a farther expiration is more expensive than the price of a call (put) with a nearer expiration, because locking in a price further into the future involves more risk for the buyer and seller and thus is more valuable, making an option (call or put) with a farther expiration more expensive than an option with a nearer expiration.

Proposed Application to Certain Diagonal Pairs

Under the current the debit/credit price reasonability check, the System only pairs calls (puts) if they have the same expiration date but different exercise prices or the same exercise price but different expiration dates. With respect to pairs with different expiration dates but the same exercise price,[12] a pair of calls is a credit (debit) strategy if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg, and a pair of puts is a credit (debit) strategy if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg. However, based on the principles described above, if the sell (buy) leg of a pair of calls has a farther expiration date (and thus is more expensive) than the expiration date of the buy (sell) leg as well as a lower exercise price (and thus is more expensive) than the exercise price of the sell (buy) leg, then the pair is a credit (debit) (as is the case if the exercise prices of each call were the same under the current rule). Similarly, if the sell (buy) leg of a pair of puts has a farther expiration date (and thus is more expensive) than the expiration date of the buy (sell) leg as well as a higher exercise price (and thus is more expensive) than the exercise price of the buy (sell) leg, then the pair of puts is a credit (as is the case if the exercise prices of each put were the same under the current rule).

Therefore, the proposed rule change expands the debit/credit price reasonability check to pair calls (puts) with different expiration dates if the exercise price for the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration date in addition to those with different expiration dates and the same exercise price. Specifically, the proposed rule change amends subparagraph (c)(2)(C) to state, for purposes of the debit/credit price reasonability check, a ''pair'' is a pair of legs in an order for which both legs are calls or both legs are puts, one leg is a buy and one leg is a sell, and the legs have different expiration dates and the exercise price for the call (put) with the farther expiration date is the same as or lower (higher) than the exercise price for the nearer expiration date. The proposed rule change also amends subparagraphs (b)(3)(B)(iii)(b) through (d) to incorporate these orders with different expiration dates and exercise prices. When pairing legs across expiration dates, the System will pair one call (put) with the call (put) that has the next nearest expiration date and the same or next lower (higher) exercise price.

Based on the pricing principles described above, a pair of calls is a credit (debit) strategy if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg (if the exercise price of the sell (buy) leg is the same as or lower than the exercise price of the buy (sell) leg). A pair of puts is a credit (debit) strategy if the expiration date of the sell (buy) leg is farther than the expiration date of the buy (sell) leg (if the exercise price of the sell (buy) leg is the same as or higher than the exercise price of the buy (sell) leg).[13] Entering a calendar spread with a credit (debit) strategy at a debit (credit) price (or that would execute at a debit (credit) price), which price is inconsistent with the strategy, may result in executions at prices that are extreme and potentially erroneous.

Below are examples demonstrating how the System determines whether a complex order with two legs, which have different expiration dates and different exercise prices, is a debit or credit, and whether the System will reject the order pursuant to the debit/credit price reasonability check, with a pre-set buffer of $10.00.[14]

Example #1—Limit Call Spread

A Trading Permit Holder enters a spread to buy 10 May 30 XYZ calls and sell 10 Aug 20 XYZ calls at a net debit price of -$20.00. The

[11] Securities Exchange Act Release Nos. 76960 (January 21, 2016), 81 FR 4728 (January 27, 2016) (SR–CBOE–2015–107) (Notice of Filing of Amendment No. 2 and Order Granting Accelerated Approval of Proposed Rule Change, as Modified by Amendment Nos. 1 and 2 Thereto, Relating to Price Protection Mechanisms for Quotes and Orders); and 79589 (December 19, 2016), 81 FR 94469 (December 23, 2019) (SR–CBOE–2016–086).

[12] A complex order consisting of a buy leg and a sell leg with different expiration dates are commonly referred to in the industry as a ''calendar spread.''

[13] The proposed rule change makes no changes to the debit/credit price reasonability check with respect to pairs of orders with the same expiration date but different exercise prices. Therefore, the rule filing omits references to the portions of the current rule related to those pairs to focus on the changes made to pairs with different expiration dates.

[14] The same principles would apply to complex orders with more than two legs, which include two legs that can be paired in this way.

System defines this order as a credit, because the buy leg is for the call with the nearer expiration date and higher exercise price (and is thus the less expensive leg). The System rejects the order back to the Trading Permit Holder because it is a limit order for a credit strategy that contains a net debit price, as it exceeds the pre-set buffer.

Example #2—Limit Put Spread

A Trading Permit Holder enters a spread to buy 20 May 30 XYZ puts and sell 20 Apr 20 XYZ puts at a net credit price of $15.00. The System defines this order as a debit, because the buy leg is for the put with the farther expiration date and the higher exercise price (and thus the more expensive leg). The System rejects the order back to the Trading Permit Holder because it is a limit order for a debit strategy that contains a net credit price, as it exceeds the pre-set buffer.

Proposed Flexibility

Given the different characteristics applicable to different classes, the Exchange proposes to determine the pre-set buffer on a class-by-class basis. As discussed above, the prior version of the check excluded application of the check to pairs for which the exercise price for the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration date in European-settled options (which is a group of classes), which demonstrates the need to apply different parameters to different classes. The Exchange will issue an Exchange notice for all pre-set buffers, including any changes to those buffers.[15]

Additionally, the proposed rule change will permit the Exchange to determine a different buffer on a strategy basis. In other words, the Exchange may have different buffers applicable to calendars, verticals, butterflies, and orders whose legs have different exercise prices and different expiration dates for which the exercise price for the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration date (which the check will apply pursuant to this rule change). Strategies are impacted differently by market conditions just as classes are impacted differently by market conditions. As noted, the previous version of the check excluded European-style options from the diagonal pair check, but applied the check to those options for other strategy pairs (such as calendars and verticals), which demonstrates that different strategies may need different parameters.

As previously noted, the Exchange understands that in certain market conditions, particularly in volatile conditions as have recently occurred, the general pricing principles described above may not apply to certain classes or strategies. For example, it is possible that the leg with the farther expiration may be trading at a discount and thus is worth less than the leg with the nearer term expiration, and thus entering a diagonal or calendar strategy as a debit may be consistent with the then-current market.[16] In such conditions, the Exchange may deem it appropriate to increase the buffer to permit these orders to be accepted for electronic processing. While an order with a diagonal or calendar strategy entered as a debit in normal market conditions may appear erroneous and be appropriately rejected, in volatile market conditions, such an order entered as a debit may be accurately reflecting the market, and the Exchange believes it would be appropriate to provide such an order with electronic execution opportunities. The proposed flexibility to establish pre-set buffers on a class and strategy basis will permit the Exchange to respond to unusual market conditions as soon as practicable.

In the wake of recent market volatility caused by the ongoing coronavirus pandemic, certain classes exhibited backwardation, which occurs when series with the farther expirations are worth less than series with the nearer term expirations. As discussed above, this is the opposite of what occurs pursuant to general options pricing principles in normal market conditions. Given this backwardation, market participants were submitting diagonal [sic] in certain classes (which were European-settled) with debit prices, which were consistent with market conditions, but the System was rejecting those orders because they did not satisfy the debit/credit price reasonability check (as the buffer was set to $0).

This issue became exacerbated beginning on March 16, when the Exchange suspended open outcry trading due to the coronavirus pandemic. When the trading floor was open, market participants had the option to submit orders that the System rejected to the trading floor for execution in open outcry. However, that requires additional time, which may introduce price risk to the execution, which is heightened when the markets are volatile. With the closure of the trading floor, market participants have no way to execute these orders with legitimate strategies on the Exchange, except by submitting them as separate orders, which introduces market and execution risk. Between March 16 and April 9, the System rejected an average of approximately 215 SPX complex orders with two legs and a diagonal strategy each trading day, with a low of fewer than 100 and a high above 500.[17] This range demonstrates the impact of market conditions on the pricing on this strategy in SPX. On trading days with higher volatility, more SPX orders were submitted with this strategy as credits rather than debits, which were consistent with market conditions but unable to execute on the Exchange. However, these orders were unable to execute on the Exchange, because they did not satisfy the debit/credit price reasonability check. The proposed rule change will permit the Exchange to modify the buffer of these strategies to provide execution opportunities to these legitimately priced orders (while providing continued protection to other strategies in the class (and other classes) not impacted by current market conditions).

Under normal market conditions, these prices would be considered erroneous.[18] However, during unusual market conditions, these prices are consistent with those market conditions, and the Exchange believes such orders should have electronic execution opportunities at prices consistent with the market. Under the current rule, the Exchange could have changed the buffer, but that change would have applied to all classes and all strategies. Given that backwardation does not impact pricing for all classes, and all strategies, the Exchange did not make that change, as it believes the System would have accepted many erroneously priced orders in addition to the

[15] *See* Rule 1.5.

[16] This would apply to calendar spreads and orders with legs with different expiration dates and exercise prices for which the exercise price for the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration date, but not vertical spreads, demonstrating the need to apply different buffers to different strategies. It is for this reason that the previous version of the debit/credit price reasonability check did not apply to these diagonal strategies in European-settled options.

[17] SPX options have been impacted by backwardation given recent market conditions. As a European style option, the Exchange notes diagonal pairs in SPX were excluded from the debit/credit reasonability check. The Exchange intends to widen the buffer for SPX diagonal pairs upon effectiveness of this filing based on market conditions, the characteristics of SPX options, and data reviewed by the Exchange, which increased buffer corresponds to the exclusion of these options under the prior version of the reasonability check.

[18] As noted above, under the prior version of the rule, the diagonal pairs in European-style options were always excluded from the debit/credit price reasonability check (and thus two-legged complex orders with a diagonal pair in European-settled classes were always accepted into the System in all market conditions). Applying a widened buffer to diagonal pairs in European-style options under the current rule would be consistent with the prior version of the rule.

legitimately priced orders in the impacted classes and strategies. The proposed rule change would permit the Exchange in similar circumstances to modify the buffer in classes and strategies whose pricing was impacted by changed market conditions, while maintaining the same level of protection for classes and strategies whose pricing was not impacted by those market conditions. The Exchange would consider market conditions, investor demand, and other relevant factors when determining whether to modify a buffer amount to attempt to create an appropriate balance between protection against executions at potentially erroneous prices and provision of execution opportunities for legitimately priced orders.

The Exchange offers a suite of risk controls, as described in Rule 5.34, which are designed to prevent trades at potentially erroneous prices. The debit/credit price reasonability check is an example of one of these risk controls. If the Exchange modified the debit/credit check buffer for a class or strategy in response to changes in market conditions, there are other risk controls that would separately apply to incoming orders to provide other protections against executions at potentially erroneous prices. The Exchange regularly monitors the application of the debit/credit price reasonability check, including the number of orders rejected as a result of the check. Additionally, the Exchange monitors orders that may be executed at erroneous prices pursuant to Rule 6.5. The Exchange considers all of these factors, and the factors described above, when determining whether to modify the parameters of the available risk controls, including the debit/credit check buffer.

The Exchange announces any changes to these parameters to market participants by Exchange notice pursuant to Rule 1.5. As noted above, market participants requested that we modify the buffer in certain classes with respect to diagonal pairs (as would be permitted by the proposed rule change) in connection with recent volatility. The proposal was presented to Trading Permit Holders at a town hall held on March 12, 2020 (which was available to all Trading Permit Holders and attended in person or by phone by hundreds of participants), at which the Exchange indicated, among other things, that it was seeking a rule change to permit such a modification. While requests for the change have decreased in recent weeks given the calming of the markets, the Exchange believes the proposed rule change will permit it to respond efficiently to any future changes in market conditions that may occur in connection with the ongoing coronavirus pandemic or other potential events.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[19] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[21] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed rule change expands the applicability of the current debit/credit price reasonability check to additional complex order strategies for which the Exchange can determine whether the order is a debit or credit. By expanding the orders to which these checks apply, the Exchange can further assist with the maintenance of a fair and orderly market by mitigating the potential risks associated with additional complex orders trading at prices that are inconsistent with their strategies (which may result in executions at prices that are extreme and potentially erroneous), which ultimately protects investors. This proposed expansion of the debit/credit price reasonability check promotes just and equitable principles of trade, as it is based on the same general option and volatility pricing principles the System currently uses to pair calls and puts, which principles the Exchange understands are used by market participants in their option pricing models. As discussed above, the Exchange previously applied the debit/credit price reasonability check to pairs for which the exercise price for the call (put) with the farther expiration date is lower (higher) than the exercise price for the nearer expiration as proposed (until less than six months ago). However, this price check did not apply to orders with these strategies in option classes with European-style settlement. Therefore, to the extent the Exchange determines to increase the pre-set buffer for a class with European-style settlement, the Exchanges notes these orders were not subject to this price check under the previous version of the rules.

Additionally, until less than six months ago, the Exchange previously had flexibility to apply this check on a class-by-class basis, and the proposed rule change to permit the Exchange to determine buffers on a class-by-class basis is consistent with that previous authority. The Exchange believe class flexibility is appropriate to permit the Exchange to apply reasonable buffers to classes, which may exhibit different trading characteristics and have different market models. The proposed rule change to permit the Exchange to determine buffers for different strategies will further permit the Exchange to modify this parameter in response to market conditions, which may create pricing conditions that are contrary to the general pricing principles described above. In such conditions, the System may reject legitimately priced complex strategies given volatile market conditions that would generally be erroneously priced in normal market conditions. The Exchange believes this flexibility is appropriate, as it will provide additional execution opportunities given then-current market conditions, which will ultimately benefit investors.

This price check does apply to market orders that can be defined as a net credit or debit,[22] which if within the pre-set buffer, will execute upon entry at the price of the market. With a wider buffer, the Exchange understands that market orders may execute within a wider price range. However, the Exchange believes the proposed rule change to permit wider buffers by class and strategy will still protect investors and the public interest, even with its application to market orders. The purpose of a market order is to execute at the then-current market. As noted above, the then-current market for a market order submitted as a debit strategy may be a

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

[21] *Id.*

[22] Therefore, currently market orders the System cannot define as a credit or debit do not receive any protection from the debit/credit price reasonability check. Additionally, the Exchange notes that market orders in options that are European-settled that had a diagonal strategy were not subject to the previous version of the debit/credit price reasonability check.

credit price rather than a debit price. Therefore, an investor may want to enter a market order with that strategy so that it executes at a credit price, and the proposed rule change may provide that order with an execution opportunity. The Exchange believes it is appropriate that a market order be permitted to execute at such a price, as a market participant that submits a market order in that market may expect execution at such a price. While a market participant generally takes on more market risk when submitting a market order rather than a limit order, particularly when markets are volatile, the Exchange believes that even if it sets a wider buffer in a class, it has other risk controls in place to help prevent complex market orders from erroneous executions.[23] Given that market participants will receive sufficient advance notice of any changes the Exchange makes to the pre-set buffers, the Exchange believes the proposed rule change will continue to protect investors that submit complex market orders, as they will know the price range within which their market orders may execute. Additionally, the proposed flexibility to apply buffers by strategy as well as class will permit the Exchange to continue to apply the check with a narrower buffer to orders, including market orders, based on market conditions. In other words, only market orders submitted in classes and strategies with wider buffers would be eligible for executions within a wider price range.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will not impose any burden on intramarket competition, because the debit/credit price reasonability check will continue to apply to all incoming complex orders of all Trading Permit Holders in the same manner. The proposed rule change expands the applicability of the current check to additional complex orders for which the Exchange can determine whether the order is a debit or credit, which will help further prevent potentially erroneous executions and benefits all market participants. Any Exchange-determination of different pre-set buffers for different classes and different strategies will similarly apply to complex orders of all Trading Permit Holders. The proposed rule change does not impose any burden on intermarket competition, as it is intended to prevent potentially erroneously priced orders from entering Cboe Options' System and executing on Cboe Options' market, while providing the Exchange with sufficient flexibility to provide execution opportunities to orders that may not be erroneously priced in certain market conditions. The Exchange believes the proposed rule change would ultimately provide all market participants with additional protection from anomalous or erroneous executions and additional execution opportunities when appropriate.

The Exchange believes the proposal will enhance risk protections, the individual firm benefits of which flow downstream to counterparties both at the Exchange and at other options exchanges, which increases systemic protections as well. The Exchange believes enhancing risk protections will allow Trading Permit Holders to enter orders and quotes with further reduced fear of inadvertent exposure to excessive risk, which will benefit investors through increased liquidity for the execution of their orders. Without adequate risk management tools, such as the one proposed to be enhanced in this filing, Trading Permit Holders could reduce the amount of order flow and liquidity they provide. Such actions may undermine the quality of the markets available to customers and other market participants. Accordingly, the proposed rule change is designed to encourage Trading Permit Holders to submit additional order flow and liquidity to the Exchange, which may ultimately promote competition. The proposed flexibility may similar provide additional execution opportunities, which further benefits liquidity in potentially volatile markets. In addition, providing Trading Permit Holders with more tools for managing risk will facilitate transactions in securities because, as noted above, Trading Permit Holders will have more confidence protections are in place that reduce the risks from potential system errors and market events.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[24] and Rule 19b–4(f)(6) thereunder.[25] Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[26] and Rule 19b–4(f)(6) thereunder.[27]

A proposed rule change filed under Rule 19b–4(f)(6)[28] normally does not become operative for 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[29] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately. The Commission believes that the proposal to extend the debit/credit price reasonability check to diagonal strategies could help to prevent diagonal strategy orders from executing at erroneous prices. The Commission believes that the proposal to allow the Exchange to modify the debit/credit price reasonability check on a class and strategy basis will provide the Exchange with flexibility to modify the price check so that it applies appropriately to different classes and strategies, which may have different trading characteristics or may be affected differently by market conditions. The Commission notes that the Exchange will issue an Exchange notice for all pre-set buffers and will provide advance notice of any changes to the pre-set buffers. For these reasons, the Commission believes that waiver of the 30-day operative delay is consistent

[23] *See, e.g.,* Rule 5.34(b)(2) (which prevents a market order from executing at a net debit price after receiving execution at a net credit price), (b)(5) (which prevents orders (including market orders) with certain strategies from executing outside of an acceptable price range), and (b)(6) (which prevents orders from executing more than a buffer amount outside of the then-current SNBBO).

[24] 15 U.S.C. 78s(b)(3)(A)(iii).

[25] 17 CFR 240.19b–4(f)(6).

[26] 15 U.S.C. 78s(b)(3)(A).

[27] 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.

[28] 17 CFR 240.19b–4(f)(6).

[29] 17 CFR 240.19b–4(f)(6)(iii).

with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[30]

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 shall 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–CBOE–2020–046 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–CBOE–2020–046. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CBOE–2020–046, and should be submitted on or before June 18, 2020.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[31]

J. Matthew DeLesDernier,

Assistant Secretary.

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[30] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[31] 17 CFR 200.30–3(a)(12), (59).

SMALL BUSINESS ADMINISTRATION

National Women's Business Council; Notice of Public Meeting

AGENCY: National Women's Business Council, Small Business Administration.

ACTION: Notice of open public meeting.

DATES: The public meeting will be held on Tuesday, June 9, 2020, from 12:00 p.m. to 2:00 p.m. EDT.

ADDRESSES: Due to the coronavirus pandemic, this meeting will be held via a web conferencing platform. The access link and dial-in information will be provided to attendees upon registration.

FOR FURTHER INFORMATION CONTACT: The meeting is open to the public; however, advance notice of attendance is requested. To RSVP, the general public should visit the NWBC website at *www.nwbc.gov.* Select the ''Meetings'' tab at the top of the page, and you will find a link to register via Eventbrite.

To submit a written comment, individuals should email Ashley Judah at *Ashley.Judah@sba.gov* with subject line—''Response for 6/9/20 Public Meeting.'' The agenda will allow for 20 minutes of public statements. This time will be awarded in 4-minute increments to the first 5 people who confirm attendance and request to speak. All other submitted statements will be included in the meeting record.

For more information, please visit the NWBC website at *www.nwbc.gov* or call 202–394–3539.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix 2), the National Women's Business Council (NWBC) announces its second public meeting of Fiscal Year 2019. The 1988 *Women's Business Ownership Act* established NWBC to serve as an independent source of advice and policy recommendations to the President, Congress, and the Administrator of the U.S. Small Business Administration (SBA) on issues of importance to women entrepreneurs.

This meeting will allow the Council to provide an update on its latest initiatives and policy development. Each of the Council's four subcommittees (Rural Women's Entrepreneurship, Women in S.T.E.M., Access to Capital & Opportunity, and Communications) will present their current priorities and projects before the full body and the public.

Dated: May 14, 2020.

Nicole Nelson,

Committee Management Officer (Acting).

[FR Doc. 2020–11375 Filed 5–27–20; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #16454 and #16455; Arkansas Disaster Number AR–00112]

Administrative Declaration of a Disaster for the State of Arkansas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Arkansas dated 05/21/2020.

Incident: Severe Storms, Tornadoes and Straight-line Winds.

Incident Period: 03/28/2020.

DATES: Issued on 05/21/2020.

Physical Loan Application Deadline Date: 07/20/2020.

Economic Injury (EIDL) Loan Application Deadline Date: 02/22/2021.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Craighead.
Contiguous Counties:
Arkansas: Greene, Jackson, Lawrence, Mississippi, Poinsett.
Missouri: Dunklin.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.125
Homeowners Without Credit Available Elsewhere	1.563
Businesses With Credit Available Elsewhere	7.500
Businesses Without Credit Available Elsewhere	3.750
Non-Profit Organizations With Credit Available Elsewhere	2.750
Non-Profit Organizations Without Credit Available Elsewhere	2.750
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	3.750
Non-Profit Organizations Without Credit Available Elsewhere	2.750

The number assigned to this disaster for physical damage is 16454 C and for economic injury is 16455 0.

The States which received an EIDL Declaration # are Arkansas, Missouri.

Catalog of Federal Domestic Assistance Number 59008)

Jovita Carranza,

Administrator.

[FR Doc. 2020–11420 Filed 5–27–20; 8:45 am]

BILLING CODE 8026–03–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #16463 and #16464; MISSISSIPPI Disaster Number MS–00126]

Administrative Declaration of a Disaster for the State of Mississippi

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of MISSISSIPPI dated 05/21/2020.

Incident: Severe Storms and Tornado.

Incident Period: 04/19/2020.

DATES: Issued on 05/21/2020.

Physical Loan Application Deadline Date: 07/20/2020.

Economic Injury (EIDL) Loan Application Deadline Date: 02/22/2021.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Marion.
Contiguous Counties:
Mississippi: Jefferson Davis, Lamar, Lawrence, Pearl River, Walthall.
Louisiana: Washington.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.125
Homeowners Without Credit Available Elsewhere	1.563
Businesses With Credit Available Elsewhere	7.500
Businesses Without Credit Available Elsewhere	3.750
Non-Profit Organizations With Credit Available Elsewhere	2.750
Non-Profit Organizations Without Credit Available Elsewhere	2.750
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	3.750
Non-Profit Organizations Without Credit Available Elsewhere	2.750

The number assigned to this disaster for physical damage is 16463 C and for economic injury is 16464 0.

The States which received an EIDL Declaration # are Mississippi, Louisiana.

(Catalog of Federal Domestic Assistance Number 59008)

Jovita Carranza,

Administrator.

[FR Doc. 2020–11421 Filed 5–27–20; 8:45 am]

BILLING CODE 8026–03–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #16465 and #16466; GEORGIA Disaster Number GA–00117]

Administrative Declaration of a Disaster for the State of Georgia

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of GEORGIA dated 05/21/2020.

Incident: Thunderstorms, Excessive Rainfall, and Tornadoes.

Incident Period: 04/12/2020 through 04/13/2020.

DATES: Issued on 05/21/2020.

Physical Loan Application Deadline Date: 07/20/2020.

Economic Injury (EIDL) Loan Application Deadline Date: 02/22/2021.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Murray.
Contiguous Counties:
Georgia: Fannin, Gilmer, Gordon, Whitfield.
Tennessee: Bradley, Polk.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.125
Homeowners Without Credit Available Elsewhere	1.563
Businesses With Credit Available Elsewhere	7.500
Businesses Without Credit Available Elsewhere	3.750
Non-Profit Organizations With Credit Available Elsewhere	2.750
Non-Profit Organizations Without Credit Available Elsewhere	2.750
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	3.750

	Percent
Non-Profit Organizations Without Credit Available Elsewhere	2.750

The number assigned to this disaster for physical damage is 16465 C and for economic injury is 16466 0.

The States which received an EIDL Declaration # are Georgia, Tennessee.

(Catalog of Federal Domestic Assistance Number 59008)

Jovita Carranza,

Administrator.

[FR Doc. 2020–11422 Filed 5–27–20; 8:45 am]

BILLING CODE 8026–03–P

DEPARTMENT OF STATE

[Public Notice 11128]

Advisory Committee on Historical Diplomatic Documentation—Notice of Virtual Open Meeting for June 15, 2020

SUMMARY: The Advisory Committee on Historical Diplomatic Documentation will meet on June 15 in open session to discuss unclassified matters concerning the status of the *Foreign Relations* series.

The Committee will meet in open session from 10:00 a.m. until 11:00 a.m. through a virtual platform TBD. RSVP and requests for reasonable accommodation should be sent not later than June 8, 2020.

RSVP Instructions. Members of the public planning to attend the virtual meeting should RSVP by June 8 to Julie Fort at *FortJL@state.gov.* Instructions on how to join the virtual meeting will be provided upon receipt of RSVP.

Questions concerning the meeting should be directed to Adam M. Howard, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, DC 20372, *history@state.gov.*

Note that requests for reasonable accommodation received after June 8 will be considered but might not be possible to fulfill.

Zachary A. Parker,

Director, Office of Directives Management, Department of State.

[FR Doc. 2020–11493 Filed 5–27–20; 8:45 am]

BILLING CODE 4710–34–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Product Exclusions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of product exclusions.

SUMMARY: In September 2018, the U.S. Trade Representative imposed additional duties on goods of China with an annual trade value of approximately $200 billion as part of the action in the Section 301 investigation of China's acts, policies, and practices related to technology transfer, intellectual property, and innovation. The U.S. Trade Representative initiated a product exclusion process in June 2019, and interested persons have submitted requests for the exclusion of specific products. This notice announces the U.S. Trade Representative's determination to grant certain exclusion requests, as specified in the Annex to this notice, and corrects technical errors in previously announced exclusions.

DATES: The product exclusions announced in this notice will apply as of September 24, 2018, the effective date of the $200 billion action, and extend to August 7, 2020. The amendments announced in this notice are retroactive to the date that the original exclusions were published.

FOR FURTHER INFORMATION CONTACT: For general questions about this notice, contact Assistant General Counsels Philip Butler or Megan Grimball, or Director of Industrial Goods Justin Hoffmann at (202) 395–5725. For specific questions on customs classification or implementation of the product exclusions identified in the Annex to this notice, contact *traderemedy@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION:

A. Background

For background on the proceedings in this investigation, please see the prior notices including 82 FR 40213 (August 24, 2017), 83 FR 14906 (April 6, 2018), 83 FR 28710 (June 20, 2018), 83 FR 33608 (July 17, 2018), 83 FR 38760 (August 7, 2018), 83 FR 47974 (September 21, 2018), 83 FR 49153 (September 28, 2018), 83 FR 65198 (December 19, 2018), 84 FR 7966 (March 5, 2019), 84 FR 20459 (May 9, 2019), 84 FR 29576 (June 24, 2019), 84 FRN 38717 (August 7, 2019), 84 FR 46212 (September 3, 2019), 84 FR 49591 (September 20, 2019), 84 FR 57803 (October 28, 2019), 84 FR 61674 (November 13, 2019), 84 FR 65882 (November 29, 2019), 84 FR 69012 (December 17, 2019), 85 FR 549 (January 6, 2020), 85 FR 6674 (February 5, 2020), 85 FR 9921 (February 20, 2020), 85 FR 15015 (March 16, 2020), 85 FR 17158 (March 26, 2020), 85 FR 23122 (April 24, 2020), and 85 FR 27489 (May 8, 2020).

Effective September 24, 2018, the U.S. Trade Representative imposed additional 10 percent *ad valorem* duties on goods of China classified in 5,757 full and partial subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), with an approximate annual trade value of $200 billion. *See* 83 FR 47974, as modified by 83 FR 49153. In May 2019, the U.S. Trade Representative increased the additional duty to 25 percent. *See* 84 FR 20459. On June 24, 2019, the U.S. Trade Representative established a process by which stakeholders could request exclusion of particular products classified within an 8-digit HTSUS subheading covered by the $200 billion action from the additional duties. *See* 84 FR 29576 (the June 24 notice).

Under the June 24 notice, requests for exclusion had to identify the product subject to the request in terms of the physical characteristics that distinguish the product from other products within the relevant 8-digit HTSUS subheading covered by the $200 billion action. Requestors also had to provide the 10-digit HTSUS subheading most applicable to the particular product requested for exclusion, and could submit information on the ability of U.S. Customs and Border Protection to administer the requested exclusion. Requestors were asked to provide the quantity and value of the Chinese-origin product that the requestor purchased in the last three years. With regard to the rationale for the requested exclusion, requests had to address the following factors:

- Whether the particular product is available only from China and specifically whether the particular product and/or a comparable product is available from sources in the United States and/or third countries.
- Whether the imposition of additional duties on the particular product would cause severe economic harm to the requestor or other U.S. interests.
- Whether the particular product is strategically important or related to ''Made in China 2025'' or other Chinese industrial programs.

The June 24 notice stated that the U.S. Trade Representative would take into account whether an exclusion would

undermine the objective of the Section 301 investigation.

The June 24 notice required submission of requests for exclusion from the $200 billion action no later than September 30, 2019, and noted that the U.S. Trade Representative periodically would announce decisions. In August 2019, the U.S. Trade Representative granted an initial set of exclusion requests. *See* 84 FR 38717. The U.S. Trade Representative granted additional exclusions in September, October, November and December 2019, and January, February, March, April and May 2020. *See* 84 FR 49591, 84 FR 57803, 84 FR 61674, 84 FR 65882, 84 FR 69012, 85 FR 549, 85 FR 6674, 85 FR 9921, 85 FR 15015, 85 FR 17158, 85 FR 23122, and 85 FR 27489. The Office of the United States Trade Representative regularly updates the status of each pending request on the Exclusions Portal at *https://exclusions.ustr.gov/s/docket?docketNumber=USTR-2019-0005.*

B. Determination To Grant Certain Exclusions

Based on evaluation of the factors set forth in the June 24 notice, which are summarized above, pursuant to sections 301(b), 301(c), and 307(a) of the Trade Act of 1974, as amended, and in accordance with the advice of the interagency Section 301 Committee, the U.S. Trade Representative has determined to grant the product exclusions set forth in the Annex to this notice. The U.S. Trade Representative's determination also takes into account advice from advisory committees and any public comments on the pertinent exclusion requests.

As set forth in the Annex, the exclusions are reflected in seventeen 10-digit HTSUS subheadings, which respond to 33 separate exclusion requests, and 61 specially prepared product descriptions, which respond to 70 separate exclusion requests.

In accordance with the June 24 notice, the exclusions are available for any product that meets the description in the Annex, regardless of whether the importer benefitting from the product exclusion filed an exclusion request. Further, the scope of each exclusion is governed by the scope of the product descriptions in the Annex, and not by the product descriptions found in any particular request for exclusion.

Paragraph A, subparagraphs (3)–(7) of the Annex contain conforming amendments to the HTSUS reflecting the modifications made by the Annex.

Paragraph B of the Annex makes technical corrections to certain notes of the HTSUS. Specifically, Paragraph B, subparagraphs (1)–(4), make technical corrections to the specially prepared product descriptions in certain notes to the HTSUS, specifically, U.S. note (20)(qq)(57), published at 85 FR 6674 (February 5, 2020), U.S. note (20)(ss)(22), published at 85 FR 9921 (February 20, 2020), and U.S. notes (20)(vv)(58)–(59), published at 85 FR (March 26, 2020). Paragraph B, subparagraphs (5)–(6), corrects typographical errors in the product descriptions contained in U.S. note (20)(vv)(118), published at 85 FR 17158 (March 26, 2020), and U.S. note 20(xx)(11), published at 85 FR (April 24, 2020).

As stated in the September 20, 2019 notice, the exclusions will apply from September 24, 2018, to August 7, 2020. U.S. Customs and Border Protection will issue instructions on entry guidance and implementation.

The U.S. Trade Representative will continue to issue determinations on pending requests on a periodic basis.

Joseph Barloon,

General Counsel Office of the United States Trade Representative.

Annex

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 24, 2018, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified:

1. By inserting the following new heading 9903.88.48 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled ''Heading/Subheading'', ''Article Description'', and ''Rates of Duty 1—General'', respectively:

Heading/ subheading	Article description	Rates of duty		
		1		2
		General	Special	
''9903.88.48	Articles the product of China, as provided for in U.S. note 20(aaa) to this subchapter, each covered by an exclusion granted by the U.S. Trade Representative	The duty provided in the applicable subheading''.	.....	

2. by inserting the following new U.S. note 20(aaa) to subchapter III of chapter 99 in numerical sequence:

''(aaa) The U.S. Trade Representative determined to establish a process by which particular products classified in heading 9903.88.03 and provided for in U.S. notes 20(e) and (f) to this subchapter could be excluded from the additional duties imposed by heading 9903.88.03, and by which particular products classified in heading 9903.88.04 and provided for in U.S. note 20(g) to this subchapter could be excluded from the additional duties imposed by heading 9903.88.04. See 83 FR 47974 (September 21, 2018) and 84 FR 29576 (June 24, 2019). Pursuant to the product exclusion process, the U.S. Trade Representative has determined that the additional duties provided for in heading 9903.88.03 or in heading 9903.88.04 shall not apply to the following particular products, which are provided for in the enumerated statistical reporting numbers:

(1) 0713.33.1040
(2) 0713.50.1000
(3) 1207.70.0020
(4) 1207.70.0040
(5) 1209.30.0090
(6) 1209.91.6010
(7) 1209.91.8010
(8) 1209.91.8020
(9) 1209.91.8040
(10) 1209.91.8050
(11) 1209.91.8060
(12) 1209.91.8070
(13) 2916.19.1000
(14) 5603.14.9090
(15) 5603.92.0090
(16) 5603.93.0090
(17) 9403.70.4002
(18) Freeze-dried or frozen bloodworms (Chironomidae), of a kind used as pet feed, put up for retail sale (described in statistical reporting number 0511.91.0090)
(19) Freeze-dried or frozen brine shrimp (Artemia franciscana), whole, of a kind used as pet feed, put up for retail sale (described in statistical reporting number 0511.91.0090)

(20) Freeze-dried shrimp (Penaeus spp.), whole, of a kind used as pet feed, put up for retail sale (described in statistical reporting number 0511.91.0090)

(21) Freeze-dried tubifex worms, whole, of a kind used as pet feed, put up for retail sale in induction-sealed plastic cans each with a net weight of at least 23 g but not more than 43 g (described in statistical reporting number 0511.91.0090)

(22) Dried green seaweed (Porphyra spp.), of a kind used as pet feed, put up for retail sale in containers comprising 24 pre-cut sheets packaged in resealable plastic bags each with a net weight of 23 g (described in statistical reporting number 1212.29.0000)

(23) Sodium permanganate (CAS No. 10101–50–5) in 40 percent aqueous solution (described in statistical reporting number 2841.69.0010)

(24) Boron carbide (CAS No. 12069–32–8) in powder form (described in statistical reporting number 2849.90.1000)

(25) Children's acrylic paint sets, each comprising either 6, 12 or 24 jars or pots of different colors of paints, each jar or pot containing at least 5 ml but not more than 23 ml, with a paint brush, such sets put up for retail sale (described in statistical reporting number 3213.10.0000)

(26) Children's rock painting kits, each comprising various colors of acrylic paints, a paint brush and rocks, each group of rocks weighing at least 900 g but not more than 1,400 g, and accessories including but not limited to swirl sticks or transfer sheets (described in statistical reporting number 3213.10.0000)

(27) Children's washable tempera paint sets, each comprising 5 pots of different colors of paints, each pot containing 5 ml, presented with or without a paint brush and put up for retail sale (described in statistical reporting number 3213.10.0000)

(28) Organic surface-active liquid for washing the skin, not containing any aromatic or modified aromatic surface-active agent, put up for retail sale in a bottle of plastics with pump-action top, each bottle measuring not more than 17 cm in width, not more than 27 cm in height and not more than 6.5 cm in length and with a net weight of not more than 0.5 kg (described in statistical reporting number 3401.30.5000)

(29) Toilet seal rings of artificial or prepared waxes (other than polyethylene glycol waxes, waxes containing bleached beeswax or chemically modified lignite waxes) (described in statistical reporting number 3404.90.5150)

(30) Artificial graphite, in powder or flake form, for manufacturing into the lithium-ion anode component of batteries (described in statistical reporting number 3801.10.5000)

(31) Mixtures of ammonium ethyl carbamoylphosphonate (Fosamine-ammonium) (CAS No. 25954–13–6) and application adjuvants (described in statistical reporting number 3808.93.5050)

(32) Refrigerant gas R–421B, comprising mixtures containing at least 83 percent but not more than 87 percent by weight of pentafluoroethane, at least 13 percent but not more than 17 percent by weight of 1,1,2,2-tetrafluoroethane, and at least 0.5 percent but not more than 2 percent by weight of lubricant (described in statistical reporting number 3824.78.0020)

(33) Silicon monoxide (SiO) (CAS No. 10097–28–6) in powder form (described in statistical reporting number 3824.99.9297)

(34) Washing machine tub seals of acrylonitrile-butadiene rubber (''NBR''), each bottom seal incorporating a radial ball bearing and locking pin and each top seal presented with a metal shroud and grease installed (described in statistical reporting number 4016.93.5020)

(35) Grommets, of acrylonitrile-butadiene rubber (''NBR''), each with an inner diameter of not more than 6 cm and an outer diameter of not more than 8 cm, each weighing not more than 10 g, of a kind used in automotive fuel assemblies (described in statistical reporting number 4016.99.6050)

(36) Handbags with outer surface of sheeting of plastics, each measuring not more than 35 cm in width, not more than 20.5 cm in height and not more than 30 cm in length (described in statistical reporting number 4202.22.1500)

(37) Coin purses with outer surface of laminated plastics, each measuring not more than 8 cm in length, not more than 8 cm in height, and not more than 3 cm in width (described in statistical reporting number 4202.32.1000)

(38) Garment travel bags of man-made fibers, each weighing at least 0.9 kg but not more than 1.9 kg, measuring at least 100 cm but not more than 170 cm in length, with zippered compartments, with handles to carry in a folded condition and a hanger clamp (described in statistical reporting number 4202.92.3131)

(39) Flooring planks, each measuring at least 121 cm but not more than 122 cm in length and at least 12.7 cm but not more than 19.7 cm in width (described in statistical reporting number 4411.13.2000)

(40) Boxes of wood, each measuring not more than 30 cm by 13 cm by 20 cm, with hinged top, handle of base metals and 2 clasps (described in statistical reporting number 4420.90.8000)

(41) Wood dowel pins, plain, other than coniferous, of birch (Betula spp.), each measuring at least 19.5 cm but not more than 38.5 cm in length and at least 4.7 mm but not more than 8 mm in thickness (described in statistical reporting number 4421.99.1500)

(42) Polypropylene roofing underlayment (described in statistical reporting number 4602.90.0000)

(43) Diaries, bound, each containing at least 40 sheets but not more than 60 sheets of paper, each presented in a kit also containing a pen and stickers (described in statistical reporting number 4820.10.2010)

(44) Albums for samples or collections, each containing at least 15 pages but not more than 20 pages, put up for retail sale in kits, each also containing cards and envelopes, a glue stick, a stencil, a pair of scissors, stamps, sticker sheets, sparkling gemstones, markers and pens (described in statistical reporting number 4820.50.0000)

(45) Rugs of hand-knotted pile, of nylon and polypropylene, measuring at least 1.2 m^2 (described in statistical reporting number 5701.90.1010)

(46) Prepared painting canvas panel boards, each board containing by weight 50 percent canvas, other than of canvas man-made fibers, and 50 percent paper, in sizes measuring at least 9 cm but not more than 29 cm in width, at least 14 cm but not more than 37 cm in height and at least 0.6 cm but not more than 3.5 cm in thickness, put up for retail sale in kits each containing not more than 12 boards (described in statistical reporting number 5901.90.4000)

(47) Equipment for scaffolding, comprising galvanized steel frames, posts, planks, bay braces, ledgers, components and accessories, for assembly in cuplock configurations measuring at least 10 cm but not more than 3.3 m in height and at least 4 cm but not more than 8.8 m in width, weighing not more than 91 kg, with a load capacity not more than 2,750 kg (described in statistical reporting number 7308.40.0000)

(48) Equipment for scaffolding, comprising powder coated or galvanized welded tubular steel frames, braces, guard rail systems, components and accessories, the foregoing for assembly into frame and brace configurations measuring at least 10 cm but not more than 3.3 m in height and at least 4 cm but not more than 8.8 m in width, weighing not more than 91 kg, with a load capacity not more than 2,750 kg (described in statistical reporting number 7308.40.0000)

(49) Drums and barrels, of stainless steel, presented empty, each with a capacity of at least 50 liters but not more than 60 liters and weighing at least 12 kg but not more than 15 kg (described in statistical reporting number 7310.10.0010)

(50) Containers of stainless steel, of circular cross section, closed by soldering, each with a volume capacity at least 11.4 liters but not more than 26.6 liters, of a kind used for the conveyance of beer (described in statistical reporting number 7310.21.0025)

(51) Screws of stainless steel, having shanks or threads with a diameter of at least 6 mm, self-threading with Philips head (described in statistical reporting number 7318.15.8082)

(52) Portable grills of iron or steel designed for use with both charcoal and propane as fuels, each presented with a porcelain-coated cast iron cooking grid, a charcoal tray, an air damper, a temperature gauge and independently controlled stainless steel burners (described in statistical reporting number 7321.11.1060)

(53) Stainless steel cover assemblies with side shields, comprising parts of stoves and ranges, with cast aluminum front section and black textured finish, each weighing not more than 2.8 kg and measuring at least 35 cm in depth, at least 47 cm in width, and at least 4 cm in height (described in statistical reporting number 7321.90.1000)

(54) Stainless steel drop-in cooktop assemblies comprising parts of stoves and ranges, with two burners, each weighing not more than 1.2 kg and measuring at least 33 cm in depth, at least 45 cm in width, and at least 2 cm in height (described in statistical reporting number 7321.90.1000)

(55) Steel drop-in burner box assemblies comprising parts of stoves and ranges, each weighing not more than 4.5 kg and measuring at least 30 cm in depth, at least 43 cm in width and at least 10 cm in height (described in statistical reporting number 7321.90.1000)

(56) Steel drop-in cooktop assemblies comprising parts of stoves and ranges, with black porcelain, with two burners, each weighing not more than 1.2 kg and measuring at least 12 cm in depth, at least 17 cm in width and at least 0.4 cm in height (described in statistical reporting number 7321.90.1000)

(57) Steel drop-in cover assemblies with clear or opaque glass comprising parts of stoves and ranges, each measuring not more than 0.4 cm in thickness and at least 42 cm by 52 cm by 4 cm (described in statistical reporting number 7321.90.1000)

(58) Steel griddles comprising parts of stoves and ranges, each measuring at least 47 cm in length, at least 35 cm in width and at least 18 cm in height (described in statistical reporting number 7321.90.1000)

(59) Tailor welded blanks of hot-formed steel sheets, cut into D-shaped form, each measuring not more than 2 mm by not more than 1.6 mm (described in statistical reporting number 7326.90.8688)

(60) Water bottle art kits, each comprising a water bottle of aluminum that is Bisphenol A (''BPA'')-free, a carabiner clip, with color markers and adhesive acrylic gems, each kit not more than 0.3 kg in weight (described in statistical reporting number 7616.99.5190)

(61) Tungsten carbide rock drilling core bits, with at least 10 percent but not more than 11 percent cobalt content by weight (described in statistical reporting number 8207.19.3060)

(62) Pet identification tags of aluminum, each with accompanying split ring for attachment to a collar and weighing not more than 15 g (described in statistical reporting number 8302.49.4000)

(63) Pet identification tags of chrome coated brass, each weighing not more than 10 g (described in statistical reporting number 8302.49.4000)

(64) Gun safes with digital keypads, of base metal, each weighing at least 148 kg but not more than 422 kg, measuring at least 141 cm but not more than 183 cm in height, at least 55 cm but not more than 107 cm in width and at least 40 cm but not more than 71 cm in depth (described in statistical reporting number 8303.00.0000)

(65) Wind turbine hubs (described in statistical reporting number 8412.90.9081)

(66) Upright coolers incorporating refrigerating equipment, each measuring not more than 77 cm in width, not more than 78 cm in depth and not more than 200 cm in height, weighing not more than 127 kg, with one swing-type transparent glass door (described in statistical reporting number 8418.50.0080)

(67) Fuel filters for internal combustion engines, employing paper filtering media, each measuring at least 7 cm but not more than 16 cm in diameter, weighing not more than 120 g (described in statistical reporting number 8421.23.0000)

(68) Shipping scales, of aluminum, containing stainless steel and acrylonitrile-butadiene-styrene (''ABS'') plastics, with a maximum weighing capacity of not more than 30 kg, with a graphical display, with a flat top measuring at least 26 cm but not more than 32 cm by at least 29 cm but not more than 36 cm (described in statistical reporting number 8423.81.0040)

(69) Portal cranes, each with a jib or operating arm to extend horizontally from the crane and run on rails, with the crane sitting on a pedestal, each crane with lifting capacity of at least 200 t (described in statistical reporting number 8426.30.0000)

(70) Self-regulating valves to control fuel pressure for automotive and marine applications (described in statistical reporting number 8481.80.9015)

(71) Headlamp assemblies for passenger cars and trucks of subheading 8701.20 or heading 8702, 8703, 8704 or 8705, each comprising a plastic housing, a clear polycarbonate (''PC'') lens and light bulbs (described in statistical reporting number 8512.20.2040)

(72) Battery holders for bicycle signaling apparatus (described in statistical reporting number 8512.90.2000)

(73) Countertop ovens of stainless steel and plastic, each with capacity of not more than 23 liters and measuring not more than 48 cm in width, not more than 32 cm in depth, and not more than 30 cm in height, weighing not more than 10 kg, each oven with convection, bake, steam and broil functions, controlled manually or by a WiFi-enabled signal (described in statistical reporting number 8516.60.4074)

(74) Resonant circuit tags, consisting of at least a tuned capacitor and an antenna, designed for use with a radio frequency surveillance system, the foregoing tags not equipped with memory storage capability or other media (described in statistical reporting number 8531.90.9001)

(75) Die-cast aluminum alloy running boards for motor vehicles of headings 8701 to 8705, each measuring not more than 230 cm in length, not more than 21 cm in width and not more

than 3 cm in thickness (described in statistical reporting number 8708.29.5060)

(76) Unassembled non-upholstered chairs with metal frames (other than household chairs) with seats and backs having a shell of plastics or wood and measuring at least 48 cm but not more than 61 cm in width (described in statistical reporting number 9401.79.0050)

(77) Floor-standing jewelry armoires of medium density fiberboard panels and wood veneer, with locking mechanism (described in statistical reporting number 9403.60.8081)

(78) Floor-standing jewelry armoires with walnut finish, with locking mechanism, mirrored lid, multiple drawers and compartments, measuring not more than 46.5 cm in length, not more than 35 cm in width and not more than 96 cm in height (described in statistical reporting number 9403.60.8081)''

3. by amending the last sentence of the first paragraph of U.S. note 20(e) to subchapter III of chapter 99:

a. by deleting the word ''or (13)'' and by inserting ''(13)'' in lieu thereof; and

b. by inserting the phrase ''; or (14) heading 9903.88.48 and U.S. note 20(aaa) to subchapter III of chapter 99'' after the phrase ''U.S. note 20(yy) to subchapter III of chapter 99''.

4. by amending U.S. note 20(f) to subchapter III of chapter 99;

a. by deleting ''or (13)'' and by inserting ''(13)'' in lieu thereof; and

b. by inserting the phrase ''; or (14) heading 9903.88.48 and U.S. note 20(aaa) to subchapter III of chapter 99'' after the phrase ''U.S. note 20(yy) to subchapter III of chapter 99''.

5. by amending the first sentence of U.S. note 20(g) to subchapter III of chapter 99:

a. by deleting ''or (7)'' and by inserting ''(7)'' in lieu thereof; and

b. by inserting ''; or (8) heading 9903.88.48 and U.S. note 20(aaa) to subchapter III of chapter 99'' after ''U.S. note 20(yy) to subchapter III of chapter 99''.

6. by amending the Article Description of heading 9903.88.03:

a. by deleting ''9903.88.45 or'' and inserting ''9903.88.45,'' in lieu thereof; and

b. by inserting ''or 9903.88.48,'' after ''9903.88.46,''.

7. by amending the Article Description of heading 9903.88.04:

a. by deleting ''9903.88.40 or'' and inserting ''9903.88.40,'' in lieu thereof; and

b. by inserting ''or 9903.88.48,'' after ''9903.88.46,''.

B. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 24, 2018, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified:

a. U.S. note 20(qq)(57) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting ''weighing 350 g each'' and inserting ''weighing no less than 350 g and no more than 360 g each'' in lieu thereof.

b. U.S. note 20(ss)(22) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting ''Articulating video monitor wall mounting assemblies of steel and aluminum, each weighing not less than 4 kg but not more than 7 kg'' and inserting ''Articulating video monitor mounting assemblies of steel and aluminum, each weighing not less than 1.5 kg but not more than 9.5 kg'' in lieu thereof.

c. U.S. note 20(vv)(58) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting ''weighing at least 225 ktex'' and inserting ''measuring more than 50 ktex'' in lieu thereof.

d. U.S. note 20(vv)(59) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting ''weighing at least 225 ktex'' and inserting ''measuring more than 50 ktex'' in lieu thereof.

e. U.S. note 20(vv)(118) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting ''input voltage range'' and inserting ''output voltage range'' in lieu thereof.

f. U.S. note 20(xx)(11) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting ''(CAS No. 356–65–7)'' and inserting ''(CAS No. 35691–65–7)'' in lieu thereof.

[FR Doc. 2020–11426 Filed 5–27–20; 8:45 am]

BILLING CODE 3290–F0–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Product Exclusion Amendments: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of product exclusion amendments.

SUMMARY: On August 20, 2019, at the direction of the President, the U.S. Trade Representative determined to modify the action being taken in the Section 301 investigation of China's acts, policies, and practices related to technology transfer, intellectual property, and innovation by imposing additional duties of 10 percent *ad valorem* on goods of China with an annual trade value of approximately $300 billion. The additional duties on products in List 1, which is set out in Annex A of that action, became effective on September 1, 2019. On August 30, 2019, at the direction of the President, the U.S. Trade Representative determined to increase the rate of the additional duty applicable to the tariff subheadings covered by the action announced in the August 20 notice from 10 percent to 15 percent. On January 22, 2020, the U.S. Trade Representative determined to reduce the rate from 15 percent to 7.5 percent. The U.S. Trade Representative initiated a product exclusion process in October 2019, and interested persons have submitted requests for the exclusion of specific products. This notice announces the U.S. Trade Representative's determination, as specified in the Annex to this notice, to correct technical errors in previously announced exclusions. The U.S. Trade Representative will continue to issue decisions on pending requests on a periodic basis.

DATES: The product exclusions announced in this notice will apply as of September 1, 2019, the effective date of List 1 of the $300 billion action, and will extend to September 1, 2020.

FOR FURTHER INFORMATION CONTACT: For general questions about this notice, contact Associate General Counsel Philip Butler, Assistant General Counsel Megan Grimball, or Director of Industrial Goods Justin Hoffmann at (202) 395–5725. For specific questions on customs classification or implementation of the product exclusions identified in the Annex to this notice, contact *traderemedy@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION:

A. Background

For background on the proceedings in this investigation, please see prior notices including: 82 FR 40213 (August 24, 2017), 83 FR 14906 (April 6, 2018), 83 FR 28710 (June 20, 2018), 83 FR 33608 (July 17, 2018), 83 FR 38760 (August 7, 2018), 83 FR 40823 (August 16, 2018), 83 FR 47974 (September 21, 2018), 83 FR 49153 (September 28, 2018), 84 FR 20459 (May 9, 2019), 84 FR

43304 (August 20, 2019), 84 FR 45821 (August 30, 2019), 84 FR 57144 (October 24, 2019), 84 FR 69447 (December 18, 2019), 85 FR 3741 (January 22, 2020), 85 FR 13970 (March 10, 2020), 85 FR 15244 (March 17, 2020), 85 FR 17936 (March 31, 2020), and 85 FR 28693 (May 13, 2020).

In a notice published on August 20, 2019, the U.S. Trade Representative, at the direction of the President, announced a determination to modify the action being taken in the Section 301 investigation by imposing an additional 10 percent *ad valorem* duty on products of China with an annual aggregate trade value of approximately $300 billion. 84 FR 43304 (August 20, 2019) (the August 20 notice). The August 20 notice contains two separate lists of tariff subheadings, with two different effective dates. List 1, which is set out in Annex A of the August 20 notice, was effective on September 1, 2019. List 2, which is set out in Annex C of the August 20 notice, was scheduled to take effect on December 15, 2019.

On August 30, 2019, the U.S. Trade Representative, at the direction of the President, determined to modify the action being taken in the investigation by increasing the rate of additional duty from 10 to 15 percent *ad valorem* on the goods of China specified in Annex A (List 1) and Annex C (List 2) of the August 20 notice. *See* 84 FR 45821. On October 24, 2019, the U.S. Trade Representative established a process by which U.S. stakeholders could request exclusion of particular products classified within an eight-digit Harmonized Tariff Schedule of the United States (HTSUS) subheading covered by List 1 of the $300 billion action from the additional duties. *See* 84 FR 57144 (the October 24 notice). Subsequently, the U.S. Trade Representative announced a determination to suspend until further notice the additional duties on products set out in Annex C (List 2) of the August 20 notice. *See* 84 FR 69447 (December 18, 2019). The U.S. Trade Representative later determined to further modify the action being taken by reducing the additional duties for the products covered in Annex A of the August 20 notice (List 1) from 15 percent to 7.5 percent. *See* 85 FR 3741 (January 22, 2020).

Under the October 24 notice, requests for exclusion had to identify the product subject to the request in terms of the physical characteristics that distinguish the product from other products within the relevant 8-digit subheading covered by the $300 billion action. Requestors also had to provide the 10-digit subheading of the HTSUS most applicable to the particular product requested for exclusion, and could submit information on the ability of U.S. Customs and Border Protection to administer the requested exclusion. Requestors were asked to provide the quantity and value of the Chinese-origin product that the requestor purchased in the last three years, among other information. With regard to the rationale for the requested exclusion, requests had to address the following factors:

- Whether the particular product is available only from China and specifically whether the particular product and/or a comparable product is available from sources in the United States and/or third countries.
- Whether the imposition of additional duties on the particular product would cause severe economic harm to the requestor or other U.S. interests.
- Whether the particular product is strategically important or related to ''Made in China 2025'' or other Chinese industrial programs.

The October 24 notice stated that the U.S. Trade Representative would take into account whether an exclusion would undermine the objectives of the Section 301 investigation.

The October 24 notice required submission of requests for exclusion from List 1 of the $300 billion action no later than January 31, 2020, and noted that the U.S. Trade Representative periodically would announce decisions. In March 2020, the U.S. Trade Representative granted an initial set of exclusion requests. *See* 85 FR 13970. The U.S. Trade Representative granted additional exclusions in March and May 2020. *See* 85 FR 15244, 85 FR 17936, and 85 FR 28693. The Office of the United States Trade Representative regularly updates the status of each pending request on the Exclusions Portal at *https://exclusions.ustr.gov/s/docket?docketNumber=USTR-2019-0017.*

B. Technical Amendments to Exclusions

Paragraph A, subparagraph (1)–(2) of the Annex make technical corrections to U.S. note 20(zz)(4) and U.S. note 20(zz)(6), published at 85 FR 28693 (May 13, 2020).

The U.S. Trade Representative will continue to issue determinations on pending requests on a periodic basis.

ANNEX

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 1, 2019, U.S. note 20(zz) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified:

1. By deleting ''(4) Tumblers or disposable graduated liners for pitchers, of plastics, of a kind used in healthcare facilities (described in statistical reporting number 3924.10.4000)''; and

2. by deleting ''(6) Manually operated pill or tablet crushers of plastics, presented with attachable pouches of plastics for capturing and storing the resulting powders (described in statistical reporting number 8479.82.0080)''.

Joseph Barloon,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 2020–11425 Filed 5–27–20; 8:45 am]

BILLING CODE 3290–F0–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans).

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, the State Route 74 Lower Ortega Highway Widening Project within the City of San Juan Capistrano and unincorporated Orange County (12–ORA–74 p.m. 1.0/2.1), in the State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before October 26, 2020. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Smita Deshpande, Senior Environmental Planner, Caltrans-District 12, 1750 East Fourth Street, Suite 100, Santa Ana, California 92705, weekdays 8:00a.m. to 5:00p.m., telephone (657) 328–6151, email *smita.desphande@dot.ca.gov.* For FHWA, contact David Tedrick at (916)

498–5024 or email *david.tedrick@dot.gov.*

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The State Route 74 (SR–74) Lower Ortega Highway Widening Project (FHWA Project No. 1200000051), which would widen SR–74 from two lanes to four lanes from Calle Entradero (PM 1.0) to 150 feet (ft) east of the City/County boundary (PM 2.1). The Proposed Project will provide one additional 12 ft lane in each direction, and a 12 ft painted median at the western portion within the project limits. In addition, a paved 5 ft and 8 ft shoulder will be provided on each side of the roadway to accommodate Class II (striped on-road) bicycle facilities. The shoulder will be 8 ft wide from Avenida Siega to the City/County boundary limits to merge with the completed County portion. The actions by the agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project, approved on May 7, 2020, in the Caltrans Finding of No Significant Impact (FONSI), issued on May 7, 2020 and in other documents in the project record. The EA, FONSI, and other project records are available by contacting Caltrans at the addresses provided above. The EA and FONSI can be obtained from any contact listed above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128].

2. Air: Clean Air Act [42 U.S.C. 7401–7671q].

3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303; 23 U.S.C. 138]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536]; Marine Mammal Protection Act [16 U.S.C. 1361–1423h]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667d]; Migratory Bird Treaty Act [16 U.S.C. 703–712].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470f]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470aa-470mm]; Archeological and Historic Preservation Act [16 U.S.C. 469–469c]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].

6. Social and Economic: American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. Wetlands and Water Resources: Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251–1387]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300f-300j-26)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act, [16 U.S.C. 3901, 3921]; Wetlands Mitigation [23 U.S.C. 119(g) and 133(b)(14)]; Flood Disaster Protection Act, 42 U.S.C. 4012a, 4106].

8. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

(Authority: 23 U.S.C. 139(*l*)(1))

Issued on: May 21, 2020.

Rodney Whitfield,

Director, Financial Services, Federal Highway Administration, California Division.

[FR Doc. 2020–11487 Filed 5–27–20; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2019–0047; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming Model Year 2018 Indian Scout Motorcycles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: This document announces the National Highway Traffic Safety Administration (NHTSA) receipt of a petition for a decision that model year (MY) 2018 Indian Scout motorcycles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 2018 Indian Scout motorcycles) and are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is June 29, 2020.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than

15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard along with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: Robert Mazurowski, Office of Vehicle Safety Compliance, NHTSA (202–366–1012).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same MY as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice of each petition that it receives in the **Federal Register**, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Skytop Rover Co., (Registered Importer R–6–343), of Philadelphia, Pennsylvania has petitioned NHTSA to decide whether nonconforming MY 2018 Indian Scout motorcycles are eligible for importation into the United States. The vehicles which Skytop Rover Co. believes are substantially similar are MY 2018 Indian Scout motorcycles sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS and are capable of being readily altered to conform to all applicable FMVSS.

Skytop Rover Co. submitted information with its petition intended to demonstrate that non-U.S. certified MY 2018 Indian Scout motorcycles, as originally manufactured, conform to many applicable FMVSS, or are capable of being readily altered to conform to those standards. Specifically, the petitioner claims that the non-U.S. certified MY 2018 Indian Scout motorcycles, as originally manufactured, conform to: FMVSS Nos. 106, *Brake Hoses,* 108, *Lamps, Reflective Devices, and Associated Equipment,* 111, *Rear Visibility,* 116, *Motor Vehicle Brake Fluids,* 119, *New Pneumatic Tires for Motor Vehicles with a GVWR of More Than 4,536 kilograms (10,000 pounds) and Motorcycles,* 122, *Motorcycle Brake Systems,* 123, *Motorcycle Controls and Displays,* 205, *Glazing Materials,* and the requirements of 49 CFR part 565, *Vehicle Identification Requirements.*

The petitioner also contends that the subject non-U.S. certified vehicles are capable of being readily altered to meet the following FMVSS, in the manner indicated:

FMVSS No. 120, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of More Than 4,536 kilograms (10,000 pounds):* A tire placard will be added.

(Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2020–11391 Filed 5–27–20; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See Supplementary Information section for effective date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490; Assistant Director for Licensing, tel.: 202–622–2480; or Assistant Director for Regulatory Affairs, tel.: 202–622–4855.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List and additional information concerning OFAC sanctions programs are available on OFAC's website (*https://www.treasury.gov/ofac*).

Notice of OFAC Action(s)

On May 22, 2020, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individuals

1. AVILES CASTILLO, Julio Cesar, Managua, Nicaragua; DOB 11 Aug 1956; POB Nicaragua; nationality Nicaragua; Gender Male; Passport A00000371 (Nicaragua) (individual) [NICARAGUA].

Designated pursuant to section 1(a)(iii) of Executive Order 13851 of November 27, 2018, ''Blocking Property of Certain Persons Contributing to the Situation in Nicaragua,'' 83 FR 61505, 3 CFR, 2018 Comp., p. 884 (''E.O. 13851'') for being an official of the Government of Nicaragua or having served as an official of the Government of Nicaragua at any time on or after January 10, 2007.

2. ACOSTA MONTALVAN, Ivan Adolfo, Masaya, Nicaragua; DOB 28 Sep 1964; POB Bluefields, Nicaragua; nationality Nicaragua; Gender Male; Passport A00001432 (Nicaragua) (individual) [NICARAGUA].

Designated pursuant to section 1(a)(iii) of E.O. 13851 for being an official of the

Government of Nicaragua or having served as an official of the Government of Nicaragua at any time on or after January 10, 2007.

Dated: May 22, 2020.

Andrea Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2020–11452 Filed 5–27–20; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0546]

Agency Information Collection Activity Under OMB Review: Gravesite Reservation Questionnaire

AGENCY: National Cemetery Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the National Cemetery Administration (NCA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 27, 2020.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Cynthia Harvey-Pryor, National Cemetery Administration (42E), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461–5870 or email *cynthia.harvey-pryor@va.gov.* Please refer to ''OMB Control No. 2900–0546'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Marty Fury, National Cemetery Administration, *Marty.Fury@va.gov* or telephone 202–461–6739.

SUPPLEMENTARY INFORMATION:

Authority: 44 U.S.C. 3501–3521.

Title: Gravesite Reservation Questionnaire.

OMB Control Number: 2900–0546.

Type of Review: Extension of a currently approved collection.

Abstract: The information is needed to determine if individuals holding gravesite set-asides wish to retain their set-aside or their wish to relinquish it. 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.

Affected Public: Individuals or Households.

Estimated Annual Burden: 4,166 hours.

Estimated Average Burden per Respondent: 10 minutes each.

Frequency of Response: One-time.

Estimated Number of Respondents: 25,000.

By direction of the Secretary.

Danny S. Green,

Department Clearance Officer, Office of Quality, Performance and Risk, Department of Veterans Affairs.

[FR Doc. 2020–11431 Filed 5–27–20; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 85 Thursday,

No. 103 May 28, 2020

Part II

Department of Homeland Security

U.S. Customs and Border Protection

Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers; Notice

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of intent to distribute offset for Fiscal Year 2020.

SUMMARY: Pursuant to the *Continued Dumping and Subsidy Offset Act of 2000,* this document is U.S. Customs and Border Protection's (CBP) notice of intent to distribute assessed antidumping or countervailing duties (known as the continued dumping and subsidy offset) for Fiscal Year 2020 in connection with countervailing duty orders, antidumping duty orders, or findings under the *Antidumping Act of 1921*. This document provides the instructions for affected domestic producers, or anyone alleging eligibility to receive a distribution, to file certifications to claim a distribution in relation to the listed orders or findings.

DATES: Certifications to obtain a continued dumping and subsidy offset under a particular order or finding must be received by July 27, 2020. Any certification received after July 27, 2020 will be summarily denied, making claimants ineligible for the distribution.

ADDRESSES: Certifications and any other correspondence (whether by mail, or an express or courier service) must be addressed to U.S. Customs and Border Protection, Revenue Division, Attention: CDSOA Team, 6650 Telecom Drive, Suite 100, Indianapolis, IN, 46278.

FOR FURTHER INFORMATION CONTACT: Sean Wuethrich, CDSOA Team, Revenue Division, 6650 Telecom Drive, Suite 100, Indianapolis, IN, 46278; telephone (317) 614–4462.

SUPPLEMENTARY INFORMATION:

Background

The *Continued Dumping and Subsidy Offset Act of 2000* (CDSOA) was enacted on October 28, 2000, as part of the *Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act,* 2001 (the ''Act''). The provisions of the CDSOA are contained in title X (sections 1001–1003) of the Appendix of the Act (H.R. 5426).

The CDSOA amended title VII of the *Tariff Act of 1930* by adding a new section 754 (codified at 19 U.S.C. 1675c) in order to provide that assessed duties received pursuant to a countervailing duty order, an antidumping duty order, or a finding under the *Antidumping Act of 1921* will be distributed to affected domestic producers for certain qualifying expenditures that these producers incur after the issuance of such an order or finding. The term ''affected domestic producer'' means any manufacturer, producer, farmer, rancher or worker representative (including associations of such persons) who:

(A) Was a petitioner or interested party in support of a petition with respect to which an antidumping duty order, a finding under the *Antidumping Act of 1921,* or a countervailing duty order has been entered;

(B) Remains in operation continuing to produce the product covered by the countervailing duty order, the antidumping duty order, or the finding under the *Antidumping Act of 1921;* and

(C) Has not been acquired by another company or business that is related to a company that opposed the antidumping or countervailing duty investigation that led to the order or finding (*e.g.,* opposed the petition or otherwise presented evidence in opposition to the petition). The distribution that these parties may receive is known as the continued dumping and subsidy offset.

Section 7601(a) of the *Deficit Reduction Act of 2005* repealed 19 U.S.C. 1675c. According to section 7701 of the *Deficit Reduction Act,* the repeal takes effect as if enacted on October 1, 2005. However, section 7601(b) provides that all duties collected on an entry filed before October 1, 2007, must be distributed as if 19 U.S.C. 1675c had not been repealed by section 7601(a). The funds available for distribution were also affected by section 822 of the *Claims Resolution Act of 2010* and section 504 of the *Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010*.

Historically, the antidumping and countervailing duties assessed and received by CBP on CDSOA-subject entries, along with the interest assessed and received on those duties pursuant to 19 U.S.C. 1677g, were transferred to the CDSOA Special Account for distribution. 66 FR 48546, Sept. 21, 2001; *see also* 19 CFR 159.64(e). Other types of interest, including delinquency interest that accrued pursuant to 19 U.S.C. 1505(d), equitable interest under common law, and interest under 19 U.S.C. 580, were not subject to distribution. *Id.*

Section 605 of the *Trade Facilitation and Trade Enforcement Act of 2015* (TFTEA) (Pub. L. 114–125, February 24, 2016; codified as 19 U.S.C. 4401), provided new authority for CBP to deposit into the CDSOA Special Account for distribution delinquency interest that accrued pursuant to 19 U.S.C. 1505(d), equitable interest under common law, and interest under 19 U.S.C. 580 for all surety payments received by CBP on or after October 1, 2014, on CDSOA subject entries, as well as post-judgment interest received by CBP on those surety payments. *See* 28 U.S.C. 1961.

On March 18, 2019, President Trump ordered the sequester of non-exempt budgetary resources for Fiscal Year 2020 pursuant to section 251A of the *Balanced Budget and Emergency Deficit Control Act of 1985,* as amended (84 FR 10401, March 21, 2019). To implement this sequester during Fiscal Year 2020, the calculation of the Office of Management and Budget (OMB) requires a reduction of 5.9 percent of the assessed duties and interest received in the CDSOA Special Account (account number 015–12–5688). OMB has concluded that any amounts sequestered in the CDSOA Special Account during Fiscal Year 2020 will become available in the subsequent fiscal year. *See* 2 U.S.C. 906(k)(6). As a result, CBP intends to include the funds that are temporarily reduced via sequester during Fiscal Year 2020 in the continued dumping and subsidy offset for Fiscal Year 2020, which will be distributed not later than 60 days after the first day of Fiscal Year 2021 in accordance with 19 U.S.C. 1675c(c). In other words, the continued dumping and subsidy offset that affected domestic producers receive for Fiscal Year 2020 will include the funds that were temporarily sequestered during Fiscal Year 2020.

Because of the statutory constraints in the assessments of antidumping and countervailing duties, as well as the additional time involved when the Government must initiate litigation to collect delinquent antidumping and countervailing duties, the CDSOA distribution process will be continued for an undetermined period. Consequently, the full impact of the CDSOA repeal on amounts available for distribution may be delayed for several years. It should also be noted that amounts distributed may be subject to recovery as a result of reliquidations, court actions, administrative errors, and other reasons.

List of Orders or Findings and Affected Domestic Producers

It is the responsibility of the U.S. International Trade Commission (USITC) to ascertain and timely forward

to CBP a list of the affected domestic producers that are potentially eligible to receive an offset in connection with an order or finding. In this regard, it is noted that the USITC has supplied CBP with the list of individual antidumping and countervailing duty cases, and the affected domestic producers associated with each case who are potentially eligible to receive an offset. This list appears at the end of this document.

A significant amount of litigation has challenged various provisions of the CDSOA, including the definition of the term ''affected domestic producer.'' In two decisions, the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) upheld the constitutionality of the support requirement contained in the CDSOA. Specifically, in *SKF USA Inc.* v. *United States Customs & Border Prot.,* 556 F.3d 1337 (Fed. Cir. 2009), the Federal Circuit held that the CDSOA's support requirement did not violate either the First or Fifth Amendment. The Supreme Court of the United States denied plaintiff's petition for certiorari, *SKF USA, Inc.* v. *United States Customs & Border Prot.,* 560 U.S. 903 (2010). Similarly, in *PS Chez Sidney, L.L.C.* v. *United States,* 409 Fed. Appx. 327 (Fed. Cir. 2010), the Federal Circuit summarily reversed the U.S. Court of International Trade's judgment that the support requirement was unconstitutional, allowing only plaintiff's non-constitutional claims to go forward. *See PS Chez Sidney, L.L.C.* v. *United States,* 684 F.3d 1374 (Fed. Cir. 2012). Furthermore, in two cases interpreting the CDSOA's language, the Federal Circuit concluded that a producer who never indicates support for a dumping petition by letter or through questionnaire response, despite the act of otherwise filling out a questionnaire, cannot be an affected domestic producer. *Ashley Furniture Indus., Inc. et al.* v. *United States,* 734 F.3d 1306 (Fed. Cir. 2013), *cert. denied,* 135 S. Ct. 72 (2014); *Giorgio Foods, Inc.* v. *United States et al.,* 785 F.3d 595 (Fed. Cir. 2015).

Domestic producers who are not on the USITC list but believe they nonetheless are eligible for a CDSOA distribution under one or more antidumping and/or countervailing duty cases are required, as are all potential claimants that expressly appear on the list, to properly file their certification(s) within 60 days after this notice is published. Such domestic producers must allege all other bases for eligibility in their certification(s). CBP will evaluate the merits of such claims in accordance with the relevant statutes, regulations, and decisions. Certifications that are not timely filed within the requisite 60 days and/or that fail to sufficiently establish a basis for eligibility will be summarily denied. Additionally, CBP may not make a final decision regarding a claimant's eligibility to receive funds until certain legal issues which may affect that claimant's eligibility are resolved. In these instances, CBP may withhold an amount of funds corresponding to the claimant's alleged *pro rata* share of funds from distribution pending the resolution of those legal issues.

It should also be noted that the Federal Circuit ruled in *Canadian Lumber Trade Alliance* v. *United States,* 517 F.3d 1319 (Fed. Cir. 2008), *cert. denied sub nom. United States Steel* v. *Canadian Lumber Trade Alliance,* 129 S. Ct. 344 (2008), that CBP was not authorized to distribute such antidumping and countervailing duties to the extent they were derived from goods from countries that are parties to the North American Free Trade Agreement (NAFTA). Due to this decision, CBP does not list cases related to NAFTA on the Preliminary Amounts Available report, and no distributions will be issued on these cases.

Regulations Implementing the CDSOA

It is noted that CBP published Treasury Decision (T.D.) 01–68 (Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers) in the **Federal Register** (66 FR 48546) on September 21, 2001, which was effective as of that date, in order to implement the CDSOA. The final rule added a new subpart F to part 159 of title 19, Code of Federal Regulations (19 CFR part 159, subpart F (sections 159.61–159.64)). More specific guidance regarding the filing of certifications is provided in this notice in order to aid affected domestic producers and other domestic producers alleging eligibility (''claimants'' or ''domestic producers'').

Notice of Intent To Distribute Offset

This document announces that CBP intends to distribute to affected domestic producers the assessed antidumping or countervailing duties, section 1677g interest, and interest provided for in 19 U.S.C. 4401 that are available for distribution in Fiscal Year 2020 in connection with those antidumping duty orders or findings or countervailing duty orders that are listed in this document. All distributions will be issued by paper check to the address provided by the claimants. Section 159.62(a) of title 19, Code of Federal Regulations (19 CFR 159.62(a)) provides that CBP will publish such a notice of intention to distribute at least 90 calendar days before the end of a fiscal year. Failure to publish the notice at least 90 calendar days before the end of the fiscal year will not affect an affected domestic producer's obligation to file a timely certification within 60 days after the notice is published. *See Dixon Ticonderoga* v. *United States,* 468 F.3d 1353, 1354 (Fed. Cir. 2006).

Certifications; Submission and Content

To obtain a distribution of the offset under a given order or finding (including any distribution under 19 U.S.C. 4401), an affected domestic producer (and anyone alleging eligibility to receive a distribution) must submit a certification for each order or finding under which a distribution is sought, to CBP, indicating its desire to receive a distribution. To be eligible to obtain a distribution, certifications must be received by CBP no later than 60 calendar days after the date of publication of this notice of intent to distribute in the **Federal Register**. All certifications not received by the 60th day will not be eligible to receive a distribution.

As required by 19 CFR 159.62(b), this notice provides the case name and number of the order or finding concerned, as well as the specific instructions for filing a certification under section 159.63 to claim a distribution. Section 159.62(b) also provides that the dollar amounts subject to distribution that are contained in the Special Account for each listed order or finding are to appear in this notice. However, these dollar amounts were not available in time for inclusion in this publication. The preliminary amounts will be posted on the CBP website (*https://www.cbp.gov*). However, the final amounts available for disbursement may be higher or lower than the preliminary amounts.

CBP will provide general information to claimants regarding the preparation of certification(s). However, it remains the sole responsibility of the domestic producer to ensure that the certification is correct, complete, and accurate so as to demonstrate the eligibility of the domestic producer for the distribution requested. Failure to ensure that the certification is correct, complete, and accurate as provided in this notice will result in the domestic producer not receiving a distribution and/or a demand for the return of funds.

Specifically, to obtain a distribution of the offset under a given order or finding (including any distribution under 19 U.S.C. 4401), each potential claimant must timely submit a certification containing the required

information detailed below as to the eligibility of the domestic producer (or anyone alleging eligibility) to receive the requested distribution and the total amount of the distribution that the domestic producer is claiming. Certifications should be submitted to U.S. Customs and Border Protection, Revenue Division, Attention: CDSOA Team, 6650 Telecom Drive, Suite 100, Indianapolis, IN, 46278. The certification must enumerate the qualifying expenditures incurred by the domestic producer since the issuance of an order or finding and it must demonstrate that the domestic producer is eligible to receive a distribution as an affected domestic producer or allege another basis for eligibility. Any false statements made in connection with certifications submitted to CBP may give rise to liability under the *False Claims Act* (*see* 31 U.S.C. 3729–3733) and/or to criminal prosecution.

A successor to a company that was an affected domestic producer at the time of acquisition should consult 19 CFR 159.61(b)(1)(i). Any company that files a certification claiming to be the successor company to an affected domestic producer will be deemed to have consented to joint and several liability for the return of any overpayments arising under 19 CFR 159.64(b)(3) that were previously paid to the predecessor. CBP may require the successor company to provide documents to support its eligibility to receive a distribution as set out in 19 CFR 159.63(d). Additionally, any individual or company who purchases any portion of the operating assets of an affected domestic producer, a successor to an affected domestic producer, or an entity that otherwise previously received distributions may be jointly and severally liable for the return of any overpayments arising under 19 CFR 159.64(b)(3) that were previously paid to the entity from which the operating assets were purchased or its predecessor, regardless of whether the purchasing individual or company is deemed a successor company for purposes of receiving distributions.

A member company (or its successor) of an association that appears on the list of affected domestic producers in this notice, where the member company itself does not appear on this list, should consult 19 CFR 159.61(b)(1)(ii). Specifically, for a certification under 19 CFR 159.61(b)(1)(ii), the claimant must name the association of which it is a member, specifically establish that it was a member of the association at the time the association filed the petition with the USITC, and establish that the claimant is a current member of the association.

In order to promote accurate filings and more efficiently process the distributions, we offer the following guidance:

- If claimants are members of an association but the association does not file on their behalf, the association will need to provide its members with a statement that contains notarized company-specific information including dates of membership and an original signature from an authorized representative of the association.
- An association filing a certification on behalf of a member must also provide a power of attorney or other evidence of legal authorization from each of the domestic producers it is representing.
- Any association filing a certification on behalf of a member is responsible for verifying the legal sufficiency and accuracy of the member's financial records, which support the claim, and is responsible for that certification. As such, an association filing a certification on behalf of a member is jointly and severally liable with the member for repayment of any claim found to have been paid or overpaid in error.

The association may file a certification in its own right to claim an offset for that order or finding, but its qualifying expenditures would be limited to those expenditures that the association itself has incurred after the date of the order or finding in connection with the particular case.

As provided in 19 CFR 159.63(a), certifications to obtain a distribution of an offset (including any distribution under 19 U.S.C. 4401) must be received by CBP no later than 60 calendar days after the date of publication of the notice of intent in the **Federal Register**. All certifications received after the 60-day deadline will be summarily denied, making claimants ineligible for the distribution regardless of whether or not they appeared on the USITC list.

A list of all certifications received will be published on the CBP website (*https://www.cbp.gov*) shortly after the receipt deadline. This publication will not confirm acceptance or validity of the certification, but merely receipt of the certification. Due to the high volume of certifications, CBP is unable to respond to individual telephone or written inquiries regarding the status of a certification appearing on the list.

While there is no required format for a certification, CBP has developed a standard certification form to aid claimants in filing certifications. The certification form is available at *https://www.pay.gov* under the Public Form Name ''Continued Dumping and Subsidy Offset Act of 2000 Certification'' (CBP Form Number 7401) or by directing a web browser to *https://www.pay.gov/public/form/start/8776895/*. The certification form can be submitted electronically through *https://www.pay.gov* or by mail. All certifications not submitted electronically must include original signatures.

Regardless of the format for a certification, per 19 CFR 159.63(b), the certification must contain the following information:

(1) The date of this **Federal Register** notice;

(2) The Department of Commerce antidumping or countervailing duty case number (for example, A–331–802);

(3) The case name (product/country);

(4) The name of the domestic producer and any name qualifier, if applicable (for example, any other name under which the domestic producer does business or is also known);

(5) The mailing address of the domestic producer (if a post office box, the physical street address must also appear) including, if applicable, a specific room number or department;

(6) The Internal Revenue Service (IRS) number (with suffix) of the domestic producer, employer identification number, or social security number, as applicable;

(7) The specific business organization of the domestic producer (corporation, partnership, sole proprietorship);

(8) The name(s) of any individual(s) designated by the domestic producer as the contact person(s) concerning the certification, together with the phone number(s), mailing address, and, if available, facsimile transmission number(s) and electronic mail (email) address(es) for the person(s). Correspondence from CBP may be directed to the designated contact(s) by either mail or phone or both;

(9) The total dollar amount claimed;

(10) The dollar amount claimed by category, as described in the section below entitled ''Amount Claimed for Distribution'';

(11) A statement of eligibility, as described in the section below entitled ''Eligibility to Receive Distribution''; and

(12) For certifications not submitted electronically through *https://www.pay.gov*, an original signature by an individual legally authorized to bind the producer.

Qualifying Expenditures That May Be Claimed for Distribution

Qualifying expenditures that may be offset under the CDSOA encompass

those expenditures incurred by the domestic producer after issuance of an antidumping duty order or finding or a countervailing duty order (including expenditures incurred on the date of the order's issuance), and prior to its termination, provided that such expenditures fall within certain categories. *See* 19 CFR 159.61(c). The CDSOA repeal language parallels the termination of an order or finding. Therefore, for duty orders or findings that have not been previously revoked, expenses must be incurred before October 1, 2007, to be eligible for offset. For duty orders or findings that have been revoked, expenses must be incurred before the effective date of the revocation to be eligible for offset. For example, assume for case A–331–802 Certain Frozen Warm-Water Shrimp and Prawns from Ecuador, that the order date is February 1, 2005, and that the revocation effective date is August 15, 2007. In this case, eligible expenditures would have to be incurred on or after February 1, 2005, up to and including August 14, 2007; expenditures incurred on or after August 15, 2007 cannot be included as eligible qualifying expenditures for A–331–802.

For the convenience and ease of the domestic producers, CBP is providing guidance on what the agency takes into consideration when making a calculation for each of the following categories:

(1) Manufacturing facilities (Any facility used for the transformation of raw material into a finished product that is the subject of the related order or finding);

(2) Equipment (Goods that are used in a business environment to aid in the manufacturing of a product that is the subject of the related order or finding);

(3) Research and development (Seeking knowledge and determining the best techniques for production of the product that is the subject of the related order or finding);

(4) Personnel training (Teaching of specific useful skills to personnel, that will improve performance in the production process of the product that is the subject of the related order or finding);

(5) Acquisition of technology (Acquisition of applied scientific knowledge and materials to achieve an objective in the production process of the product that is the subject of the related order or finding);

(6) Health care benefits for employees paid for by the employer (Health care benefits paid to employees who are producing the specific product that is the subject of the related order or finding);

(7) Pension benefits for employees paid for by the employer (Pension benefits paid to employees who are producing the specific product that is the subject of the related order or finding);

(8) Environmental equipment, training, or technology (Equipment, training, or technology used in the production of the product that is the subject of the related order or finding, that will assist in preventing potentially harmful factors from affecting the environment);

(9) Acquisition of raw materials and other inputs (Purchase of unprocessed materials or other inputs needed for the production of the product that is the subject of the related order or finding); and

(10) Working capital or other funds needed to maintain production (Assets of a business that can be applied to its production of the product that is the subject of the related order or finding).

Amount Claimed for Distribution

In calculating the amount of the distribution being claimed as an offset, the certification must indicate:

(1) The total amount of any qualifying expenditures previously certified by the domestic producer, and the amount certified by category;

(2) The total amount of those expenditures which have been the subject of any prior distribution for the order or finding being certified under 19 U.S.C. 1675c; and

(3) The net amount for new and remaining qualifying expenditures being claimed in the current certification (the total amount previously certified as noted in item ''(1)'' above minus the total amount that was the subject of any prior distribution as noted in item ''(2)'' above). In accordance with 19 CFR 159.63(b)(2)(i)–(iii), CBP will deduct the amount of any prior distribution from the producer's claimed amount for that case. Total amounts disbursed by CBP under the CDSOA for some prior Fiscal Years are available on the CBP website.

Additionally, under 19 CFR 159.61(c), these qualifying expenditures must be related to the production of the same product that is the subject of the order or finding, with the exception of expenses incurred by associations which must be related to a specific case. Any false statements made to CBP concerning the amount of distribution being claimed as an offset may give rise to liability under the *False Claims Act* (*see* 31 U.S.C. 3729–3733) and/or to criminal prosecution.

Eligibility To Receive Distribution

As noted, the certification must contain a statement that the domestic producer desires to receive a distribution and is eligible to receive the distribution as an affected domestic producer or on another legal basis. Also, the domestic producer must affirm that the net amount certified for distribution does not encompass any qualifying expenditures for which distribution has previously been made (19 CFR 159.63(b)(3)(i)). Any false statements made in connection with certifications submitted to CBP may give rise to liability under the *False Claims Act* (*see* 31 U.S.C. 3729–3733) and/or to criminal prosecution.

Furthermore, under 19 CFR 159.63(b)(3)(ii), where a domestic producer files a separate certification for more than one order or finding using the same qualifying expenditures as the basis for distribution in each case, each certification must list all the other orders or findings where the producer is claiming the same qualifying expenditures.

Moreover, as required by 19 U.S.C. 1675c(b)(1) and 19 CFR 159.63(b)(3)(iii), the certification must include information as to whether the domestic producer remains in operation at the time the certifications are filed and continues to produce the product covered by the particular order or finding under which the distribution is sought. If a domestic producer is no longer in operation, or no longer produces the product covered by the order or finding, the producer will not be considered an affected domestic producer entitled to receive a distribution.

In addition, as required by 19 U.S.C. 1675c(b)(5) and 19 CFR 159.63(b)(3)(iii), the domestic producer must state whether it has been acquired by a company that opposed the investigation or was acquired by a business related to a company that opposed the investigation. If a domestic producer has been so acquired, the producer will not be considered an affected domestic producer entitled to receive a distribution. However, CBP may not make a final decision regarding a claimant's eligibility to receive funds until certain legal issues which may affect that claimant's eligibility are resolved. In these instances, CBP may withhold an amount of funds corresponding to the claimant's alleged *pro rata* share of funds from distribution pending the resolution of those legal issues.

The certification must be executed and dated by a party legally authorized

to bind the domestic producer and it must state that the information contained in the certification is true and accurate to the best of the certifier's knowledge and belief under penalty of law, and that the domestic producer has records to support the qualifying expenditures being claimed (see section below entitled ''Verification of Certification''). Moreover as provided in 19 CFR 159.64(b)(3), all overpayments to affected domestic producers are recoverable by CBP, and CBP reserves the right to use all available collection tools to recover overpayments, including but not limited to garnishments, court orders, administrative offset, enrollment in the Treasury Offset Program, and/or offset of tax refund payments. Overpayments may occur for a variety of reasons, including but not limited to: Reliquidations, court actions, settlements, insufficient verification of a certification in response to an inquiry from CBP, and administrative errors. With diminished amounts available over time, the likelihood that these events will require the recovery of funds previously distributed will increase. As a result, domestic producers who receive distributions under the CDSOA may wish to set aside any funds received in case it is subsequently determined that an overpayment has occurred. CBP considers the submission of a certification and the negotiation of any distribution checks received as acknowledgements and acceptance of the claimant's obligation to return those funds upon demand.

Review and Correction of Certification

A certification that is submitted in response to this notice of intent to distribute and received within 60 calendar days after the date of publication of the notice in the **Federal Register** may, at CBP's sole discretion, be subject to review before acceptance to ensure that all informational requirements are complied with and that any amounts set forth in the certification for qualifying expenditures, including the amount claimed for distribution, appear to be correct. A certification that is found to be materially incorrect or incomplete will be returned to the domestic producer within 15 business days after the close of the 60 calendar-day filing period, as provided in 19 CFR 159.63(c). In making this determination, CBP will not speculate as to the reason for the error (*e.g.,* intentional, typographical, *etc.*). CBP must receive a corrected certification from the domestic producer and/or an association filing on behalf of an association member within 10 business days from the date of the original denial letter. Failure to receive a corrected certification within 10 business days will result in denial of the certification at issue. It is the sole responsibility of the domestic producer to ensure that the certification is correct, complete, and accurate so as to demonstrate the eligibility of the domestic producer to the distribution requested. Failure to ensure that the certification is correct, complete, and accurate will result in the domestic producer not receiving a distribution and/or a demand for the return of funds.

Verification of Certification

Certifications are subject to CBP's verification. The burden remains on each claimant to fully substantiate all elements of its certification. As such, claimants may be required to provide copies of additional records for further review by CBP. Therefore, parties are required to maintain, and be prepared to produce, records adequately supporting their claims for a period of five years after the filing of the certification (19 CFR 159.63(d)). The records must demonstrate that each qualifying expenditure enumerated in the certification was actually incurred, and they must support how the qualifying expenditures are determined to be related to the production of the product covered by the order or finding. Although CBP will accept comments and information from the public and other domestic producers, CBP retains complete discretion regarding the initiation and conduct of investigations stemming from such information. In the event that a distribution is made to a domestic producer from whom CBP later seeks verification of the certification and sufficient supporting documentation is not provided as determined by CBP, then the amounts paid to the affected domestic producer are recoverable by CBP as an overpayment. CBP reserves the right to use all available collection tools to recover overpayments, including but not limited to garnishments, court orders, administrative offset, enrollment in the Treasury Offset Program, and/or offset of tax refund payments. CBP considers the submission of a certification and the negotiation of any distribution checks received as acknowledgements and acceptance of the claimant's obligation to return those funds upon demand. Additionally, the submission of false statements, documents, or records in connection with a certification or verification of a certification may give rise to liability under the *False Claims Act* (*see* 31 U.S.C. 3729–3733) and/or to criminal prosecution.

Disclosure of Information in Certifications; Acceptance by Producer

The name of the claimant, the total dollar amount claimed by the party on the certification, as well as the total dollar amount that CBP actually disburses to that affected domestic producer as an offset, will be available for disclosure to the public, as specified in 19 CFR 159.63(e). To this extent, the submission of the certification is construed as an understanding and acceptance on the part of the domestic producer that this information will be disclosed to the public and a waiver of any right to privacy or non-disclosure. Additionally, a statement in a certification that this information is proprietary and exempt from disclosure may result in CBP's rejection of the certification.

List of Orders or Findings and Related Domestic Producers

The list of individual antidumping duty orders or findings and countervailing duty orders is set forth below together with the affected domestic producers associated with each order or finding who are potentially eligible to receive an offset. Those domestic producers not on the list must allege another basis for eligibility in their certification. Appearance of a domestic producer on the list is not a guarantee of distribution.

Dated: May 12, 2020.

Jeffrey Caine,

Chief Financial Officer, U.S. Customs and Border Protection.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–122–006	AA1921–49	Steel Jacks/Canada	Bloomfield Manufacturing (formerly Harrah Manufacturing). Seaburn Metal Products.
A–122–047	AA1921–127	Elemental Sulphur/Canada	Duval.
A–122–085	731–TA–3	Sugar and Syrups/Canada	Amstar Sugar.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–122–401	731–TA–196	Red Raspberries/Canada	Northwest Food Producers' Association. Oregon Caneberry Commission. Rader Farms. Ron Roberts. Shuksan Frozen Food. Washington Red Raspberry Commission.
A–122–503	731–TA–263	Iron Construction Castings/Canada.	Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.
A–122–506	731–TA–276	Oil Country Tubular Goods/Canada.	CF&I Steel. Copperweld Tubing. Cyclops. KPC. Lone Star Steel. LTV Steel. Maverick Tube. Quanex. US Steel.
A–122–601	731–TA–312	Brass Sheet and Strip/Canada	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A–122–605	731–TA–367	Color Picture Tubes/Canada	Industrial Union Department, AFL–CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A–122–804	731–TA–422	Steel Rails/Canada	Bethlehem Steel. CF&I Steel.
A–122–814	731–TA–528	Pure Magnesium/Canada	Magnesium Corporation of America.
A–122–822	731–TA–614	Corrosion-Resistant Carbon Steel Flat Products/Canada.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–122–823	731–TA–575	Cut-to-Length Carbon Steel Plate/Canada.	Bethlehem Steel. California Steel Industries. Geneva Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gulf States Steel.
			Inland Steel Industries.
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
A–122–830	731–TA–789	Stainless Steel Plate in Coils/ Canada.	Allegheny Ludlum.
			Armco Steel.
			J&L Specialty Steel.
			Lukens Steel.
			North American Stainless.
A–122–838	731–TA–928	Softwood Lumber/Canada	71 Lumber Co.
			Almond Bros Lbr Co.
			Anthony Timberlands.
			Balfour Lbr Co.
			Ball Lumber.
			Banks Lumber Company.
			Barge Forest Products Co.
			Beadles Lumber Co.
			Bearden Lumber.
			Bennett Lumber.
			Big Valley Band Mill.
			Bighorn Lumber Co Inc.
			Blue Mountain Lumber.
			Buddy Bean Lumber.
			Burgin Lumber Co Ltd.
			Burt Lumber Company.
			C&D Lumber Co.
			Ceda-Pine Veneer.
			Cersosimo Lumber Co Inc.
			Charles Ingram Lumber Co Inc.
			Charleston Heart Pine.
			Chesterfield Lumber.
			Chips.
			Chocorua Valley Lumber Co.
			Claude Howard Lumber.
			Clearwater Forest Industries.
			CLW Inc.
			CM Tucker Lumber Corp.
			Coalition for Fair Lumber Imports Executive Committee.
			Cody Lumber Co.
			Collins Pine Co.
			Collums Lumber.
			Columbus Lumber Co.
			Contoocook River Lumber.
			Conway Guiteau Lumber.
			Cornwright Lumber Co.
			Crown Pacific.
			Daniels Lumber Inc.
			Dean Lumber Co Inc.
			Deltic Timber Corporation.
			Devils Tower Forest Products.
			DiPrizio Pine Sales.
			Dorchester Lumber Co.
			DR Johnson Lumber.
			East Brainerd Lumber Co.
			East Coast Lumber Company.
			Eas-Tex Lumber.
			ECK Wood Products.
			Ellingson Lumber Co.
			Elliott Sawmilling.
			Empire Lumber Co.
			Evergreen Forest Products.
			Excalibur Shelving Systems Inc.
			Exley Lumber Co.
			FH Stoltze Land & Lumber Co.
			FL Turlington Lbr Co Inc.
			Fleming Lumber.
			Flippo Lumber.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Floragen Forest Products.
			Frank Lumber Co.
			Franklin Timber Co.
			Fred Tebb & Sons.
			Fremont Sawmill.
			Frontier Resources.
			Garrison Brothers Lumber Co and Subsidiaries.
			Georgia Lumber.
			Gilman Building Products.
			Godfrey Lumber.
			Granite State Forest Prod Inc.
			Great Western Lumber Co.
			Greenville Molding Inc.
			Griffin Lumber Company.
			Guess Brothers Lumber.
			Gulf Lumber.
			Gulf States Paper.
			Guy Bennett Lumber.
			Hampton Resources.
			Hancock Lumber.
			Hankins Inc.
			Hankins Lumber Co.
			Harrigan Lumber.
			Harwood Products.
			Haskell Lumber Inc.
			Hatfield Lumber.
			Hedstrom Lumber.
			Herrick Millwork Inc.
			HG Toler & Son Lumber Co Inc.
			HG Wood Industries LLC.
			Hogan & Storey Wood Prod.
			Hogan Lumber Co.
			Hood Industries.
			HS Hofler & Sons Lumber Co Inc.
			Hubbard Forest Ind Inc.
			HW Culp Lumber Co.
			Idaho Veneer Co.
			Industrial Wood Products.
			Intermountain Res LLC.
			International Paper.
			J Franklin Jones Lumber Co Inc.
			Jack Batte & Sons Inc.
			Jasper Lumber Company.
			JD Martin Lumber Co.
			JE Jones Lumber Co.
			Jerry G Williams & Sons.
			JH Knighton Lumber Co.
			Johnson Lumber Company.
			Jordan Lumber & Supply.
			Joseph Timber Co.
			JP Haynes Lbr Co Inc.
			JV Wells Inc.
			JW Jones Lumber.
			Keadle Lumber Enterprises.
			Keller Lumber.
			King Lumber Co.
			Konkolville Lumber.
			Langdale Forest Products.
			Laurel Lumber Company.
			Leavitt Lumber Co.
			Leesville Lumber Co.
			Limington Lumber Co.
			Longview Fibre Co.
			Lovell Lumber Co Inc.
			M Kendall Lumber Co.
			Manke Lumber Co.
			Marriner Lumber Co.
			Mason Lumber.
			MB Heath & Sons Lumber Co.
			MC Dixon Lumber Co Inc.
			Mebane Lumber Co Inc.
			Metcalf Lumber Co Inc.
			Millry Mill Co Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Moose Creek Lumber Co. Moose River Lumber. Morgan Lumber Co Inc. Mount Yonah Lumber Co. Nagel Lumber. New Kearsarge Corp. New South. Nicolet Hardwoods. Nieman Sawmills SD. Nieman Sawmills WY. North Florida. Northern Lights Timber & Lumber. Northern Neck Lumber Co. Ochoco Lumber Co. Olon Belcher Lumber Co. Owens and Hurst Lumber. Packaging Corp of America. Page & Hill Forest Products. Paper, Allied-Industrial, Chemical and Energy Workers International Union. Parker Lumber. Pate Lumber Co Inc. PBS Lumber. Pedigo Lumber Co. Piedmont Hardwood Lumber Co. Pine River Lumber Co. Pinecrest Lumber Co. Pleasant River Lumber Co. Pleasant Western Lumber Inc. Plum Creek Timber. Pollard Lumber. Portac. Potlatch. Potomac Supply. Precision Lumber Inc. Pruitt Lumber Inc. R Leon Williams Lumber Co. RA Yancey Lumber. Rajala Timber Co. Ralph Hamel Forest Products. Randy D Miller Lumber. Rappahannock Lumber Co. Regulus Stud Mills Inc. Riley Creek Lumber. Roanoke Lumber Co. Robbins Lumber. Robertson Lumber. Roseburg Forest Products Co. Rough & Ready. RSG Forest Products. Rushmore Forest Products. RY Timber Inc. Sam Mabry Lumber Co. Scotch Lumber. SDS Lumber Co. Seacoast Mills Inc. Seago Lumber. Seattle-Snohomish. Seneca Sawmill. Shaver Wood Products. Shearer Lumber Products. Shuqualak Lumber. SI Storey Lumber. Sierra Forest Products. Sierra Pacific Industries. Sigfridson Wood Products. Silver City Lumber Inc. Somers Lbr & Mfg Inc. South & Jones. South Coast. Southern Forest Industries Inc. Southern Lumber. St Laurent Forest Products.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Starfire Lumber Co. Steely Lumber Co Inc. Stimson Lumber. Summit Timber Co. Sundance Lumber. Superior Lumber. Swanson Superior Forest Products Inc. Swift Lumber. Tamarack Mill. Taylor Lumber & Treating Inc. Temple-Inland Forest Products. Thompson River Lumber. Three Rivers Timber. Thrift Brothers Lumber Co Inc. Timco Inc. Tolleson Lumber. Toney Lumber. TR Miller Mill Co. Tradewinds of Virginia Ltd. Travis Lumber Co. Tree Source Industries Inc. Tri-State Lumber. TTT Studs. United Brotherhood of Carpenters and Joiners. Viking Lumber Co. VP Kiser Lumber Co. Walton Lumber Co Inc. Warm Springs Forest Products. Westvaco Corp. Wilkins, Kaiser & Olsen Inc. WM Shepherd Lumber Co. WR Robinson Lumber Co Inc. Wrenn Brothers Inc. Wyoming Sawmills. Yakama Forest Products. Younce & Ralph Lumber Co Inc. Zip-O-Log Mills Inc.
A–122–840	731–TA–954	Carbon and Certain Alloy Steel Wire Rod/Canada.	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A–122–847	731–TA–1019B ...	Hard Red Spring Wheat/Canada	North Dakota Wheat Commission.
A–201–504	731–TA–297	Porcelain-on-Steel Cooking Ware/Mexico.	General Housewares.
A–201–601	731–TA–333	Fresh Cut Flowers/Mexico	Burdette Coward. California Floral Council. Floral Trade Council. Florida Flower Association. Gold Coast Uanko Nursery. Hollandia Wholesale Florist. Manatee Fruit. Monterey Flower Farms. Topstar Nursery.
A–201–802	731–TA–451	Gray Portland Cement and Clinker/Mexico.	Alamo Cement. Blue Circle. BoxCrow Cement. Calaveras Cement. Capitol Aggregates. Centex Cement. Florida Crushed Stone. Gifford-Hill. Hanson Permanente Cement. Ideal Basic Industries. Independent Workers of North America (Locals 49, 52, 89, 192 and 471). International Union of Operating Engineers (Local 12).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			National Cement Company of Alabama. National Cement Company of California. Phoenix Cement. Riverside Cement. Southdown. Tarmac America. Texas Industries.
A–201–805	731–TA–534	Circular Welded Nonalloy Steel Pipe/Mexico.	Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit. Wheatland Tube.
A–201–806	731–TA–547	Carbon Steel Wire Rope/Mexico	Bridon American. Macwhyte. Paulsen Wire Rope. The Rochester Corporation. United Automobile, Aerospace and Agricultural Implement Workers (Local 960). Williamsport. Wire-rope Works. Wire Rope Corporation of America.
A–201–809	731–TA–582	Cut-to-Length Carbon Steel Plate/Mexico.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–201–817	731–TA–716	Oil Country Tubular Goods/Mexico.	IPSCO. Koppel Steel. Maverick Tube. Newport Steel. North Star Steel. US Steel. USS/Kobe.
A–201–820	731–TA–747	Fresh Tomatoes/Mexico	Accomack County Farm Bureau. Ad Hoc Group of Florida, California, Georgia, Pennsylvania, South Carolina, Tennessee and Virginia Tomato Growers. Florida Farm Bureau Federation. Florida Fruit and Vegetable Association. Florida Tomato Exchange. Florida Tomato Growers Exchange. Gadsden County Tomato Growers Association. South Carolina Tomato Association.
A–201–822	731–TA–802	Stainless Steel Sheet and Strip/Mexico.	Allegheny Ludlum. Armco. Bethlehem Steel. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America.
A–201–827	731–TA–848	Large-Diameter Carbon Steel Seamless Pipe/Mexico.	North Star Steel. Timken. US Steel. United Steelworkers of America. USS/Kobe.
A–201–828	731–TA–920	Welded Large Diameter Line Pipe/Mexico.	American Cast Iron Pipe. Berg Steel Pipe.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bethlehem Steel.
			Napa Pipe/Oregon Steel Mills.
			Saw Pipes USA.
			Stupp.
			US Steel.
A–201–830	731–TA–958	Carbon and Certain Alloy Steel Wire Rod/Mexico.	AmeriSteel.
			Birmingham Steel.
			Cascade Steel Rolling Mills.
			Connecticut Steel Corp.
			Co-Steel Raritan.
			GS Industries.
			Keystone Consolidated Industries.
			North Star Steel Texas.
			Nucor Steel-Nebraska (a division of Nucor Corp).
			Republic Technologies International.
			Rocky Mountain Steel Mills.
A–201–831	731–TA–1027	Prestressed Concrete Steel Wire Strand/Mexico.	American Spring Wire Corp.
			Insteel Wire Products Co.
			Sivaco Georgia LLC.
			Strand Tech Martin Inc.
			Sumiden Wire Products Corp.
A–201–834	731–TA–1085	Purified Carboxymethylcellulose/Mexico.	Aqualon Co a Division of Hercules Inc.
A–274–804	731–TA–961	Carbon and Certain Alloy Steel Wire Rod/Trinidad & Tobago.	AmeriSteel
			Birmingham Steel.
			Cascade Steel Rolling Mills.
			Connecticut Steel Corp.
			Co-Steel Raritan.
			GS Industries.
			Keystone Consolidated Industries.
			North Star Steel Texas.
			Nucor Steel-Nebraska (a division of Nucor Corp).
			Republic Technologies International.
			Rocky Mountain Steel Mills.
A–301–602	731–TA–329	Fresh Cut Flowers/Colombia	Burdette Coward.
			California Floral Council.
			Floral Trade Council.
			Florida Flower Association.
			Gold Coast Uanko Nursery.
			Hollandia Wholesale Florist.
			Manatee Fruit.
			Monterey Flower Farms.
			Pajaro Valley Greenhouses.
			Topstar Nursery.
A–307–803	731–TA–519	Gray Portland Cement and Clinker/Venezuela.	Florida Crushed Stone.
			Southdown.
			Tarmac America.
A–307–805	731–TA–537	Circular Welded Nonalloy Steel Pipe/Venezuela.	Allied Tube & Conduit.
			American Tube.
			Bull Moose Tube.
			Century Tube.
			CSI Tubular Products.
			Cyclops.
			Laclede Steel.
			LTV Tubular Products.
			Maruichi American.
			Sharon Tube.
			USX.
			Western Tube & Conduit.
			Wheatland Tube.
A–307–807	731–TA–570	Ferrosilicon/Venezuela	AIMCOR.
			Alabama Silicon.
			American Alloys.
			Globe Metallurgical.
			Oil, Chemical and Atomic Workers (Local 389).
			Silicon Metaltech.
			United Autoworkers of America (Local 523).
			United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A–307–820	731–TA–931	Silicomanganese/Venezuela	Eramet Marietta.
			Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5–0639.
A–331–602	731–TA–331	Fresh Cut Flowers/Ecuador	Burdette Coward.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			California Floral Council. Floral Trade Council. Florida Flower Association. Gold Coast Uanko Nursery. Hollandia Wholesale Florist. Manatee Fruit. Monterey Flower Farms. Topstar Nursery.
A–337–803	731–TA–768	Fresh Atlantic Salmon/Chile	Atlantic Salmon of Maine. Cooke Aquaculture US. DE Salmon. Global Aqua USA. Island Aquaculture. Maine Coast Nordic. Scan Am Fish Farms. Treats Island Fisheries. Trumpet Island Salmon Farm.
A–337–804	731–TA–776	Preserved Mushrooms/Chile	LK Bowman. Modern Mushroom Farms. Monterey Mushrooms. Mount Laurel Canning. Mushroom Canning. Southwood Farms. Sunny Dell Foods. United Canning.
A–337–806	731–TA–948	Individually Quick Frozen Red Raspberries/Chile.	A&A Berry Farms. Bahler Farms. Bear Creek Farms. David Burns. Columbia Farms. Columbia Fruit. George Culp. Dobbins Berry Farm. Enfield. Firestone Packing. George Hoffman Farms. Heckel Farms. Wendell Kreder. Curt Maberry. Maberry Packing. Mike & Jean's. Nguyen Berry Farms. Nick's Acres. North Fork. Parson Berry Farm. Pickin 'N' Pluckin. Postage Stamp Farm. Rader. RainSweet. Scenic Fruit. Silverstar Farms. Tim Straub. Thoeny Farms. Townsend. Tsugawa Farms. Updike Berry Farms. Van Laeken Farms.
A–351–503	731–TA–262	Iron Construction Castings/Brazil	Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.
A–351–505	731–TA–278	Malleable Cast Iron Pipe Fittings/ Brazil.	Grinnell. Stanley G Flagg.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Stockham Valves & Fittings.
			U-Brand.
			Ward Manufacturing.
A–351–602	731–TA–308	Carbon Steel Butt-Weld Pipe Fittings/Brazil.	Ladish.
			Mills Iron Works.
			Steel Forgings.
			Tube Forgings of America.
			Weldbend.
A–351–603	731–TA–311	Brass Sheet and Strip/Brazil	Allied Industrial Workers of America.
			American Brass.
			Bridgeport Brass.
			Chase Brass & Copper.
			Hussey Copper.
			International Association of Machinists & Aerospace Workers.
			Mechanics Educational Society of America (Local 56).
			The Miller Company.
			Olin.
			Revere Copper Products.
			United Steelworkers of America.
A–351–605	731–TA–326	Frozen Concentrated Orange Juice/Brazil.	Alcoma Packing.
			B&W Canning.
			Berry Citrus Products.
			Caulkins Indiantown Citrus.
			Citrus Belle.
			Citrus World.
			Florida Citrus Mutual.
A–351–804	731–TA–439	Industrial Nitrocellulose/Brazil	Hercules.
A–351–806	731–TA–471	Silicon Metal/Brazil	American Alloys.
			Globe Metallurgical.
			International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693).
			Oil, Chemical and Atomic Workers (Local 389).
			Silicon Metaltech.
			SiMETCO.
			Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60).
			United Steelworkers of America (Locals 5171, 8538 and 12646).
A–351–809	731–TA–532	Circular Welded Nonalloy Steel Pipe/Brazil.	Allied Tube & Conduit.
			American Tube.
			Bull Moose Tube.
			Century Tube.
			CSI Tubular Products.
			Cyclops.
			Laclede Steel.
			LTV Tubular Products.
			Maruichi American.
			Sharon Tube.
			USX.
			Western Tube & Conduit.
			Wheatland Tube.
A–351–817	731–TA–574	Cut-to-Length Carbon Steel Plate/Brazil.	Bethlehem Steel.
			California Steel Industries.
			CitiSteel USA Inc.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
A–351–819	731–TA–636	Stainless Steel Wire Rod/Brazil	AL Tech Specialty Steel.
			Armco Steel.
			Carpenter Technology.
			Republic Engineered Steels.
			Talley Metals Technology.
			United Steelworkers of America.
A–351–820	731–TA–641	Ferrosilicon/Brazil	AIMCOR.
			Alabama Silicon.
			American Alloys.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A–351–824	731–TA–671	Silicomanganese/Brazil	Elkem Metals. Oil, Chemical and Atomic Workers (Local 3–639).
A–351–825	731–TA–678	Stainless Steel Bar/Brazil	AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A–351–826	731–TA–708	Seamless Pipe/Brazil	Koppel Steel. Quanex. Timken. United States Steel.
A–351–828	731–TA–806	Hot-Rolled Carbon Steel Flat Products/Brazil.	Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–351–832	731–TA–953	Carbon and Certain Alloy Steel Wire Rod/Brazil.	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
A–351–837	731–TA–1024	Prestressed Concrete Steel Wire Strand/Brazil.	American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A–351–840	731–TA–1089	Certain Orange Juice/Brazil	A Duda & Sons Inc. Alico Inc. John Barnelt. Ben Hill Griffin Inc. Bliss Citrus. BTS A Florida General Partnership. Cain Groves. California Citrus Mutual. Cedar Haven Inc. Citrus World Inc. Clonts Groves Inc. Davis Enterprises Inc. D Edwards Dickinson. Evans Properties Inc. Florida Citrus Commission. Florida Citrus Mutual. Florida Farm Bureau Federation. Florida Fruit & Vegetable Association.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Florida State of Department of Citrus.
			Flying V Inc.
			GBS Groves Inc.
			Graves Brothers Co.
			H&S Groves.
			Hartwell Groves Inc.
			Holly Hill Fruit Products Co.
			Jack Melton Family Inc.
			K-Bob Inc.
			L Dicks Inc.
			Lake Pickett Partnership Inc.
			Lamb Revocable Trust Gerilyn Rebecca S Lamb Trustee.
			Lykes Bros Inc.
			Martin J McKenna.
			Orange & Sons Inc.
			Osgood Groves.
			William W Parshall.
			PH Freeman & Sons.
			Pierie Grove.
			Raymond & Melissa Pierie.
			Roper Growers Cooperative.
			Royal Brothers Groves.
			Seminole Tribe of Florida Inc.
			Silverman Groves/Rilla Cooper.
			Smoak Groves Inc.
			Sorrells Groves Inc.
			Southern Gardens Groves Corp.
			Southern Gardens Processing Corp.
			Southern Groves Citrus.
			Sun Ag Inc.
			Sunkist Growers Inc.
			Texas Citrus Exchange.
			Texas Citrus Mutual.
			Texas Produce Association.
			Travis Wise Management Inc.
			Uncle Matt's Fresh Inc.
			Varn Citrus Growers Inc.
A–357–007	731–TA–157	Carbon Steel Wire Rod/Argentina	Atlantic Steel.
			Continental Steel.
			Georgetown Steel.
			North Star Steel.
			Raritan River Steel.
A–357–405	731–TA–208	Barbed Wire and Barbless Wire Strand/Argentina.	CF&I Steel.
			Davis Walker.
			Forbes Steel & Wire.
			Oklahoma Steel Wire.
A–357–802	731–TA–409	Light-Walled Rectangular Tube/Argentina.	Bull Moose Tube.
			Hannibal Industries.
			Harris Tube.
			Maruichi American.
			Searing Industries.
			Southwestern Pipe.
			Western Tube & Conduit.
A–357–804	731–TA–470	Silicon Metal/Argentina	American Alloys.
			Elkem Metals.
			Globe Metallurgical.
			International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693).
			Oil, Chemical and Atomic Workers (Local 389).
			Silicon Metaltech.
			SiMETCO.
			SKW Alloys.
			Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60).
			United Steelworkers of America (Locals 5171, 8538 and 12646).
A–357–809	731–TA–707	Seamless Pipe/Argentina	Koppel Steel.
			Quanex.
			Timken.
			United States Steel.
A–357–810	731–TA–711	Oil Country Tubular Goods/Argentina.	IPSCO.
			Koppel Steel.
			Lone Star Steel.
			Maverick Tube.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Newport Steel.
			North Star Steel.
			US Steel.
			USS/Kobe.
A–357–812	731–TA–892	Honey/Argentina	AH Meyer & Sons.
			Adee Honey Farms.
			Althoff Apiaries.
			American Beekeeping Federation.
			American Honey Producers Association.
			Anderson Apiaries.
			Arroyo Apiaries.
			Artesian Honey Producers.
			B Weaver Apiaries.
			Bailey Enterprises.
			Barkman Honey.
			Basler Honey Apiary.
			Beals Honey.
			Bears Paw Apiaries.
			Beaverhead Honey.
			Bee Biz.
			Bee Haven Honey.
			Belliston Brothers Apiaries.
			Big Sky Honey.
			Bill Rhodes Honey.
			Richard E Blake.
			Curt Bronnenberg.
			Brown's Honey Farms.
			Brumley's Bees.
			Buhmann Apiaries.
			Carys Honey Farms.
			Chaparrel Honey.
			Charles Apiaries.
			Mitchell Charles.
			Collins Honey.
			Conor Apiaries.
			Coy's Honey Farm.
			Dave Nelson Apiaries.
			Delta Bee.
			Eisele's Pollination & Honey.
			Ellingsoa's.
			Elliott Curtis & Sons.
			Charles L Emmons, Sr.
			Gause Honey.
			Gene Brandi Apiaries.
			Griffith Honey.
			Haff Apiaries.
			Hamilton Bee Farms.
			Hamilton Honey.
			Happie Bee.
			Harvest Honey.
			Harvey's Honey.
			Hiatt Honey.
			Hoffman Honey.
			Hollman Apiaries.
			Honey House.
			Honeybee Apiaries.
			Gary M Honl.
			Rand William Honl and Sydney Jo Honl.
			James R & Joann Smith Trust.
			Jaynes Bee Products.
			Johnston Honey Farms.
			Larry Johnston.
			Ke-An Honey.
			Kent Honeybees.
			Lake-Indianhead Honey Farms.
			Lamb's Honey Farm.
			Las Flores Apiaries.
			Mackrill Honey Farms & Sales.
			Raymond Marquette.
			Mason & Sons Honey.
			McCoy's Sunny South Apiaries.
			Merrimack Valley Apiaries & Evergreen Honey.
			Met 2 Honey Farm.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Missouri River Honey.
			Mitchell Brothers Honey.
			Monda Honey Farm.
			Montana Dakota Honey.
			Northern Bloom Honey.
			Noye's Apiaries.
			Oakes Honey.
			Oakley Honey Farms.
			Old Mill Apiaries.
			Opp Honey.
			Oro Dulce.
			Peterson's "Naturally Sweet" Honey.
			Potoczak Bee Farms.
			Price Apiaries.
			Pure Sweet Honey Farms.
			Robertson Pollination Service.
			Robson Honey.
			William Robson.
			Rosedale Apiaries.
			Ryan Apiaries.
			Schmidt Honey Farms.
			Simpson Apiaries.
			Sioux Honey Association.
			Smoot Honey.
			Solby Honey.
			Stahlman Apiaries.
			Steve E Parks Apiaries.
			Stroope Bee & Honey.
			T&D Honey Bee.
			Talbott's Honey.
			Terry Apiaries.
			Thompson Apiaries.
			Triple A Farm.
			Tropical Blossom Honey.
			Tubbs Apiaries.
			Venable Wholesale.
			Walter L Wilson Buzz 76 Apiaries.
			Wiebersiek Honey Farms.
			Wilmer Farms.
			Brent J Woodworth.
			Wooten's Golden Queens.
			Yaddof Apiaries.
A–357–814	731–TA–898	Hot-Rolled Steel Products/Argentina.	Bethlehem Steel.
			Gallatin Steel.
			Independent Steelworkers.
			IPSCO.
			LTV Steel.
			National Steel.
			Nucor.
			Rouge Steel Co.
			Steel Dynamics.
			US Steel.
			United Steelworkers of America.
			WCI Steel Inc.
			Weirton Steel.
			Wheeling-Pittsburgh Steel Corp.
A–401–040	AA1921–114	Stainless Steel Plate/Sweden	Jessop Steel.
A–401–601	731–TA–316	Brass Sheet and Strip/Sweden	Allied Industrial Workers of America.
			American Brass.
			Bridgeport Brass.
			Chase Brass & Copper.
			Hussey Copper.
			International Association of Machinists & Aerospace Workers.
			Mechanics Educational Society of America (Local 56).
			The Miller Company.
			Olin.
			Revere Copper Products.
			United Steelworkers of America.
A–401–603	731–TA–354	Stainless Steel Hollow Products/Sweden.	AL Tech Specialty Steel.
			Allegheny Ludlum Steel.
			ARMCO.
			Carpenter Technology.
			Crucible Materials.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Damacus Tubular Products. Specialty Tubing Group.
A–401–801	731–TA–397–A	Ball Bearings/Sweden	Barden Corp. Emerson Power Transmission. Kubar Bearings. MPB. Rollway Bearings. Torrington.
A–401–801	731–TA–397–B	Cylindrical Roller Bearings/Sweden.	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A–401–805	731–TA–586	Cut-to-Length Carbon Steel Plate/Sweden.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–401–806	731–TA–774	Stainless Steel Wire Rod/Sweden.	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–401–808	731–TA–1087	Purified Carboxymethylcellulose/Sweden.	Aqualon Co a Division of Hercules Inc.
A–403–801	731–TA–454	Fresh and Chilled Atlantic Salmon/Norway.	Heritage Salmon. The Coalition for Fair Atlantic Salmon Trade.
A–405–802	731–TA–576	Cut-to-Length Carbon Steel Plate/Finland.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–405–803	731–TA–1084	Purified Carboxymethylcellulose/Finland.	Aqualon Co a Division of Hercules Inc.
A–412–801	731–TA–399–A	Ball Bearings/United Kingdom	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A–412–801	731–TA–399–B	Cylindrical Roller Bearings/United Kingdom.	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A–412–803	731–TA–443	Industrial Nitrocellulose/United Kingdom.	Hercules.
A–412–805	731–TA–468	Sodium Thiosulfate/United Kingdom.	Calabrian.
A–412–814	731–TA–587	Cut-to-Length Carbon Steel Plate/United Kingdom.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–412–818	731–TA–804	Stainless Steel Sheet and Strip/United Kingdom.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–412–822	731–TA–918	Stainless Steel Bar/United Kingdom.	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A–421–701	731–TA–380	Brass Sheet and Strip/Netherlands.	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. North Coast Brass & Copper. Olin. Pegg Metals. Revere Copper Products. United Steelworkers of America.
A–421–804	731–TA–608	Cold-Rolled Carbon Steel Flat Products/Netherlands.	Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–421–805	731–TA–652	Aramid Fiber/Netherlands	E I du Pont de Nemours.
A–421–807	731–TA–903	Hot-Rolled Steel Products/Netherlands.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–421–811	731–TA–1086	Purified Carboxymethylcellulose/Netherlands.	Aqualon Co a Division of Hercules Inc.
A–423–077	AA1921–198	Sugar/Belgium	Florida Sugar Marketing and Terminal Association.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–423–602	731–TA–365	Industrial Phosphoric Acid/Belgium.	Albright & Wilson. FMC. Hydrite Chemical. Monsanto. Stauffer Chemical.
A–423–805	731–TA–573	Cut-to-Length Carbon Steel Plate/Belgium.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–423–808	731–TA–788	Stainless Steel Plate in Coils/Belgium.	Allegheny Ludlum. Armco Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A–427–001	731–TA–44	Sorbitol/France	Lonza. Pfizer.
A–427–009	731–TA–96	Industrial Nitrocellulose/France	Hercules.
A–427–078	AA1921–199	Sugar/France	Florida Sugar Marketing and Terminal Association.
A–427–098	731–TA–25	Anhydrous Sodium Metasilicate/France.	PQ.
A–427–602	731–TA–313	Brass Sheet and Strip/France	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A–427–801	731–TA–392–A	Ball Bearings/France	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A–427–801	731–TA–392–B	Cylindrical Roller Bearings/France.	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A–427–801	731–TA–392–C	Spherical Plain Bearings/France	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. Rexnord Inc. Rollway Bearings. Torrington.
A–427–804	731–TA–553	Hot-Rolled Lead and Bismuth Carbon Steel Products/France.	Bethlehem Steel. Inland Steel Industries. USS/Kobe Steel.
A–427–808	731–TA–615	Corrosion-Resistant Carbon Steel Flat Products/France.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–427–811	731–TA–637	Stainless Steel Wire Rod/France	AL Tech Specialty Steel. Armco Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–427–814	731–TA–797	Stainless Steel Sheet and Strip/France.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–427–816	731–TA–816	Cut-to-Length Carbon Steel Plate/France.	Bethlehem Steel. Geneva Steel. IPSCO Steel. National Steel. US Steel. United Steelworkers of America.
A–427–818	731–TA–909	Low Enriched Uranium/France	United States Enrichment Corp. USEC Inc.
A–427–820	731–TA–913	Stainless Steel Bar/France	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A–428–082	AA1921–200	Sugar/Germany	Florida Sugar Marketing and Terminal Association.
A–428–602	731–TA–317	Brass Sheet and Strip/Germany	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A–428–801	731–TA–391–A	Ball Bearings/Germany	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A–428–801	731–TA–391–B	Cylindrical Roller Bearings/Germany.	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A–428–801	731–TA–391–C	Spherical Plain Bearings/Germany.	Barden Corp. Emerson Power Transmission. Rollway Bearings. Torrington.
A–428–802	731–TA–419	Industrial Belts/Germany	The Gates Rubber Company. The Goodyear Tire and Rubber Company.
A–428–803	731–TA–444	Industrial Nitrocellulose/Germany	Hercules.
A–428–807	731–TA–465	Sodium Thiosulfate/Germany	Calabrian.
A–428–814	731–TA–604	Cold-Rolled Carbon Steel Flat Products/Germany.	Armco Steel. Bethlehem Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–428–815	731–TA–616	Corrosion-Resistant Carbon Steel Flat Products/Germany.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–428–816	731–TA–578	Cut-to-Length Carbon Steel Plate/Germany.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–428–820	731–TA–709	Seamless Pipe/Germany	Koppel Steel. Quanex. Timken. United States Steel.
A–428–821	731–TA–736	Large Newspaper Printing Presses/Germany.	Rockwell Graphics Systems.
A–428–825	731–TA–798	Stainless Steel Sheet and Strip/Germany.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–428–830	731–TA–914	Stainless Steel Bar/Germany	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A–437–601	731–TA–341	Tapered Roller Bearings/Hungary	L&S Bearing. Timken. Torrington.
A–437–804	731–TA–426	Sulfanilic Acid/Hungary	Nation Ford Chemical.
A–447–801	731–TA–340C	Solid Urea/Estonia	Agrico Chemical.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A–449–804	731–TA–878	Steel Concrete Reinforcing Bar/ Latvia.	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co.
A–451–801	731–TA–340D	Solid Urea/Lithuania	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A–455–802	731–TA–583	Cut-to-Length Carbon Steel Plate/Poland.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–455–803	731–TA–880	Steel Concrete Reinforcing Bar/ Poland.	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co.
A–469–007	731–TA–126	Potassium Permanganate/Spain	Carus Chemical.
A–469–803	731–TA–585	Cut-to-Length Carbon Steel Plate/Spain.	Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–469–805	731–TA–682	Stainless Steel Bar/Spain	AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A–469–807	731–TA–773	Stainless Steel Wire Rod/Spain	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–469–810	731–TA–890	Stainless Steel Angle/Spain	Slater Steels. United Steelworkers of America.
A–469–814	731–TA–1083	Chlorinated Isocyanurates/Spain	BioLab Inc. Clearon Corp. Occidental Chemical Corp.
A–471–806	731–TA–427	Sulfanilic Acid/Portugal	Nation Ford Chemical.
A–475–059	AA1921–167	Pressure-Sensitive Plastic Tape/Italy.	Minnesota Mining & Manufacturing.
A–475–601	731–TA–314	Brass Sheet and Strip/Italy	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A–475–703	731–TA–385	Granular Polytetrafluoroethylene/Italy.	E I du Pont de Nemours. ICI Americas.
A–475–801	731–TA–393–A	Ball Bearings/Italy	Barden Corp. Emerson Power Transmission. Kubar Bearings. McGill Manufacturing Co. MPB. Rexnord Inc. Rollway Bearings. Torrington.
A–475–801	731–TA–393–B	Cylindrical Roller Bearings/Italy	Barden Corp. Emerson Power Transmission. MPB. Rollway Bearings. Torrington.
A–475–802	731–TA–413	Industrial Belts/Italy	The Gates Rubber Company. The Goodyear Tire and Rubber Company.
A–475–811	731–TA–659	Grain-Oriented Silicon Electrical Steel/Italy.	Allegheny Ludlum. Armco Steel. Butler Armco Independent Union. United Steelworkers of America. Zanesville Armco Independent Union.
A–475–814	731–TA–710	Seamless Pipe/Italy	Koppel Steel. Quanex. Timken. United States Steel.
A–475–816	731–TA–713	Oil Country Tubular Goods/Italy	Bellville Tube. IPSCO. Koppel Steel. Lone Star Steel. Maverick Tube. Newport Steel. North Star Steel. US Steel. USS/Kobe.
A–475–818	731–TA–734	Pasta/Italy	A Zerega's Sons. American Italian Pasta. Borden. D Merlino & Sons. Dakota Growers Pasta. Foulds.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gilster-Mary Lee. Gooch Foods. Hershey Foods. LaRinascente Macaroni Co. Pasta USA. Philadelphia Macaroni. ST Specialty Foods.
A–475–820	731–TA–770	Stainless Steel Wire Rod/Italy	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–475–822	731–TA–790	Stainless Steel Plate in Coils/Italy	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A–475–824	731–TA–799	Stainless Steel Sheet and Strip/Italy.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–475–826	731–TA–819	Cut-to-Length Carbon Steel Plate/Italy.	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. US Steel. United Steelworkers of America.
A–475–828	731–TA–865	Stainless Steel Butt-Weld Pipe Fittings/Italy.	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A–475–829	731–TA–915	Stainless Steel Bar/Italy	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A–479–801	731–TA–445	Industrial Nitrocellulose/Yugoslavia.	Hercules.
A–484–801	731–TA–406	Electrolytic Manganese Dioxide/Greece.	Chemetals. Kerr-McGee. Rayovac.
A–485–601	731–TA–339	Solid Urea/Romania	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A–485–602	731–TA–345	Tapered Roller Bearings/Romania.	L&S Bearing. Timken. Torrington.
A–485–801	731–TA–395	Ball Bearings/Romania	Barden Corp. Emerson Power Transmission. Kubar Bearings. MPB. Rollway Bearings. Torrington.
A–485–803	731–TA–584	Cut-to-Length Carbon Steel Plate/Romania.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
A–485–805	731–TA–849	Small-Diameter Carbon Steel Seamless Pipe/Romania.	Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America. USS/Kobe. Vision Metals' Gulf States Tube.
A–485–806	731–TA–904	Hot-Rolled Steel Products/Romania.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–489–501	731–TA–273	Welded Carbon Steel Pipe and Tube/Turkey.	Allied Tube & Conduit. American Tube. Bernard Epps. Bock Industries. Bull Moose Tube. Central Steel Tube. Century Tube. Copperweld Tubing. Cyclops. Hughes Steel & Tube. Kaiser Steel. Laclede Steel. Maruichi American. Maverick Tube. Merchant Metals. Phoenix Steel. Pittsburgh Tube. Quanex. Sharon Tube. Southwestern Pipe. UNR-Leavitt. Welded Tube. Western Tube & Conduit. Wheatland Tube.
A–489–602	731–TA–364	Aspirin/Turkey	Dow Chemical. Monsanto. Norwich-Eaton.
A–489–805	731–TA–735	Pasta/Turkey	A Zerega's Sons. American Italian Pasta. Borden. D Merlino & Sons. Dakota Growers Pasta. Foulds. Gilster-Mary Lee. Gooch Foods. Hershey Foods. LaRinascente Macaroni Co. Pasta USA. Philadelphia Macaroni. ST Specialty Foods.
A–489–807	731–TA–745	Steel Concrete Reinforcing Bar/Turkey.	AmeriSteel. Auburn Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Birmingham Steel.
			Commercial Metals.
			Marion Steel.
			New Jersey Steel.
A–507–502	731–TA–287	Raw In-Shell Pistachios/Iran	Blackwell Land.
			California Pistachio Orchard.
			Keenan Farms.
			Kern Pistachio Hulling & Drying.
			Los Ranchos de Poco Pedro.
			Pistachio Producers of California.
			TM Duche Nut.
A–508–604	731–TA–366	Industrial Phosphoric Acid/Israel	Albright & Wilson.
			FMC.
			Hydrite Chemical.
			Monsanto.
			Stauffer Chemical.
A–533–502	731–TA–271	Welded Carbon Steel Pipe and Tube/India.	Allied Tube & Conduit.
			American Tube.
			Bernard Epps.
			Bock Industries.
			Bull Moose Tube.
			Central Steel Tube.
			Century Tube.
			Copperweld Tubing.
			Cyclops.
			Hughes Steel & Tube.
			Kaiser Steel.
			Laclede Steel.
			Maruichi American.
			Maverick Tube.
			Merchant Metals.
			Phoenix Steel.
			Pittsburgh Tube.
			Quanex.
			Sharon Tube.
			Southwestern Pipe.
			UNR-Leavitt.
			Welded Tube.
			Western Tube & Conduit.
			Wheatland Tube.
A–533–806	731–TA–561	Sulfanilic Acid/India	R–M Industries.
A–533–808	731–TA–638	Stainless Steel Wire Rod/India	AL Tech Specialty Steel.
			Armco Steel.
			Carpenter Technology.
			Republic Engineered Steels.
			Talley Metals Technology.
			United Steelworkers of America.
A–533–809	731–TA–639	Forged Stainless Steel Flanges/India.	Gerlin.
			Ideal Forging.
			Maass Flange.
			Markovitz Enterprises.
A–533–810	731–TA–679	Stainless Steel Bar/India	AL Tech Specialty Steel.
			Carpenter Technology.
			Crucible Specialty Metals.
			Electralloy.
			Republic Engineered Steels.
			Slater Steels.
			Talley Metals Technology.
			United Steelworkers of America.
A–533–813	731–TA–778	Preserved Mushrooms/India	LK Bowman.
			Modern Mushroom Farms.
			Monterey Mushrooms.
			Mount Laurel Canning.
			Mushroom Canning.
			Southwood Farms.
			Sunny Dell Foods.
			United Canning.
A–533–817	731–TA–817	Cut-to-Length Carbon Steel Plate/India.	Bethlehem Steel.
			CitiSteel USA Inc.
			Geneva Steel.
			Gulf States Steel.
			IPSCO Steel.
			National Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tuscaloosa Steel.
			US Steel.
			United Steelworkers of America.
A–533–820	731–TA–900	Hot-Rolled Steel Products/India	Bethlehem Steel.
			Gallatin Steel.
			Independent Steelworkers.
			IPSCO.
			LTV Steel.
			National Steel.
			Nucor.
			Rouge Steel Co.
			Steel Dynamics.
			US Steel.
			United Steelworkers of America.
			WCI Steel Inc.
			Weirton Steel.
			Wheeling-Pittsburgh Steel Corp.
A–533–823	731–TA–929	Silicomanganese/India	Eramet Marietta.
			Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5–0639.
A–533–824	731–TA–933	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/India.	DuPont Teijin Films.
			Mitsubishi Polyester Film LLC.
			SKC America Inc.
			Toray Plastics (America).
A–533–828	731–TA–1025	Prestressed Concrete Steel Wire Strand/India.	American Spring Wire Corp.
			Insteel Wire Products Co.
			Sivaco Georgia LLC.
			Strand Tech Martin Inc.
			Sumiden Wire Products Corp.
A–533–838	731–TA–1061	Carbazole Violet Pigment 23/India.	Allegheny Color Corp.
			Barker Fine Color Inc.
			Clariant Corp.
			Nation Ford Chemical Co.
			Sun Chemical Co.
A–533–843	731–TA–1096	Certain Lined Paper School Supplies/India.	Fay Paper Products Inc.
			MeadWestvaco Consumer & Office Products.
			Norcom Inc.
			Pacon Corp.
			Roaring Spring Blank Book Co.
			Top Flight Inc.
			United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO–CLC (USW).
A–538–802	731–TA–514	Cotton Shop Towels/Bangladesh	Milliken.
A–549–502	731–TA–252	Welded Carbon Steel Pipe and Tube/Thailand.	Allied Tube & Conduit.
			American Tube.
			Bernard Epps.
			Bock Industries.
			Bull Moose Tube.
			Central Steel Tube.
			Century Tube.
			Copperweld Tubing.
			Cyclops.
			Hughes Steel & Tube.
			Kaiser Steel.
			Laclede Steel.
			Maruichi American.
			Maverick Tube.
			Merchant Metals.
			Phoenix Steel.
			Pittsburgh Tube.
			Quanex.
			Sharon Tube.
			Southwestern Pipe.
			UNR-Leavitt.
			Welded Tube.
			Western Tube & Conduit.
			Wheatland Tube.
A–549–601	731–TA–348	Malleable Cast Iron Pipe Fittings/Thailand.	Grinnell.
			Stanley G Flagg.
			Stockham Valves & Fittings.
			U-Brand.
			Ward Manufacturing.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–549–807	731–TA–521	Carbon Steel Butt-Weld Pipe Fittings/Thailand.	Hackney. Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America.
A–549–812	731–TA–705	Furfuryl Alcohol/Thailand	QO Chemicals.
A–549–813	731–TA–706	Canned Pineapple/Thailand	International Longshoreman's and Warehouseman's Union. Maui Pineapple.
A–549–817	731–TA–907	Hot-Rolled Steel Products/Thailand.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–549–820	731–TA–1028	Prestressed Concrete Steel Wire Strand/Thailand.	American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A–549–821	731–TA–1045	Polyethylene Retail Carrier Bags/Thailand.	Aargus Plastics Inc. Advance Polybags Inc. Advance Polybags (Nevada) Inc. Advance Polybags (Northeast) Inc. Alpha Industries Inc. Alpine Plastics Inc. Ampac Packaging LLC. API Enterprises Inc. Command Packaging. Continental Poly Bags Inc. Durabag Co Inc. Europackaging LLC. Genpak LLC. (formerly Continental Superbag LLC.). Genpak LLC. (formerly Strout Plastics). Hilex Poly Co LLC. Inteplast Group Ltd. PCL Packaging Inc. Poly-Pak Industries Inc. Roplast Industries Inc. Superbag Corp. Unistar Plastics LLC. Vanguard Plastics Inc. VS Plastics LLC.
A–552–801	731–TA–1012	Certain Frozen Fish Fillets/Vietnam.	America's Catch Inc. Aquafarms Catfish Inc. Carolina Classics Catfish Inc. Catfish Farmers of America. Consolidated Catfish Companies Inc. Delta Pride Catfish Inc. Fish Processors Inc. Guidry's Catfish Inc. Haring's Pride Catfish. Harvest Select Catfish (Alabama Catfish Inc.). Heartland Catfish Co (TT&W Farm Products Inc.). Prairie Lands Seafood (Illinois Fish Farmers Cooperative). Pride of the Pond. Pride of the South Catfish Inc. Prime Line Inc. Seabrook Seafood Inc. Seacat (Arkansas Catfish Growers). Simmons Farm Raised Catfish Inc. Southern Pride Catfish LLC. Verret Fisheries Inc.
A–557–805	731–TA–527	Extruded Rubber Thread/Malaysia.	Globe Manufacturing. North American Rubber Thread.
A–557–809	731–TA–866	Stainless Steel Butt-Weld Pipe Fittings/Malaysia.	Flo-Mac Inc. Gerlin.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Markovitz Enterprises.
			Shaw Alloy Piping Products.
			Taylor Forge Stainless.
A–557–813	731–TA–1044	Polyethylene Retail Carrier Bags/ Malaysia.	Aargus Plastics Inc.
			Advance Polybags Inc.
			Advance Polybags (Nevada) Inc.
			Advance Polybags (Northeast) Inc.
			Alpha Industries Inc.
			Alpine Plastics Inc.
			Ampac Packaging LLC.
			API Enterprises Inc.
			Command Packaging.
			Continental Poly Bags Inc.
			Durabag Co Inc.
			Europackaging LLC.
			Genpak LLC. (formerly Continental Superbag LLC.).
			Genpak LLC. (formerly Strout Plastics).
			Hilex Poly Co LLC.
			Inteplast Group Ltd.
			PCL Packaging Inc.
			Poly-Pak Industries Inc.
			Roplast Industries Inc.
			Superbag Corp.
			Unistar Plastics LLC.
			Vanguard Plastics Inc.
			VS Plastics LLC.
A–559–502	731–TA–296	Small Diameter Standard and Rectangular Pipe and Tube/ Singapore.	Allied Tube & Conduit.
			American Tube.
			Bull Moose Tube.
			Cyclops.
			Hannibal Industries.
			Laclede Steel.
			Pittsburgh Tube.
			Sharon Tube.
			Western Tube & Conduit.
			Wheatland Tube.
A–559–601	731–TA–370	Color Picture Tubes/Singapore ...	Industrial Union Department, AFL–CIO.
			International Association of Machinists & Aerospace Workers.
			International Brotherhood of Electrical Workers.
			International Union of Electronic, Electrical, Technical, Salaried and Machine Workers.
			Philips Electronic Components Group.
			United Steelworkers of America.
			Zenith Electronics.
A–559–801	731–TA–396	Ball Bearings/Singapore	Barden Corp.
			Emerson Power Transmission.
			Kubar Bearings.
			McGill Manufacturing Co.
			MPB.
			Rexnord Inc.
			Rollway Bearings.
			Torrington.
A–559–802	731–TA–415	Industrial Belts/Singapore	The Gates Rubber Company.
			The Goodyear Tire and Rubber Company.
A–560–801	731–TA–742	Melamine Institutional Dinner-ware/Indonesia.	Carlisle Food Service Products.
			Lexington United.
			Plastics Manufacturing.
A–560–802	731–TA–779	Preserved Mushrooms/Indonesia	LK Bowman.
			Modern Mushroom Farms.
			Monterey Mushrooms.
			Mount Laurel Canning.
			Mushroom Canning.
			Southwood Farms.
			Sunny Dell Foods.
			United Canning.
A–560–803	731–TA–787	Extruded Rubber Thread/Indo-nesia.	North American Rubber Thread.
A–560–805	731–TA–818	Cut-to-Length Carbon Steel Plate/Indonesia.	Bethlehem Steel.
			CitiSteel USA Inc.
			Geneva Steel.
			Gulf States Steel.
			IPSCO Steel.
			National Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tuscaloosa Steel.
			US Steel.
			United Steelworkers of America.
A–560–811	731–TA–875	Steel Concrete Reinforcing Bar/Indonesia.	AB Steel Mill Inc.
			AmeriSteel.
			Birmingham Steel.
			Border Steel.
			Cascade Steel Rolling Mills Inc.
			CMC Steel Group.
			Co-Steel Inc.
			Marion Steel.
			North Star Steel Co.
			Nucor Steel.
			Rebar Trade Action Coalition.
			Riverview Steel.
			Sheffield Steel.
			TAMCO.
			TXI-Chaparral Steel Co.
A–560–812	731–TA–901	Hot-Rolled Steel Products/Indonesia.	Bethlehem Steel.
			Gallatin Steel.
			Independent Steelworkers.
			IPSCO.
			LTV Steel.
			National Steel.
			Nucor.
			Rouge Steel Co.
			Steel Dynamics.
			US Steel.
			United Steelworkers of America.
			WCI Steel Inc.
			Weirton Steel.
			Wheeling-Pittsburgh Steel Corp.
A–560–815	731–TA–957	Carbon and Certain Alloy Steel Wire Rod/Indonesia.	AmeriSteel.
			Birmingham Steel.
			Cascade Steel Rolling Mills.
			Connecticut Steel Corp.
			Co-Steel Raritan.
			GS Industries.
			Keystone Consolidated Industries.
			North Star Steel Texas.
			Nucor Steel-Nebraska (a division of Nucor Corp).
			Republic Technologies International.
			Rocky Mountain Steel Mills.
A–560–818	731–TA–1097	Certain Lined Paper School Supplies/Indonesia.	Fay Paper Products Inc.
			MeadWestvaco Consumer & Office Products.
			Norcom Inc.
			Pacon Corp.
			Roaring Spring Blank Book Co.
			Top Flight Inc.
			United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO–CLC (USW).
A–565–801	731–TA–867	Stainless Steel Butt-Weld Pipe Fittings/Philippines.	Flo-Mac Inc.
			Gerlin.
			Markovitz Enterprises.
			Shaw Alloy Piping Products.
			Taylor Forge Stainless.
A–570–001	731–TA–125	Potassium Permanganate/China	Carus Chemical.
A–570–002	731–TA–130	Chloropicrin/China	LCP Chemicals & Plastics.
			Niklor Chemical.
A–570–003	731–TA–103	Cotton Shop Towels/China	Milliken.
			Texel Industries.
			Wikit.
A–570–007	731–TA–149	Barium Chloride/China	Chemical Products.
A–570–101	731–TA–101	Greige Polyester Cotton Printcloth/China.	Alice Manufacturing.
			Clinton Mills.
			Dan River.
			Greenwood Mills.
			Hamrick Mills.
			M Lowenstein.
			Mayfair Mills.
			Mount Vernon Mills.
A–570–501	731–TA–244	Natural Bristle Paint Brushes/China.	Baltimore Brush.
			Bestt Liebco.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Elder & Jenks.
			EZ Paintr.
			H&G Industries.
			Joseph Lieberman & Sons.
			Purdy.
			Rubberset.
			Thomas Paint Applicators.
			Wooster Brush.
A–570–502	731–TA–265	Iron Construction Castings/China	Alhambra Foundry.
			Allegheny Foundry.
			Bingham & Taylor.
			Campbell Foundry.
			Charlotte Pipe & Foundry.
			Deeter Foundry.
			East Jordan Foundry.
			Le Baron Foundry.
			Municipal Castings.
			Neenah Foundry.
			Opelika Foundry.
			Pinkerton Foundry.
			Tyler Pipe.
			US Foundry & Manufacturing.
			Vulcan Foundry.
A–570–504	731–TA–282	Petroleum Wax Candles/China	The AI Root Company.
			Candle Artisans Inc.
			Candle-Lite.
			Cathedral Candle.
			Colonial Candle of Cape Cod.
			General Wax & Candle.
			Lenox Candles.
			Lumi-Lite Candle.
			Meuch-Kreuzer Candle.
			National Candle Association.
			Will & Baumer.
			WNS.
A–570–506	731–TA–298	Porcelain-on-Steel Cooking Ware/China.	General Housewares.
A–570–601	731–TA–344	Tapered Roller Bearings/China	L&S Bearing.
			Timken.
			Torrington.
A–570–802	731–TA–441	Industrial Nitrocellulose/China	Hercules.
A–570–803	731–TA–457–A	Axes and Adzes/China	Council Tool Co Inc.
			Warwood Tool.
			Woodings-Verona.
A–570–803	731–TA–457–B	Bars and Wedges/China	Council Tool Co Inc.
			Warwood Tool.
			Woodings-Verona.
A–570–803	731–TA–457–C	Hammers and Sledges/China	Council Tool Co Inc.
			Warwood Tool.
			Woodings-Verona.
A–570–803	731–TA–457–D	Picks and Mattocks/China	Council Tool Co Inc.
			Warwood Tool.
			Woodings-Verona.
A–570–804	731–TA–464	Sparklers/China	BJ Alan.
			Diamond Sparkler.
			Elkton Sparkler.
A–570–805	731–TA–466	Sodium Thiosulfate/China	Calabrian.
A–570–806	731–TA–472	Silicon Metal/China	American Alloys.
			Elkem Metals.
			Globe Metallurgical.
			International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693).
			Oil, Chemical and Atomic Workers (Local 389).
			Silicon Metaltech.
			SiMETCO.
			SKW Alloys.
			Textile Processors, Service Trades, Health Care.
			Professional and Technical Employees (Local 60).
			United Steelworkers of America (Locals 5171, 8538 and 12646).
A–570–808	731–TA–474	Chrome-Plated Lug Nuts/China	Consolidated International Automotive.
			Key Manufacturing.
			McGard.
A–570–811	731–TA–497	Tungsten Ore Concentrates/China.	Curtis Tungsten.
			US Tungsten.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–570–814	731–TA–520	Carbon Steel Butt-Weld Pipe Fittings/China.	Hackney. Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America.
A–570–815	731–TA–538	Sulfanilic Acid/China	R–M Industries.
A–570–819	731–TA–567	Ferrosilicon/China	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A–570–822	731–TA–624	Helical Spring Lock Washers/China.	Illinois Tool Works.
A–570–825	731–TA–653	Sebacic Acid/China	Union Camp.
A–570–826	731–TA–663	Paper Clips/China	ACCO USA. Labelon/Noesting. TRICO Manufacturing.
A–570–827	731–TA–669	Cased Pencils/China	Blackfeet Indian Writing Instrument. Dixon-Ticonderoga. Empire Berol. Faber-Castell. General Pencil. JR Moon Pencil. Musgrave Pen & Pencil. Panda. Writing Instrument Manufacturers Association, Pencil Section.
A–570–828	731–TA–672	Silicomanganese/China	Elkem Metals. Oil, Chemical and Atomic Workers (Local 3–639).
A–570–830	731–TA–677	Coumarin/China	Rhone-Poulenc.
A–570–831	731–TA–683	Fresh Garlic/China	A&D Christopher Ranch. Belridge Packing. Colusa Produce. Denice & Filice Packing. El Camino Packing. The Garlic Company. Vessey and Company.
A–570–832	731–TA–696	Pure Magnesium/China	Dow Chemical. International Union of Operating Engineers (Local 564). Magnesium Corporation of America. United Steelworkers of America (Local 8319).
A–570–835	731–TA–703	Furfuryl Alcohol/China	QO Chemicals.
A–570–836	731–TA–718	Glycine/China	Chattem. Hampshire Chemical.
A–570–840	731–TA–724	Manganese Metal/China	Elkem Metals. Kerr-McGee.
A–570–842	731–TA–726	Polyvinyl Alcohol/China	Air Products and Chemicals.
A–570–844	731–TA–741	Melamine Institutional Dinnerware/China.	Carlisle Food Service Products. Lexington United. Plastics Manufacturing.
A–570–846	731–TA–744	Brake Rotors/China	Brake Parts. Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers. Iroquois Tool Systems. Kelsey Hayes. Kinetic Parts Manufacturing. Overseas Auto Parts. Wagner Brake.
A–570–847	731–TA–749	Persulfates/China	FMC.
A–570–848	731–TA–752	Crawfish Tail Meat/China	A&S Crawfish. Acadiana Fisherman's Co-Op. Arnaudville Seafood. Atchafalaya Crawfish Processors. Basin Crawfish Processors. Bayou Land Seafood. Becnel's Meat & Seafood. Bellard's Poultry & Crawfish. Bonanza Crawfish Farm. Cajun Seafood Distributors. Carl's Seafood.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Catahoula Crawfish. Choplin SFD. CJ's Seafood & Purged Crawfish. Clearwater Crawfish. Crawfish Processors Alliance. Harvey's Seafood. Lawtell Crawfish Processors. Louisiana Premium Seafoods. Louisiana Seafood. LT West. Phillips Seafood. Prairie Cajun Wholesale Seafood Dist. Riceland Crawfish. Schexnider Crawfish. Seafood International Distributors. Sylvester's Processors. Teche Valley Seafood.
A–570–849	731–TA–753	Cut-to-Length Carbon Steel Plate/China.	Acme Metals Inc. Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Lukens Inc. National Steel. US Steel. United Steelworkers of America.
A–570–850	731–TA–757	Collated Roofing Nails/China	Illinois Tool Works. International Staple and Machines. Stanley-Bostitch.
A–570–851	731–TA–777	Preserved Mushrooms/China	LK Bowman. Modern Mushroom Farms. Monterey Mushrooms. Mount Laurel Canning. Mushroom Canning. Southwood Farms. Sunny Dell Foods. United Canning.
A–570–852	731–TA–814	Creatine Monohydrate/China	Pfanstiehl Laboratories.
A–570–853	731–TA–828	Aspirin/China	Rhodia.
A–570–855	731–TA–841	Non-Frozen Apple Juice Concentrate/China.	Coloma Frozen Foods. Green Valley Apples of California. Knouse Foods Coop. Mason County Fruit Packers Coop. Tree Top.
A–570–856	731–TA–851	Synthetic Indigo/China	Buffalo Color. United Steelworkers of America.
A–570–860	731–TA–874	Steel Concrete Reinforcing Bar/China.	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co.
A–570–862	731–TA–891	Foundry Coke/China	ABC Coke. Citizens Gas and Coke Utility. Erie Coke. Sloss Industries Corp. Tonawanda Coke. United Steelworkers of America.
A–570–863	731–TA–893	Honey/China	AH Meyer & Sons. Adee Honey Farms. Althoff Apiaries. American Beekeeping Federation. American Honey Producers Association.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Anderson Apiaries.
			Arroyo Apiaries.
			Artesian Honey Producers.
			B Weaver Apiaries.
			Bailey Enterprises.
			Barkman Honey.
			Basler Honey Apiary.
			Beals Honey.
			Bears Paw Apiaries.
			Beaverhead Honey.
			Bee Biz.
			Bee Haven Honey.
			Belliston Brothers Apiaries.
			Big Sky Honey.
			Bill Rhodes Honey.
			Richard E Blake.
			Curt Bronnenberg.
			Brown's Honey Farms.
			Brumley's Bees.
			Buhmann Apiaries.
			Carys Honey Farms.
			Chaparrel Honey.
			Charles Apiaries.
			Mitchell Charles.
			Collins Honey.
			Conor Apiaries.
			Coy's Honey Farm.
			Dave Nelson Apiaries.
			Delta Bee.
			Eisele's Pollination & Honey.
			Ellingsoa's.
			Elliott Curtis & Sons.
			Charles L Emmons, Sr.
			Gause Honey.
			Gene Brandi Apiaries.
			Griffith Honey.
			Haff Apiaries.
			Hamilton Bee Farms.
			Hamilton Honey.
			Happie Bee.
			Harvest Honey.
			Harvey's Honey.
			Hiatt Honey.
			Hoffman Honey.
			Hollman Apiaries.
			Honey House.
			Honeybee Apiaries.
			Gary M Honl.
			Rand William Honl and Sydney Jo Honl.
			James R & Joann Smith Trust.
			Jaynes Bee Products.
			Johnston Honey Farms.
			Larry Johnston.
			Ke-An Honey.
			Kent Honeybees.
			Lake-Indianhead Honey Farms.
			Lamb's Honey Farm.
			Las Flores Apiaries.
			Mackrill Honey Farms & Sales.
			Raymond Marquette.
			Mason & Sons Honey.
			McCoy's Sunny South Apiaries.
			Merrimack Valley Apiaries & Evergreen Honey.
			Met 2 Honey Farm.
			Missouri River Honey.
			Mitchell Brothers Honey.
			Monda Honey Farm.
			Montana Dakota Honey.
			Northern Bloom Honey.
			Noye's Apiaries.
			Oakes Honey.
			Oakley Honey Farms.
			Old Mill Apiaries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Opp Honey. Oro Dulce. Peterson's "Naturally Sweet" Honey. Potoczak Bee Farms. Price Apiaries. Pure Sweet Honey Farms. Robertson Pollination Service. Robson Honey. William Robson. Rosedale Apiaries. Ryan Apiaries. Schmidt Honey Farms. Simpson Apiaries. Sioux Honey Association. Smoot Honey. Solby Honey. Stahlman Apiaries. Steve E Parks Apiaries. Stroope Bee & Honey. T&D Honey Bee. Talbott's Honey. Terry Apiaries. Thompson Apiaries. Triple A Farm. Tropical Blossom Honey. Tubbs Apiaries. Venable Wholesale. Walter L Wilson Buzz 76 Apiaries. Wiebersiek Honey Farms. Wilmer Farms. Brent J Woodworth. Wooten's Golden Queens. Yaddof Apiaries.
A–570–864	731–TA–895	Pure Magnesium (Granular)/ China.	Concerned Employees of Northwest Alloys. Magnesium Corporation of America. United Steelworkers of America. United Steelworkers of America (Local 8319).
A–570–865	731–TA–899	Hot-Rolled Steel Products/China	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–570–866	731–TA–921	Folding Gift Boxes/China	Field Container. Harvard Folding Box. Sterling Packaging. Superior Packaging.
A–570–867	731–TA–922	Automotive Replacement Glass Windshields/China.	PPG Industries. Safelite Glass. Viracon/Curvlite Inc. Visteon Corporation.
A–570–868	731–TA–932	Folding Metal Tables and Chairs/ China.	Krueger International. McCourt Manufacturing. Meco. Virco Manufacturing.
A–570–873	731–TA–986	Ferrovanadium/China	Bear Metallurgical Co. Shieldalloy Metallurgical Corp.
A–570–875	731–TA–990	Non-Malleable Cast Iron Pipe Fittings/China.	Anvil International Inc. Buck Co Inc. Frazier & Frazier Industries. Ward Manufacturing Inc.
A–570–877	731–TA–1010	Lawn and Garden Steel Fence Posts/China.	Steel City Corp.
A–570–878	731–TA–1013	Saccharin/China	PMC Specialties Group Inc.
A–570–879	731–TA–1014	Polyvinyl Alcohol/China	Celanese Ltd.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			E I du Pont de Nemours & Co.
A–570–880	731–TA–1020	Barium Carbonate/China	Chemical Products Corp.
A–570–881	731–TA–1021	Malleable Iron Pipe Fittings/ China.	Anvil International Inc.
			Buck Co Inc.
			Ward Manufacturing Inc.
A–570–882	731–TA–1022	Refined Brown Aluminum Oxide/ China.	C–E Minerals.
			Treibacher Schleifmittel North America Inc.
			Washington Mills Co Inc.
A–570–884	731–TA–1034	Certain Color Television Receivers/China.	Five Rivers Electronic Innovations LLC.
			Industrial Division of the Communications Workers of America (IUECWA).
			International Brotherhood of Electrical Workers (IBEW).
A–570–886	731–TA–1043	Polyethylene Retail Carrier Bags/ China.	Aargus Plastics Inc.
			Advance Polybags Inc.
			Advance Polybags (Nevada) Inc.
			Advance Polybags (Northeast) Inc.
			Alpha Industries Inc.
			Alpine Plastics Inc.
			Ampac Packaging LLC.
			API Enterprises Inc.
			Command Packaging.
			Continental Poly Bags Inc.
			Durabag Co Inc.
			Europackaging LLC.
			Genpak LLC. (formerly Continental Superbag LLC.).
			Genpak LLC. (formerly Strout Plastics).
			Hilex Poly Co LLC.
			Inteplast Group Ltd.
			PCL Packaging Inc.
			Poly-Pak Industries Inc.
			Roplast Industries Inc.
			Superbag Corp.
			Unistar Plastics LLC.
			Vanguard Plastics Inc.
			VS Plastics LLC.
A–570–887	731–TA–1046	Tetrahydrofurfuryl Alcohol/China	Penn Specialty Chemicals Inc.
A–570–888	731–TA–1047	Ironing Tables and Certain Parts Thereof/China.	Home Products International Inc.
A–570–890	731–TA–1058	Wooden Bedroom Furniture/ China.	American Drew.
			American of Martinsville.
			Bassett Furniture Industries Inc.
			Bebe Furniture.
			Carolina Furniture Works Inc.
			Carpenters Industrial Union Local 2093.
			Century Furniture Industries.
			Country Craft Furniture Inc.
			Craftique.
			Crawford Furniture Mfg Corp.
			EJ Victor Inc.
			Forest Designs.
			Harden Furniture Inc.
			Hart Furniture.
			Higdon Furniture Co.
			IUE Industrial Division of CWA Local 82472.
			Johnston Tombigbee Furniture Mfg Co.
			KInc.aid Furniture Co Inc.
			L & J G Stickley Inc.
			Lea Industries.
			Michels & Co.
			MJ Wood Products Inc.
			Mobel Inc.
			Modern Furniture Manufacturers Inc.
			Moosehead Mfg Co.
			Oakwood Interiors.
			O'Sullivan Industries Inc.
			Pennsylvania House Inc.
			Perdues Inc.
			Sandberg Furniture Mfg Co Inc.
			Stanley Furniture Co Inc.
			Statton Furniture Mfg Assoc.
			T Copeland & Sons.
			Teamsters, Chauffeurs, Warehousemen and Helpers Local 991.
			Tom Seely Furniture.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			UBC Southern Council of Industrial Workers Local Union 2305.
			United Steelworkers of America Local 193U.
			Vaughan Furniture Co Inc.
			Vaughan-Bassett Furniture Co Inc.
			Vermont Tubbs.
			Webb Furniture Enterprises Inc.
A–570–891	731–TA–1059	Hand Trucks and Certain Parts Thereof/China.	B&P Manufacturing.
			Gleason Industrial Products Inc.
			Harper Trucks Inc.
			Magline Inc.
			Precision Products Inc.
			Wesco Industrial Products Inc.
A–570–892	731–TA–1060	Carbazole Violet Pigment 23/China.	Allegheny Color Corp.
			Barker Fine Color Inc.
			Clariant Corp.
			Nation Ford Chemical Co.
			Sun Chemical Co.
A–570–894	731–TA–1070	Certain Tissue Paper Products/China.	American Crepe Corp.
			Cindus Corp.
			Eagle Tissue LLC.
			Flower City Tissue Mills Co and Subsidiary.
			Garlock Printing & Converting Corp.
			Green Mtn Specialties Inc.
			Hallmark Cards Inc.
			Pacon Corp.
			Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL–CIO (“PACE”).
			Paper Service LTD.
			Putney Paper.
			Seaman Paper Co of MA Inc.
A–570–895	731–TA–1069	Certain Crepe Paper Products/China.	American Crepe Corp.
			Cindus Corp.
			Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL–CIO (“PACE”).
			Seaman Paper Co of MA Inc.
A–570–896	731–TA–1071	Alloy Magnesium/China	Garfield Alloys Inc.
			Glass, Molders, Pottery, Plastics & Allied Workers.
			International Local 374.
			Halaco Engineering.
			MagReTech Inc.
			United Steelworkers of America Local 8319.
			US Magnesium LLC.
A–570–899	731–TA–1091	Artists’ Canvas/China	Duro Art Industries.
			ICG/Holliston Mills Inc.
			Signature World Class Canvas LLC.
			Tara Materials Inc.
A–570–898	731–TA–1082	Chlorinated Isocyanurates/China	BioLab Inc.
			Clearon Corp.
			Occidental Chemical Corp.
A–570–901	731–TA–1095	Certain Lined Paper School Supplies/China.	Fay Paper Products Inc.
			MeadWestvaco Consumer & Office Products.
			Norcom Inc.
			Pacon Corp.
			Roaring Spring Blank Book Co.
			Top Flight Inc.
			United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO–CLC (USW).
A–570–904	731–TA–1103	Certain Activated Carbon/China	Calgon Carbon Corp.
			Norit Americas Inc.
A–570–905	731–TA–1104	Certain Polyester Staple Fiber/China.	DAK Americas LLC.
			Formed Fiber Techmologies LLC.
			Nan Ya Plastics Corp America.
			Palmetto Synthetics LLC.
			United Synthetics Inc. (USI).
			Wellman Inc.
A–570–908	731–TA–1110	Soium Hexametaphosphate (SHMP)/China.	ICL Performance Products LP.
			Innophos Inc.
A–580–008	731–TA–134	Color Television Receivers/Korea	Committee to Preserve American Color Television.
			Independent Radionic Workers of America.
			Industrial Union Department, AFL–CIO.
			International Brotherhood of Electrical Workers.
			International Union of Electrical, Radio and Machine Workers.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–580–507	731–TA–279	Malleable Cast Iron Pipe Fittings/Korea.	Grinnell. Stanley G Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A–580–601	731–TA–304	Top-of-the-Stove Stainless Steel Cooking Ware/Korea.	Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex.
A–580–603	731–TA–315	Brass Sheet and Strip/Korea	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
A–580–605	731–TA–369	Color Picture Tubes/Korea	Industrial Union Department, AFL–CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A–580–803	731–TA–427	Small Business Telephone Systems/Korea.	American Telephone & Telegraph. Comdial. Eagle Telephonic.
A–580–805	731–TA–442	Industrial Nitrocellulose/Korea	Hercules.
A–580–807	731–TA–459	Polyethylene Terephthalate Film/Korea.	E I du Pont de Nemours. Hoechst Celanese. ICI Americas.
A–580–809	731–TA–533	Circular Welded Nonalloy Steel Pipe/Korea.	Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit. Wheatland Tube.
A–580–810	731–TA–540	Welded ASTM A–312 Stainless Steel Pipe/Korea.	Avesta Sandvik Tube. Bristol Metals. Crucible Materials. Damascus Tubular Products. United Steelworkers of America.
A–580–811	731–TA–546	Carbon Steel Wire Rope/Korea	Bridon American. Macwhyte. Paulsen Wire Rope. The Rochester Corporation. United Automobile, Aerospace and Agricultural Implement Workers (Local 960). Williamsport. Wire-rope Works. Wire Rope Corporation of America.
A–580–812	731–TA–556	DRAMs of 1 Megabit and Above/Korea.	Micron Technology. NEC Electronics. Texas Instruments.
A–580–813	731–TA–563	Stainless Steel Butt-Weld Pipe Fittings/Korea.	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A–580–815	731–TA–607	Cold-Rolled Carbon Steel Flat Products/Korea.	Armco Steel. Bethlehem Steel. California Steel Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–580–816	731–TA–618	Corrosion-Resistant Carbon Steel Flat Products/Korea.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–580–825	731–TA–715	Oil Country Tubular Goods/Korea	Bellville Tube. IPSCO. Koppel Steel. Lone Star Steel. Maverick Tube. Newport Steel. North Star Steel. US Steel. USS/Kobe.
A–580–829	731–TA–772	Stainless Steel Wire Rod/Korea ..	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–580–831	731–TA–791	Stainless Steel Plate in Coils/ Korea.	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A–580–834	731–TA–801	Stainless Steel Sheet and Strip/ Korea.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–580–836	731–TA–821	Cut-to-Length Carbon Steel Plate/Korea.	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
A–580–839	731–TA–825	Polyester Staple Fiber/Korea	Arteva Specialties Sarl. E I du Pont de Nemours. Intercontinental Polymers. Nan Ya Corporation America.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Wellman.
A–580–841	731–TA–854	Structural Steel Beams/Korea	Northwestern Steel and Wire. Nucor. Nucor-Yamato Steel. TXI-Chaparral Steel. United Steelworkers of America.
A–580–844	731–TA–877	Steel Concrete Reinforcing Bar/Korea.	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co.
A–580–846	731–TA–889	Stainless Steel Angle/Korea	Slater Steels. United Steelworkers of America.
A–580–847	731–TA–916	Stainless Steel Bar/Korea	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
A–580–850	731–TA–1017	Polyvinyl Alcohol/Korea	Celanese Ltd. E I du Pont de Nemours & Co.
A–580–852	731–TA–1026	Prestressed Concrete Steel Wire Strand/Korea.	American Spring Wire Corp. Insteel Wire Products Co. Sivaco Georgia LLC. Strand Tech Martin Inc. Sumiden Wire Products Corp.
A–583–008	731–TA–132	Small Diameter Carbon Steel Pipe and Tube/Tawian.	Allied Tube & Conduit. American Tube. Bull Moose Tube. Copperweld Tubing. J&L Steel. Kaiser Steel. Merchant Metals. Pittsburgh Tube. Southwestern Pipe. Western Tube & Conduit.
A–583–009	731–TA–135	Color Television Receivers/Taiwan.	Committee to Preserve American Color Television. Independent Radionic Workers of America. Industrial Union Department, AFL–CIO. International Brotherhood of Electrical Workers. International Union of Electrical, Radio and Machine Workers.
A–583–080	AA1921–197	Carbon Steel Plate/Taiwan	No Petition (self-initiated by Treasury); Commerce service list identifies: Bethlehem Steel. China Steel. US Steel.
A–583–505	731–TA–277	Oil Country Tubular Goods/Taiwan.	CF&I Steel. Copperweld Tubing. Cyclops. KPC. Lone Star Steel. LTV Steel. Maverick Tube. Quanex. US Steel.
A–583–507	731–TA–280	Malleable Cast Iron Pipe Fittings/Taiwan.	Grinnell. Stanley G Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A–583–508	731–TA–299	Porcelain-on-Steel Cooking Ware/Taiwan.	General Housewares.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–583–603	731–TA–305	Top-of-the-Stove Stainless Steel Cooking Ware/Taiwan.	Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex.
A–583–605	731–TA–310	Carbon Steel Butt-Weld Pipe Fittings/Taiwan.	Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America. Weldbend.
A–583–803	731–TA–410	Light-Walled Rectangular Tube/Taiwan.	Bull Moose Tube. Hannibal Industries. Harris Tube. Maruichi American. Searing Industries. Southwestern Pipe. Western Tube & Conduit.
A–583–806	731–TA–428	Small Business Telephone Systems/Taiwan.	American Telephone & Telegraph. Comdial. Eagle Telephonic.
A–583–810	731–TA–475	Chrome-Plated Lug Nuts/Taiwan	Consolidated International Automotive. Key Manufacturing. McGard.
A–583–814	731–TA–536	Circular Welded Nonalloy Steel Pipe/Taiwan.	Allied Tube & Conduit. American Tube. Bull Moose Tube. Century Tube. CSI Tubular Products. Cyclops. Laclede Steel. LTV Tubular Products. Maruichi American. Sharon Tube. USX. Western Tube & Conduit. Wheatland Tube.
A–583–815	731–TA–541	Welded ASTM A–312 Stainless Steel Pipe/Taiwan.	Avesta Sandvik Tube. Bristol Metals. Crucible Materials. Damascus Tubular Products. United Steelworkers of America.
A–583–816	731–TA–564	Stainless Steel Butt-Weld Pipe Fittings/Taiwan.	Flo-Mac Inc. Gerlin. Markovitz Enterprises. Shaw Alloy Piping Products. Taylor Forge Stainless.
A–583–820	731–TA–625	Helical Spring Lock Washers/Taiwan.	Illinois Tool Works.
A–583–821	731–TA–640	Forged Stainless Steel Flanges/Taiwan.	Gerlin. Ideal Forging. Maass Flange. Markovitz Enterprises.
A–583–824	731–TA–729	Polyvinyl Alcohol/Taiwan	Air Products and Chemicals.
A–583–825	731–TA–743	Melamine Institutional Dinnerware/Taiwan.	Carlisle Food Service Products. Lexington United. Plastics Manufacturing.
A–583–826	731–TA–759	Collated Roofing Nails/Taiwan	Illinois Tool Works. International Staple and Machines. Stanley-Bostitch.
A–583–827	731–TA–762	SRAMs/Taiwan	Micron Technology.
A–583–828	731–TA–775	Stainless Steel Wire Rod/Taiwan	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–583–830	731–TA–793	Stainless Steel Plate in Coils/Taiwan.	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A–583–831	731–TA–803	Stainless Steel Sheet and Strip/Taiwan.	Allegheny Ludlum. Armco Steel. Bethlehem Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–583–833	731–TA–826	Polyester Staple Fiber/Taiwan	Arteva Specialties Sarl. Intercontinental Polymers. Nan Ya Plastics Corporation America. Wellman.
A–583–835	731–TA–906	Hot-Rolled Steel Products/Taiwan.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–583–837	731–TA–934	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/Taiwan.	DuPont Teijin Films. Mitsubishi Polyester Film LLC. SKC America Inc. Toray Plastics (America).
A–588–005	731–TA–48	High Power Microwave Amplifiers/Japan.	Aydin. MCL.
A–588–015	AA1921–66	Television Receivers/Japan	AGIV (USA). Casio Computer. CBM America. Citizen Watch. Funai Electric. Hitachi. Industrial Union Department. JC Penny. Matsushita. Mitsubishi Electric. Montgomery Ward. NEC. Orion Electric. PT Imports. Philips Electronics. Philips Magnavox. Sanyo. Sharp. Toshiba. Toshiba America Consumer Products. Victor Company of Japan. Zenith Electronics.
A–588–028	AA1921–111	Roller Chain/Japan	Acme Chain Division, North American Rockwell. American Chain Association. Atlas Chain & Precision Products. Diamond Chain. Link-Belt Chain Division, FMC. Morse Chain Division, Borg Warner. Rex Chainbelt.
A–588–029	AA1921–85	Fish Netting of Man-Made Fiber/Japan.	Jovanovich Supply. LFSI. Trans-Pacific Trading.
A–588–038	AA1921–98	Bicycle Speedometers/Japan	Avocet Cat Eye. Diversified Products. NS International. Sanyo Electric. Stewart-Warner.
A–588–041	AA1921–115	Synthetic Methionine/Japan	Monsanto.
A–588–045	AA1921–124	Steel Wire Rope/Japan	AMSTED Industries.
A–588–046	AA1921–129	Polychloroprene Rubber/Japan	E I du Pont de Nemours.
A–588–054	AA1921–143	Tapered Roller Bearings 4 Inches and Under/Japan.	No companies identified as petitioners at the Commission; Commerce service list identifies:

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			American Honda Motor. Federal Mogul. Ford Motor. General Motors. Honda. Hoover-NSK Bearing. Isuzu. Itocho. ITOCHU International. Kanematsu-Goshu USA. Kawasaki Heavy Duty Industries. Komatsu America. Koyo Seiko. Kubota Tractor. Mitsubishi. Motorambar. Nachi America. Nachi Western. Nachi-Fujikoshi. Nippon Seiko. Nissan Motor. Nissan Motor USA. NSK. NTN. Subaru of America. Sumitomo. Suzuki Motor. Timken. Toyota Motor Sales. Yamaha Motors.
A–588–055	AA1921–154	Acrylic Sheet/Japan	Polycast Technology.
A–588–056	AA1921–162	Melamine/Japan	Melamine Chemical.
A–588–068	AA1921–188	Prestressed Concrete Steel Wire Strand/Japan.	American Spring Wire. Armco Steel. Bethlehem Steel. CF&I Steel. Florida Wire & Cable.
A–588–405	731–TA–207	Cellular Mobile Telephones/Japan.	EF Johnson. Motorola.
A–588–602	731–TA–309	Carbon Steel Butt-Weld Pipe Fittings/Japan.	Ladish. Mills Iron Works. Steel Forgings. Tube Forgings of America. Weldbend.
A–588–604	731–TA–343	Tapered Roller Bearings Over 4 Inches/Japan.	L&S Bearing. Timken. Torrington.
A–588–605	731–TA–347	Malleable Cast Iron Pipe Fittings/Japan.	Grinnell. Stanley G Flagg. Stockham Valves & Fittings. U-Brand. Ward Manufacturing.
A–588–609	731–TA–368	Color Picture Tubes/Japan	Industrial Union Department, AFL–CIO. International Association of Machinists & Aerospace Workers. International Brotherhood of Electrical Workers. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers. Philips Electronic Components Group. United Steelworkers of America. Zenith Electronics.
A–588–702	731–TA–376	Stainless Steel Butt-Weld Pipe Fittings/Japan.	Flo-Mac Inc. Flowline. Shaw Alloy Piping Products. Taylor Forge Stainless.
A–588–703	731–TA–377	Internal Combustion Industrial Forklift Trucks/Japan.	Ad-Hoc Group of Workers from Hyster's Berea, Kentucky and Sulligent, Alabama Facilities. Allied Industrial Workers of America. Hyster. Independent Lift Truck Builders Union. International Association of Machinists & Aerospace Workers. United Shop & Service Employees.
A–588–704	731–TA–379	Brass Sheet and Strip/Japan	Allied Industrial Workers of America. American Brass.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Bridgeport Brass.
			Chase Brass & Copper.
			Hussey Copper.
			International Association of Machinists & Aerospace Workers.
			Mechanics Educational Society of America (Local 56).
			The Miller Company.
			North Coast Brass & Copper.
			Olin.
			Pegg Metals.
			Revere Copper Products.
			United Steelworkers of America.
A–588–706	731–TA–384	Nitrile Rubber/Japan	Uniroyal Chemical.
A–588–707	731–TA–386	Granular Polytetrafluoroethylene/Japan.	E I du Pont de Nemours.
			ICI Americas.
A–588–802	731–TA–389	3.5'' Microdisks/Japan	Verbatim.
A–588–804	731–TA–394–A	Ball Bearings/Japan	Barden Corp.
			Emerson Power Transmission.
			Kubar Bearings.
			McGill Manufacturing Co.
			MPB.
			Rexnord Inc.
			Rollway Bearings.
			Torrington.
A–588–804	731–TA–394–B	Cylindrical Roller Bearings/Japan	Barden Corp.
			Emerson Power Transmission.
			Kubar Bearings.
			MPB.
			Rollway Bearings.
			Torrington.
A–588–804	731–TA–394–C	Spherical Plain Bearings/Japan	Barden Corp.
			Emerson Power Transmission.
			Kubar Bearings.
			Rollway Bearings.
			Torrington.
A–588–806	731–TA–408	Electrolytic Manganese Dioxide/Japan.	Chemetals.
			Kerr-McGee.
			Rayovac.
A–588–807	731–TA–414	Industrial Belts/Japan	The Gates Rubber Company.
			The Goodyear Tire and Rubber Company.
A–588–809	731–TA–426	Small Business Telephone Systems/Japan.	American Telephone & Telegraph.
			Comdial.
			Eagle Telephonic.
A–588–810	731–TA–429	Mechanical Transfer Presses/Japan.	Allied Products.
			United Autoworkers of America.
			United Steelworkers of America.
A–588–811	731–TA–432	Drafting Machines/Japan	Vemco.
A–588–812	731–TA–440	Industrial Nitrocellulose/Japan	Hercules.
A–588–815	731–TA–461	Gray Portland Cement and Clinker/Japan.	Calaveras Cement.
			Hanson Permanente Cement.
			Independent Workers of North America (Locals 49, 52, 89, 192 and 471).
			International Union of Operating Engineers (Local 12).
			National Cement Co Inc.
			National Cement Company of California.
			Southdown.
A–588–817	731–TA–469	Electroluminescent Flat-Panel Displays/Japan.	The Cherry Corporation.
			Electro Plasma.
			Magnascreen.
			OIS Optical Imaging Systems.
			Photonics Technology.
			Planar Systems.
			Plasmaco.
A–588–823	731–TA–571	Professional Electric Cutting Tools/Japan.	Black & Decker.
A–588–826	731–TA–617	Corrosion-Resistant Carbon Steel Flat Products/Japan.	Bethlehem Steel.
			California Steel Industries.
			Geneva Steel.
			Gulf States Steel.
			Lukens Steel.
			Nextech.
			Rouge Steel Co.
			Sharon Steel.
			Theis Precision Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–588–831	731–TA–660	Grain-Oriented Silicon Electrical Steel/Japan.	Allegheny Ludlum. Armco Steel. United Steelworkers of America.
A–588–833	731–TA–681	Stainless Steel Bar/Japan	AL Tech Specialty Steel. Carpenter Technology. Crucible Specialty Metals. Electralloy. Republic Engineered Steels. Slater Steels. Talley Metals Technology. United Steelworkers of America.
A–588–835	731–TA–714	Oil Country Tubular Goods/Japan	IPSCO. Koppel Steel. Lone Star Steel Co. Maverick Tube. Newport Steel. North Star Steel. US Steel.
A–588–836	731–TA–727	Polyvinyl Alcohol/Japan	Air Products and Chemicals.
A–588–837	731–TA–737	Large Newspaper Printing Presses/Japan.	Rockwell Graphics Systems.
A–588–838	731–TA–739	Clad Steel Plate/Japan	Lukens Steel.
A–588–839	731–TA–740	Sodium Azide/Japan	American Azide.
A–588–840	731–TA–748	Gas Turbo-Compressor Systems/Japan.	Demag Delaval. Dresser-Rand. United Steelworkers of America.
A–588–841	731–TA–750	Vector Supercomputers/Japan	Cray Research.
A–588–843	731–TA–771	Stainless Steel Wire Rod/Japan	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
A–588–845	731–TA–800	Stainless Steel Sheet and Strip/Japan.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
A–588–846	731–TA–807	Hot-Rolled Carbon Steel Flat Products/Japan.	Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–588–847	731–TA–820	Cut-to-Length Carbon Steel Plate/Japan.	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
A–588–850	731–TA–847	Large-Diameter Carbon Steel Seamless Pipe/Japan.	North Star Steel. Timken.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–588–851	731–TA–847	Small-Diameter Carbon Steel Seamless Pipe/Japan.	US Steel. United Steelworkers of America. USS/Kobe. Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America. USS/Kobe. Vision Metals' Gulf States Tube.
A–588–852	731–TA–853	Structural Steel Beams/Japan	Northwestern Steel and Wire. Nucor. Nucor-Yamato Steel. TXI-Chaparral Steel. United Steelworkers of America.
A–588–854	731–TA–860	Tin-Mill Products/Japan	Independent Steelworkers. United Steelworkers of America. Weirton Steel.
A–588–856	731–TA–888	Stainless Steel Angle/Japan	Slater Steels. United Steelworkers of America.
A–588–857	731–TA–919	Welded Large Diameter Line Pipe/Japan.	American Cast Iron Pipe. Berg Steel Pipe. Bethlehem Steel. Napa Pipe/Oregon Steel Mills. Saw Pipes USA. Stupp. US Steel.
A–588–861	731–TA–1016	Polyvinyl Alcohol/Japan	Celenex Ltd. E I du Pont de Nemours & Co.
A–588–862	731–TA–1023	Certain Ceramic Station Post Insulators/Japan.	Lapp Insulator Co LLC. Newell Porcelain Co Inc. Victor Insulators Inc.
A–588–866	731–TA–1090	Superalloy Degassed Chromium/ Japan.	Eramet Marietta Inc.
A–602–803	731–TA–612	Corrosion-Resistant Carbon Steel Flat Products/ Australia.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
A–791–805	731–TA–792	Stainless Steel Plate in Coils/ South Africa.	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
A–791–808	731–TA–850	Small-Diameter Carbon Steel Seamless Pipe/South Africa.	Koppel Steel. North Star Steel. Sharon Tube. Timken. US Steel. United Steelworkers of America. USS/Kobe. Vision Metals' Gulf States Tube.
A–791–809	731–TA–905	Hot-Rolled Steel Products/South Africa.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–791–815	731–TA–987	Ferrovanadium/South Africa	Bear Metallurgical Co. Shieldalloy Metallurgical Corp.
A–821–801	731–TA–340E	Solid Urea/Russia	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A–821–802	731–TA–539–C	Uranium/Russia	Ferret Exploration. First Holding. Geomex Minerals. IMC Fertilizer. Malapai Resources. Oil, Chemical and Atomic Workers. Pathfinder Mines. Power Resources. Rio Algom Mining. Solution Mining. Total Minerals. Umetco Minerals. Uranium Resources.
A–821–804	731–TA–568	Ferrosilicon/Russia	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A–821–805	731–TA–697	Pure Magnesium/Russia	Dow Chemical. International Union of Operating Engineers (Local 564). Magnesium Corporation of America. United Steelworkers of America (Local 8319).
A–821–807	731–TA–702	Ferrovanadium and Nitrided Vanadium/Russia.	Shieldalloy Metallurgical.
A–821–809	731–TA–808	Hot-Rolled Carbon Steel Flat Products/Russia.	Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–821–811	731–TA–856	Ammonium Nitrate/Russia	Agrium. Air Products and Chemicals. El Dorado Chemical. LaRoche. Mississippi Chemical. Nitram. Wil-Gro Fertilizer.
A–821–817	731–TA–991	Silicon Metal/Russia	Globe Metallurgical Inc. SIMCALA Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–821–819	731–TA1072	Pure and Alloy Magnesium/Russia.	Garfield Alloys Inc. Glass, Molders, Pottery, Plastics & Allied Workers International Local 374. Halaco Engineering. MagReTech Inc. United Steelworkers of America Local 8319. US Magnesium LLC.
A–822–801	731–TA–340B	Solid Urea/Belarus	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A–822–804	731–TA–873	Steel Concrete Reinforcing Bar/Belarus.	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition. Riverview Steel. Sheffield Steel. TAMCO. TXI-Chaparral Steel Co.
A–823–801	731–TA–340H	Solid Urea/Ukraine	Agrico Chemical. American Cyanamid. CF Industries. First Mississippi. Mississippi Chemical. Terra International. WR Grace.
A–823–802	731–TA–539–E	Uranium/Ukraine	Ferret Exploration. First Holding. Geomex Minerals. IMC Fertilizer. Malapai Resources. Oil, Chemical and Atomic Workers. Pathfinder Mines. Power Resources. Rio Algom Mining. Solution Mining. Total Minerals. Umetco Minerals. Uranium Resources.
A–823–804	731–TA–569	Ferrosilicon/Ukraine	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523). United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A–823–805	731–TA–673	Silicomanganese/Ukraine	Elkem Metals. Oil, Chemical and Atomic Workers (Local 3–639).
A–823–809	731–TA–882	Steel Concrete Reinforcing Bar/Ukraine.	AB Steel Mill Inc. AmeriSteel. Auburn Steel. Birmingham Steel. Border Steel. Cascade Steel Rolling Mills Inc. CMC Steel Group. Co-Steel Inc. Marion Steel. North Star Steel Co. Nucor Steel. Rebar Trade Action Coalition.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Riverview Steel.
			Sheffield Steel.
			TAMCO.
			TXI-Chaparral Steel Co.
A–823–810	731–TA–894	Ammonium Nitrate/Ukraine	Agrium.
			Air Products and Chemicals.
			Committee for Fair Ammonium Nitrate Trade.
			El Dorado Chemical.
			LaRoche Industries.
			Mississippi Chemical.
			Nitram.
			Prodica.
A–823–811	731–TA–908	Hot-Rolled Steel Products/ Ukraine.	Bethlehem Steel.
			Gallatin Steel.
			Independent Steelworkers.
			IPSCO.
			LTV Steel.
			National Steel.
			Nucor.
			Rouge Steel Co.
			Steel Dynamics.
			US Steel.
			United Steelworkers of America.
			WCI Steel Inc.
			Weirton Steel.
			Wheeling-Pittsburgh Steel Corp.
A–823–812	731–TA–962	Carbon and Certain Alloy Steel Wire Rod/Ukraine.	AmeriSteel.
			Birmingham Steel.
			Cascade Steel Rolling Mills.
			Connecticut Steel Corp.
			Co-Steel Raritan.
			GS Industries.
			Keystone Consolidated Industries.
			North Star Steel Texas.
			Nucor Steel-Nebraska (a division of Nucor Corp).
			Republic Technologies International.
			Rocky Mountain Steel Mills.
A–831–801	731–TA–340A	Solid Urea/Armenia	Agrico Chemical.
			American Cyanamid.
			CF Industries.
			First Mississippi.
			Mississippi Chemical.
			Terra International.
			WR Grace.
A–834–806	731–TA–902	Hot-Rolled Steel Products/ Kazakhstan.	Bethlehem Steel.
			Gallatin Steel.
			Independent Steelworkers.
			IPSCO.
			LTV Steel.
			National Steel.
			Nucor.
			Rouge Steel Co.
			Steel Dymanics.
			US Steel.
			United Steelworkers of America.
			WCI Steel Inc.
			Weirton Steel.
			Wheeling-Pittsburgh Steel Corp.
A–834–807	731–TA–930	Silicomanganese/Kazakhstan	Eramet Marietta.
			Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5–0639.
A–841–804	731–TA–879	Steel Concrete Reinforcing Bar/ Moldova.	AB Steel Mill Inc.
			AmeriSteel.
			Auburn Steel.
			Birmingham Steel.
			Border Steel.
			Cascade Steel Rolling Mills Inc.
			CMC Steel Group.
			Co-Steel Inc.
			Marion Steel.
			North Star Steel Co.
			Nucor Steel.
			Rebar Trade Action Coalition.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Riverview Steel.
			Sheffield Steel.
			TAMCO.
			TXI-Chaparral Steel Co.
A–841–805	731–TA–959	Carbon and Certain Alloy Steel Wire Rod/Moldova.	AmeriSteel.
			Birmingham Steel.
			Cascade Steel Rolling Mills.
			Connecticut Steel Corp.
			Co-Steel Raritan.
			GS Industries.
			Keystone Consolidated Industries.
			North Star Steel Texas.
			Nucor Steel-Nebraska (a division of Nucor Corp).
			Republic Technologies International.
			Rocky Mountain Steel Mills.
A–842–801	731–TA–340F	Solid Urea/Tajikistan	Agrico Chemical.
			American Cyanamid.
			CF Industries.
			First Mississippi.
			Mississippi Chemical.
			Terra International.
			WR Grace.
A–843–801	731–TA–340G	Solid Urea/Turkmenistan	Agrico Chemical.
			American Cyanamid.
			CF Industries.
			First Mississippi.
			Mississippi Chemical.
			Terra International.
			WR Grace.
A–843–802	731–TA–539	Uranium/Kazakhstan	Ferret Exploration.
			First Holding.
			Geomex Minerals.
			IMC Fertilizer.
			Malapai Resources.
			Oil, Chemical and Atomic Workers.
			Pathfinder Mines.
			Power Resources.
			Rio Algom Mining.
			Solution Mining.
			Total Minerals.
			Umetco Minerals.
			Uranium Resources.
A–843–804	731–TA–566	Ferrosilicon/Kazakhstan	AIMCOR.
			Alabama Silicon.
			American Alloys.
			Globe Metallurgical.
			Oil, Chemical and Atomic Workers (Local 389).
			Silicon Metaltech.
			United Autoworkers of America (Local 523).
			United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
A–844–801	731–TA–340I	Solid Urea/Uzbekistan	Agrico Chemical.
			American Cyanamid.
			CF Industries.
			First Mississippi.
			Mississippi Chemical.
			Terra International.
			WR Grace.
A–844–802	731–TA–539–F	Uranium/Uzbekistan	Ferret Exploration.
			First Holding.
			Geomex Minerals.
			IMC Fertilizer.
			Malapai Resources.
			Oil, Chemical and Atomic Workers.
			Pathfinder Mines.
			Power Resources.
			Rio Algom Mining.
			Solution Mining.
			Total Minerals.
			Umetco Minerals.
			Uranium Resources.
A–851–802	731–TA–846	Small-Diameter Carbon Steel Seamless Pipe/Czech Republic.	Koppel Steel.
			North Star Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Sharon Tube.
			Timken.
			US Steel.
			United Steelworkers of America.
			USS/Kobe.
			Vision Metals' Gulf States Tube.
C–122–404	701–TA–224	Live Swine/Canada	National Pork Producers Council.
			Wilson Foods.
C–122–805	701–TA–297	Steel Rails/Canada	Bethlehem Steel.
			CF&I Steel.
C–122–815	701–TA–309–A	Alloy Magnesium/Canada	Magnesium Corporation of America.
C–122–815	701–TA–309–B	Pure Magnesium/Canada	Magnesium Corporation of America.
C–122–839	701–TA–414	Softwood Lumber/Canada	71 Lumber Co.
			Almond Bros Lbr Co.
			Anthony Timberlands.
			Balfour Lbr Co.
			Ball Lumber.
			Banks Lumber Company.
			Barge Forest Products Co.
			Beadles Lumber Co.
			Bearden Lumber.
			Bennett Lumber.
			Big Valley Band Mill.
			Bighorn Lumber Co Inc.
			Blue Mountain Lumber.
			Buddy Bean Lumber.
			Burgin Lumber Co Ltd.
			Burt Lumber Company.
			C&D Lumber Co.
			Ceda-Pine Veneer.
			Cersosimo Lumber Co Inc.
			Charles Ingram Lumber Co Inc.
			Charleston Heart Pine.
			Chesterfield Lumber.
			Chips.
			Chocorua Valley Lumber Co.
			Claude Howard Lumber.
			Clearwater Forest Industries.
			CLW Inc.
			CM Tucker Lumber Corp.
			Coalition for Fair Lumber Imports Executive Committee.
			Cody Lumber Co.
			Collins Pine Co.
			Collums Lumber.
			Columbus Lumber Co.
			Contoocook River Lumber.
			Conway Guiteau Lumber.
			Cornwright Lumber Co.
			Crown Pacific.
			Daniels Lumber Inc.
			Dean Lumber Co Inc.
			Deltic Timber Corporation.
			Devils Tower Forest Products.
			DiPrizio Pine Sales.
			Dorchester Lumber Co.
			DR Johnson Lumber.
			East Brainerd Lumber Co.
			East Coast Lumber Company.
			Eas-Tex Lumber.
			ECK Wood Products.
			Ellingson Lumber Co.
			Elliott Sawmilling.
			Empire Lumber Co.
			Evergreen Forest Products.
			Excalibur Shelving Systems Inc.
			Exley Lumber Co.
			FH Stoltze Land & Lumber Co.
			FL Turlington Lbr Co Inc.
			Fleming Lumber.
			Flippo Lumber.
			Floragen Forest Products.
			Frank Lumber Co.
			Franklin Timber Co.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Fred Tebb & Sons.
			Fremont Sawmill.
			Frontier Resources.
			Garrison Brothers Lumber Co. and Subsidiaries.
			Georgia Lumber.
			Gilman Building Products.
			Godfrey Lumber.
			Granite State Forest Prod Inc.
			Great Western Lumber Co.
			Greenville Molding Inc.
			Griffin Lumber Company.
			Guess Brothers Lumber.
			Gulf Lumber.
			Gulf States Paper.
			Guy Bennett Lumber.
			Hampton Resources.
			Hancock Lumber.
			Hankins Inc.
			Hankins Lumber Co.
			Harrigan Lumber.
			Harwood Products.
			Haskell Lumber Inc.
			Hatfield Lumber.
			Hedstrom Lumber.
			Herrick Millwork Inc.
			HG Toler & Son Lumber Co Inc.
			HG Wood Industries LLC.
			Hogan & Storey Wood Prod.
			Hogan Lumber Co.
			Hood Industries.
			HS Hofler & Sons Lumber Co Inc.
			Hubbard Forest Ind Inc.
			HW Culp Lumber Co.
			Idaho Veneer Co.
			Industrial Wood Products.
			Intermountain Res LLC.
			International Paper.
			J Franklin Jones Lumber Co Inc.
			Jack Batte & Sons Inc.
			Jasper Lumber Company.
			JD Martin Lumber Co.
			JE Jones Lumber Co.
			Jerry G Williams & Sons.
			JH Knighton Lumber Co.
			Johnson Lumber Company.
			Jordan Lumber & Supply.
			Joseph Timber Co.
			JP Haynes Lbr Co Inc.
			JV Wells Inc.
			JW Jones Lumber.
			Keadle Lumber Enterprises.
			Keller Lumber.
			King Lumber Co.
			Konkolville Lumber.
			Langdale Forest Products.
			Laurel Lumber Company.
			Leavitt Lumber Co.
			Leesville Lumber Co.
			Limington Lumber Co.
			Longview Fibre Co.
			Lovell Lumber Co Inc.
			M Kendall Lumber Co.
			Manke Lumber Co.
			Marriner Lumber Co.
			Mason Lumber.
			MB Heath & Sons Lumber Co.
			MC Dixon Lumber Co Inc.
			Mebane Lumber Co Inc.
			Metcalf Lumber Co Inc.
			Millry Mill Co Inc.
			Moose Creek Lumber Co.
			Moose River Lumber.
			Morgan Lumber Co Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Mount Yonah Lumber Co. Nagel Lumber. New Kearsarge Corp. New South. Nicolet Hardwoods. Nieman Sawmills SD. Nieman Sawmills WY. North Florida. Northern Lights Timber & Lumber. Northern Neck Lumber Co. Ochoco Lumber Co. Olon Belcher Lumber Co. Owens and Hurst Lumber. Packaging Corp of America. Page & Hill Forest Products. Paper, Allied-Industrial, Chemical and Energy Workers International Union. Parker Lumber. Pate Lumber Co Inc. PBS Lumber. Pedigo Lumber Co. Piedmont Hardwood Lumber Co. Pine River Lumber Co. Pinecrest Lumber Co. Pleasant River Lumber Co. Pleasant Western Lumber Inc. Plum Creek Timber. Pollard Lumber. Portac. Potlatch. Potomac Supply. Precision Lumber Inc. Pruitt Lumber Inc. R. Leon Williams Lumber Co. RA Yancey Lumber. Rajala Timber Co. Ralph Hamel Forest Products. Randy D. Miller Lumber. Rappahannock Lumber Co. Regulus Stud Mills Inc. Riley Creek Lumber. Roanoke Lumber Co. Robbins Lumber. Robertson Lumber. Roseburg Forest Products Co. Rough & Ready. RSG Forest Products. Rushmore Forest Products. RY Timber Inc. Sam Mabry Lumber Co. Scotch Lumber. SDS Lumber Co. Seacoast Mills Inc. Seago Lumber. Seattle-Snohomish. Seneca Sawmill. Shaver Wood Products. Shearer Lumber Products. Shuqualak Lumber. SI Storey Lumber. Sierra Forest Products. Sierra Pacific Industries. Sigfridson Wood Products. Silver City Lumber Inc. Somers Lbr & Mfg Inc. South & Jones. South Coast. Southern Forest Industries Inc. Southern Lumber. St Laurent Forest Products. Starfire Lumber Co. Steely Lumber Co Inc. Stimson Lumber.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Summit Timber Co. Sundance Lumber. Superior Lumber. Swanson Superior Forest Products Inc. Swift Lumber. Tamarack Mill. Taylor Lumber & Treating Inc. Temple-Inland Forest Products. Thompson River Lumber. Three Rivers Timber. Thrift Brothers Lumber Co Inc. Timco Inc. Tolleson Lumber. Toney Lumber. TR Miller Mill Co. Tradewinds of Virginia Ltd. Travis Lumber Co. Tree Source Industries Inc. Tri-State Lumber. TTT Studs. United Brotherhood of Carpenters and Joiners. Viking Lumber Co. VP Kiser Lumber Co. Walton Lumber Co Inc. Warm Springs Forest Products. Westvaco Corp. Wilkins, Kaiser & Olsen Inc. WM Shepherd Lumber Co. WR Robinson Lumber Co Inc. Wrenn Brothers Inc. Wyoming Sawmills. Yakama Forest Products. Younce & Ralph Lumber Co Inc. Zip-O-Log Mills Inc.
C–122–841	701–TA–418	Carbon and Certain Alloy Steel Wire Rod/Canada.	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills. Connecticut Steel Corp. Co-Steel Raritan. GS Industries. Keystone Consolidated Industries. North Star Steel Texas. Nucor Steel-Nebraska (a division of Nucor Corp). Republic Technologies International. Rocky Mountain Steel Mills.
C–122–848	701–TA–430B	Hard Red Spring Wheat/Canada	North Dakota Wheat Commission.
C–201–505	701–TA–265	Porcelain-on-Steel Cooking Ware/ Mexico.	General Housewares.
C–201–810	701–TA–325	Cut-to-Length Carbon Steel Plate/Mexico.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
C–307–804	303–TA–21	Gray Portland Cement and Clinker/Venezuela.	Florida Crushed Stone. Southdown. Tarmac America.
C–307–808	303–TA–23	Ferrosilicon/Venezuela	AIMCOR. Alabama Silicon. American Alloys. Globe Metallurgical. Oil, Chemical and Atomic Workers (Local 389). Silicon Metaltech. United Autoworkers of America (Local 523).

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			United Steelworkers of America (Locals 2528, 3081, 5171 and 12646).
C–333–401	701–TA–E	Cotton Shop Towels/Peru	No case at the Commission; Commerce service list identifies: Durafab. Kleen-Tex Industries. Lewis Eckert Robb. Milliken. Pavis & Harcourt.
C–351–037	104–TAA–21	Cotton Yarn/Brazil	American Yarn Spinners Association. Harriet & Henderson Yarns. LaFar Industries.
C–351–504	701–TA–249	Heavy Iron Construction Castings/Brazil.	Alhambra Foundry. Allegheny Foundry. Bingham & Taylor. Campbell Foundry. Charlotte Pipe & Foundry. Deeter Foundry. East Jordan Foundry. Le Baron Foundry. Municipal Castings. Neenah Foundry. Opelika Foundry. Pinkerton Foundry. Tyler Pipe. US Foundry & Manufacturing. Vulcan Foundry.
C–351–604	701–TA–269	Brass Sheet and Strip/Brazil	Allied Industrial Workers of America. American Brass. Bridgeport Brass. Chase Brass & Copper. Hussey Copper. International Association of Machinists & Aerospace Workers. Mechanics Educational Society of America (Local 56). The Miller Company. Olin. Revere Copper Products. United Steelworkers of America.
C–351–818	701–TA–320	Cut-to-Length Carbon Steel Plate/Brazil.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries. Lukens Steel. National Steel. Nextech. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America.
C–351–829	701–TA–384	Hot-Rolled Carbon Steel Flat Products/Brazil.	Acme Steel. Bethlehem Steel. California Steel Industries. Gallatin Steel. Geneva Steel. Gulf States Steel. Independent Steelworkers. IPSCO. Ispat/Inland. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C–351–833	701–TA–417	Carbon and Certain Alloy Steel Wire Rod/Brazil.	AmeriSteel. Birmingham Steel. Cascade Steel Rolling Mills.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Connecticut Steel Corp.
			Co-Steel Raritan.
			GS Industries.
			Keystone Consolidated Industries.
			North Star Steel Texas.
			Nucor Steel-Nebraska (a division of Nucor Corp).
			Republic Technologies International.
			Rocky Mountain Steel Mills
C–357–004	701–TA–A	Carbon Steel Wire Rod/Argentina	Atlantic Steel.
			Continental Steel.
			Georgetown Steel.
			North Star Steel.
			Raritan River Steel.
C–357–813	701–TA–402	Honey/Argentina	AH Meyer & Sons.
			Adee Honey Farms.
			Althoff Apiaries.
			American Beekeeping Federation.
			American Honey Producers Association.
			Anderson Apiaries.
			Arroyo Apiaries.
			Artesian Honey Producers.
			B Weaver Apiaries.
			Bailey Enterprises.
			Barkman Honey.
			Basler Honey Apiary.
			Beals Honey.
			Bears Paw Apiaries.
			Beaverhead Honey.
			Bee Biz.
			Bee Haven Honey.
			Belliston Brothers Apiaries.
			Big Sky Honey.
			Bill Rhodes Honey.
			Richard E Blake.
			Curt Bronnenberg.
			Brown's Honey Farms.
			Brumley's Bees.
			Buhmann Apiaries.
			Carys Honey Farms.
			Chaparrel Honey.
			Charles Apiaries.
			Mitchell Charles.
			Collins Honey.
			Conor Apiaries.
			Coy's Honey Farm.
			Dave Nelson Apiaries.
			Eisele's Pollination & Honey.
			Ellingsoa's.
			Elliott Curtis & Sons.
			Charles L Emmons, Sr.
			Gause Honey.
			Gene Brandi Apiaries.
			Griffith Honey.
			Haff Apiaries.
			Hamilton Bee Farms.
			Hamilton Honey.
			Happie Bee.
			Harvest Honey.
			Harvey's Honey.
			Hiatt Honey.
			Hoffman Honey.
			Hollman Apiaries.
			Honey House.
			Honeybee Apiaries.
			Gary M Honl.
			Rand William Honl and Sydney Jo Honl.
			James R & Joann Smith Trust.
			Jaynes Bee Products.
			Johnston Honey Farms.
			Larry Johnston.
			Ke-An Honey.
			Kent Honeybees.
			Lake-Indianhead Honey Farms.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lamb's Honey Farm. Las Flores Apiaries. Mackrill Honey Farms & Sales. Raymond Marquette. Mason & Sons Honey. McCoy's Sunny South Apiaries. Merrimack Valley Apiaries & Evergreen Honey. Met 2 Honey Farm. Missouri River Honey. Mitchell Brothers Honey. Monda Honey Farm. Montana Dakota Honey. Northern Bloom Honey. Noye's Apiaries. Oakes Honey. Oakley Honey Farms. Old Mill Apiaries. Opp Honey. Oro Dulce. Peterson's "Naturally Sweet" Honey. Potoczak Bee Farms. Price Apiaries. Pure Sweet Honey Farms. Robertson Pollination Service. Robson Honey. William Robson. Rosedale Apiaries. Ryan Apiaries. Schmidt Honey Farms. Simpson Apiaries. Sioux Honey Association. Smoot Honey. Solby Honey. Stahlman Apiaries. Steve E Parks Apiaries. Stroope Bee & Honey. T&D Honey Bee. Talbott's Honey. Terry Apiaries. Thompson Apiaries. Triple A Farm. Tropical Blossom Honey. Tubbs Apiaries. Venable Wholesale. Walter L Wilson Buzz 76 Apiaries. Wiebersiek Honey Farms. Wilmer Farms. Brent J Woodworth. Wooten's Golden Queens. Yaddof Apiaries.
C–357–815	701–TA–404	Hot-Rolled Steel Products/Argentina.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C–401–401	701–TA–231	Cold-Rolled Carbon Steel Flat Products/Sweden.	Bethlehem Steel. Chaparral. US Steel.
C–401–804	701–TA–327	Cut-to-Length Carbon Steel Plate/Sweden.	Bethlehem Steel. California Steel Industries. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. Inland Steel Industries.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
C–403–802	701–TA–302	Fresh and Chilled Atlantic Salmon/Norway.	Heritage Salmon.
			The Coalition for Fair Atlantic Salmon Trade.
C–408–046	104–TAA–7	Sugar/EU	No petition at the Commission; Commerce service list identifies:
			AJ Yates.
			Alexander & Baldwin.
			American Farm Bureau Federation.
			American Sugar Cane League.
			American Sugarbeet Growers Association.
			Amstar Sugar.
			Florida Sugar Cane League.
			Florida Sugar Marketing and Terminal Association.
			H&R Brokerage.
			Hawaiian Agricultural Research Center.
			Leach Farms.
			Michigan Farm Bureau.
			Michigan Sugar.
			Rio Grande Valley Sugar Growers Association.
			Sugar Cane Growers Cooperative of Florida.
			Talisman Sugar.
			US Beet Sugar Association.
			United States Beet Sugar Association.
			United States Cane Sugar Refiners' Association.
C–412–815	701–TA–328	Cut-to-Length Carbon Steel Plate/United Kingdom.	Bethlehem Steel.
			California Steel Industries.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
C–412–821	701–TA–412	Low Enriched Uranium/United Kingdom.	United States Enrichment Corp.
			USEC Inc.
C–421–601	701–TA–278	Fresh Cut Flowers/Netherlands	Burdette Coward.
			California Floral Council.
			Floral Trade Council.
			Florida Flower Association.
			Gold Coast Uanko Nursery.
			Hollandia Wholesale Florist.
			Manatee Fruit.
			Monterey Flower Farms.
			Topstar Nursery.
C–421–809	701–TA–411	Low Enriched Uranium/Netherlands.	United States Enrichment Corp.
			USEC Inc.
C–423–806	701–TA–319	Cut-to-Length Carbon Steel Plate/Belgium.	Bethlehem Steel.
			California Steel Industries.
			CitiSteel USA Inc.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
C–423–809	701–TA–376	Stainless Steel Plate in Coils/Belgium.	Allegheny Ludlum.
			Armco Steel.
			Lukens Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			North American Stainless.
			United Steelworkers of America.
C–427–603	701–TA–270	Brass Sheet and Strip/France	Allied Industrial Workers of America.
			American Brass.
			Bridgeport Brass.
			Chase Brass & Copper.
			Hussey Copper.
			International Association of Machinists & Aerospace Workers.
			Mechanics Educational Society of America (Local 56).
			The Miller Company.
			Olin.
			Revere Copper Products.
			United Steelworkers of America.
C–427–805	701–TA–315	Hot-Rolled Lead and Bismuth Carbon Steel Products/France.	Bethlehem Steel.
			Inland Steel Industries.
			USS/Kobe Steel.
C–427–810	701–TA–348	Corrosion-Resistant Carbon Steel Flat Products/France.	Armco Steel.
			Bethlehem Steel.
			California Steel Industries.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			LTV Steel.
			Lukens Steel.
			National Steel.
			Nextech.
			Rouge Steel Co.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
			WCI Steel.
			Weirton Steel.
C–427–815	701–TA–380	Stainless Steel Sheet and Strip/France.	Allegheny Ludlum.
			Armco Steel.
			Bethlehem Steel.
			Butler Armco Independent Union.
			Carpenter Technology Corp.
			North American Stainless.
			United Steelworkers of America.
			Zanesville Armco Independent Organization.
C–427–817	701–TA–387	Cut-to-Length Carbon Steel Plate/France.	Bethlehem Steel.
			Geneva Steel.
			IPSCO Steel.
			National Steel.
			US Steel.
			United Steelworkers of America.
C–427–819	701–TA–409	Low Enriched Uranium/France ...	United States Enrichment Corp.
			USEC Inc.
C–428–817	701–TA–340	Cold-Rolled Carbon Steel Flat Products/Germany.	Armco Steel.
			Bethlehem Steel.
			California Steel Industries.
			Gulf States Steel.
			Inland Steel Industries.
			LTV Steel.
			National Steel.
			Nextech.
			Rouge Steel Co.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
			WCI Steel.
			Weirton Steel.
C–428–817	701–TA–349	Corrosion-Resistant Carbon Steel Flat Products/Germany.	Armco Steel.
			Bethlehem Steel.
			California Steel Industries.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			LTV Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lukens Steel.
			National Steel.
			Nextech.
			Rouge Steel Co.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
			WCI Steel.
			Weirton Steel.
C–428–817	701–TA–322	Cut-to-Length Carbon Steel Plate/Germany.	Bethlehem Steel.
			California Steel Industries.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
C–428–829	701–TA–410	Low Enriched Uranium/Germany	United States Enrichment Corp.
			USEC Inc.
C–437–805	701–TA–426	Sulfanilic Acid/Hungary	Nation Ford Chemical.
C–469–004	701–TA–178	Stainless Steel Wire Rod/Spain	AL Tech Specialty Steel.
			Armco Steel.
			Carpenter Technology.
			Colt Industries.
			Cyclops.
			Guterl Special Steel.
			Joslyn Stainless Steels.
			Republic Steel.
C–469–804	701–TA–326	Cut-to-Length Carbon Steel Plate/Spain.	Bethlehem Steel.
			California Steel Industries.
			CitiSteel USA Inc.
			Geneva Steel.
			Gulf States Steel.
			Inland Steel Industries.
			Lukens Steel.
			National Steel.
			Nextech.
			Sharon Steel.
			Theis Precision Steel.
			Thompson Steel.
			US Steel.
			United Steelworkers of America.
C–475–812	701–TA–355	Grain-Oriented Silicon Electrical Steel/Italy.	Allegheny Ludlum.
			Armco Steel.
			Butler Armco Independent Union.
			United Steelworkers of America.
			Zanesville Armco Independent Union.
C–475–815	701–TA–362	Seamless Pipe/Italy	Koppel Steel.
			Quanex.
			Timken.
			United States Steel.
C–475–817	701–TA–364	Oil Country Tubular Goods/Italy	IPSCO.
			Koppel Steel.
			Lone Star Steel.
			Maverick Tube.
			Newport Steel.
			North Star Steel.
			US Steel.
			USS/Kobe.
C–475–819	701–TA–365	Pasta/Italy	A Zerega's Sons.
			American Italian Pasta.
			Borden.
			D Merlino & Sons.
			Dakota Growers Pasta.
			Foulds.
			Gilster-Mary Lee.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gooch Foods. Hershey Foods. LaRinascente Macaroni Co. Pasta USA. Philadelphia Macaroni. ST Specialty Foods.
C–475–821	701–TA–373	Stainless Steel Wire Rod/Italy	AL Tech Specialty Steel. Carpenter Technology. Republic Engineered Steels. Talley Metals Technology. United Steelworkers of America.
C–475–823	701–TA–377	Stainless Steel Plate in Coils/Italy	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
C–475–825	701–TA–381	Stainless Steel Sheet and Strip/Italy.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
C–475–827	701–TA–390	Cut-to-Length Carbon Steel Plate/Italy.	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. US Steel. United Steelworkers of America.
C–475–830	701–TA–413	Stainless Steel Bar/Italy	Carpenter Technology. Crucible Specialty Metals. Electralloy. Empire Specialty Steel. Republic Technologies International. Slater Steels. United Steelworkers of America.
C–489–502	701–TA–253	Welded Carbon Steel Pipe and Tube/Turkey.	Allied Tube & Conduit. American Tube. Bernard Epps. Bock Industries. Bull Moose Tube. Central Steel Tube. Century Tube. Copperweld Tubing. Cyclops. Hughes Steel & Tube. Kaiser Steel. Laclede Steel. Maruichi American. Maverick Tube. Merchant Metals. Phoenix Steel. Pittsburgh Tube. Quanex. Sharon Tube. Southwestern Pipe. UNR-Leavitt. Welded Tube. Western Tube & Conduit. Wheatland Tube.
C–489–806	701–TA–366	Pasta/Turkey	A Zerega's Sons. American Italian Pasta. Borden. D Merlino & Sons. Dakota Growers Pasta. Foulds. Gilster-Mary Lee. Gooch Foods.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Hershey Foods.
			LaRinascente Macaroni Co.
			Pasta USA.
			Philadelphia Macaroni.
			ST Specialty Foods.
C–507–501	N/A	Raw In-Shell Pistachios/Iran	Blackwell Land Co.
			Cal Pure Pistachios Inc.
			California Pistachio Commission.
			California Pistachio Orchards.
			Keenan Farms Inc.
			Kern Pistachio Hulling & Drying Co-Op.
			Los Rancheros de Poco Pedro.
			Pistachio Producers of California.
			TM Duche Nut Co Inc.
C–507–601	N/A	Roasted In-Shell Pistachios/Iran	Cal Pure Pistachios Inc.
			California Pistachio Commission.
			Keenan Farms Inc.
			Kern Pistachio Hulling & Drying Co-Op.
			Pistachio Producers of California.
			TM Duche Nut Co Inc.
C–508–605	701–TA–286	Industrial Phosphoric Acid/Israel	Albright & Wilson.
			FMC.
			Hydrite Chemical.
			Monsanto.
			Stauffer Chemical.
C–533–063	303–TA–13	Iron Metal Castings/India	Campbell Foundry.
			Le Baron Foundry.
			Municipal Castings.
			Neenah Foundry.
			Pinkerton Foundry.
			US Foundry & Manufacturing.
			Vulcan Foundry.
C–533–807	701–TA–318	Sulfanilic Acid/India	R–M Industries.
C–533–818	701–TA–388	Cut-to-Length Carbon Steel Plate/India.	Bethlehem Steel.
			CitiSteel USA Inc.
			Geneva Steel.
			Gulf States Steel.
			IPSCO Steel.
			National Steel.
			Tuscaloosa Steel.
			US Steel.
			United Steelworkers of America.
C–533–821	701–TA–405	Hot-Rolled Steel Products/India	Bethlehem Steel.
			Gallatin Steel.
			Independent Steelworkers.
			IPSCO.
			LTV Steel.
			National Steel.
			Nucor.
			Rouge Steel Co.
			Steel Dynamics.
			US Steel.
			United Steelworkers of America.
			WCI Steel Inc.
			Weirton Steel.
			Wheeling-Pittsburgh Steel Corp.
C–533–825	701–TA–415	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/India.	DuPont Teijin Films.
			Mitsubishi Polyester Film LLC.
			SKC America Inc.
			Toray Plastics (America).
C–533–829	701–TA–432	Prestressed Concrete Steel Wire Strand/India.	American Spring Wire Corp.
			Insteel Wire Products Co.
			Sivaco Georgia LLC.
			Strand Tech Martin Inc.
			Sumiden Wire Products Corp.
C–533–839	701–TA–437	Carbazole Violet Pigment 23/India.	Allegheny Color Corp.
			Barker Fine Color Inc.
			Clariant Corp.
			Nation Ford Chemical Co.
			Sun Chemical Co.
C–533–844	701–TA–442	Certain Lined Paper School Supplies/India.	Fay Paper Products Inc.
			MeadWestvaco Consumer & Office Products.
			Norcom Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Pacon Corp. Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO–CLC (USW).
C–535–001	701–TA–202	Cotton Shop Towels/Pakistan	Milliken.
C–549–818	701–TA–408	Hot-Rolled Steel Products/Thailand.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C–560–806	701–TA–389	Cut-to-Length Carbon Steel Plate/Indonesia.	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
C–560–813	701–TA–406	Hot-Rolled Steel Products/Indonesia.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
C–560–819	701–TA–443	Certain Lined Paper School Supplies/Indonesia.	Fay Paper Products Inc. MeadWestvaco Consumer & Office Products. Norcom Inc. Pacon Corp. Roaring Spring Blank Book Co. Top Flight Inc. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO–CLC (USW).
C–580–602	701–TA–267	Top-of-the-Stove Stainless Steel Cooking Ware/Korea.	Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex.
C–580–818	701–TA–342	Cold-Rolled Carbon Steel Flat Products/Korea.	Armco Steel. Bethlehem Steel. California Steel Industries. Gulf States Steel. Inland Steel Industries. LTV Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
C–580–818	701–TA–350	Corrosion-Resistant Carbon Steel Flat Products/Korea.	Armco Steel. Bethlehem Steel. California Steel Industries. Geneva Steel. Gulf States Steel. Inland Steel Industries. LTV Steel. Lukens Steel. National Steel. Nextech. Rouge Steel Co. Sharon Steel. Theis Precision Steel. Thompson Steel. US Steel. United Steelworkers of America. WCI Steel. Weirton Steel.
C–580–835	701–TA–382	Stainless Steel Sheet and Strip/Korea.	Allegheny Ludlum. Armco Steel. Bethlehem Steel. Butler Armco Independent Union. Carpenter Technology Corp. J&L Specialty Steel. North American Stainless. United Steelworkers of America. Zanesville Armco Independent Organization.
C–580–837	701–TA–391	Cut-to-Length Carbon Steel Plate/Korea.	Bethlehem Steel. CitiSteel USA Inc. Geneva Steel. Gulf States Steel. IPSCO Steel. National Steel. Tuscaloosa Steel. US Steel. United Steelworkers of America.
C–580–842	701–TA–401	Structural Steel Beams/Korea	Northwestern Steel and Wire. Nucor. Nucor-Yamato Steel. TXI-Chaparral Steel. United Steelworkers of America.
C–580–851	701–TA–431	DRAMs and DRAM Modules/Korea.	Dominion Semiconductor LLC./Micron Technology Inc. Infineon Technologies Richmond LP. Micron Technology Inc.
C–583–604	701–TA–268	Top-of-the-Stove Stainless Steel Cooking Ware/Taiwan.	Farberware. Regal Ware. Revere Copper & Brass. WearEver/Proctor Silex.
C–791–806	701–TA–379	Stainless Steel Plate in Coils/South Africa.	Allegheny Ludlum. Armco Steel. J&L Specialty Steel. Lukens Steel. North American Stainless. United Steelworkers of America.
C–791–810	701–TA–407	Hot-Rolled Steel Products/South Africa.	Bethlehem Steel. Gallatin Steel. Independent Steelworkers. IPSCO. LTV Steel. National Steel. Nucor. Rouge Steel Co. Steel Dynamics. US Steel. United Steelworkers of America. WCI Steel Inc. Weirton Steel. Wheeling-Pittsburgh Steel Corp.
A–331–802	731–TA–1065	Certain Frozen Warmwater Shrimp and Prawns/Ecuador.	
A–351–838	731–TA–1063	Certain Frozen Warmwater Shrimp and Prawns/Brazil.	

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
A–533–840	731–TA–1066	Certain Frozen Warmwater Shrimp and Prawns/India.	
A–549–822	731–TA–1067	Certain Frozen Warmwater Shrimp and Prawns/Thailand.	
A–552–802	731–TA–1068	Certain Frozen Warmwater Shrimp and Prawns/Vietnam.	
A–570–893	731–TA–1064	Certain Frozen Warmwater Shrimp and Prawns/China.	
			Petitioners/Supporters for all six cases listed: Abadie, Al J. Abadie, Anthony. Abner, Charles. Abraham, Steven. Abshire, Gabriel J. Ackerman, Dale J. Acosta, Darryl L. Acosta, Jerry J Sr. Acosta, Leonard C. Acosta, Wilson Pula Sr. Adam, Denise T. Adam, Michael A. Adam, Richard B Jr. Adam, Sherry P. Adam, William E. Adam, Alcide J Jr. Adams, Dudley. Adams, Elizabeth L. Adams, Ervin. Adams, Ervin. Adams, George E. Adams, Hursy J. Adams, James Arthur. Adams, Kelly. Adams, Lawrence J Jr. Adams, Randy. Adams, Ritchie. Adams, Steven A. Adams, Ted J. Adams, Tim. Adams, Whitney P Jr. Agoff, Ralph J. Aguilar, Rikardo. Aguillard, Roddy G. Alario, Don Ray. Alario, Nat. Alario, Pete J. Alario, Timmy. Albert, Craig J. Albert, Junior J. Alexander, Everett O. Alexander, Robert F Jr. Alexie, Benny J. Alexie, Corkey A. Alexie, Dolphy. Alexie, Felix Jr. Alexie, Gwendolyn. Alexie, John J. Alexie, John V. Alexie, Larry J Sr. Alexie, Larry Jr. Alexie, Vincent L Jr. Alexis, Barry S. Alexis, Craig W. Alexis, Micheal. Alexis, Monique. Alfonso, Anthony E Jr. Alfonso, Jesse. Alfonso, Nicholas. Alfonso, Paul Anthony. Alfonso, Randy. Alfonso, Terry S Jr. Alfonso, Vernon Jr. Alfonso, Yvette.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Alimia, Angelo A Jr. Allemand, Dean J. Allen, Annie. Allen, Carolyn Sue. Allen, Jackie. Allen, Robin. Allen, Wayne. Allen, Wilbur L. Allen, Willie J III. Allen, Willie Sr. Alphonso, John. Ancalade, Leo J. Ancar, Claudene. Ancar, Jerry T. Ancar, Joe C. Ancar, Merlin Sr. Ancar, William Sr. Ancelet, Gerald Ray. Anderson, Andrew David. Anderson, Ernest W. Anderson, Jerry. Anderson, John. Anderson, Lynwood. Anderson, Melinda Rene. Anderson, Michael Brian. Anderson, Ronald L Sr. Anderson, Ronald Louis Jr. Andonie, Miguel. Andrews, Anthony R. Andry, Janice M. Andry, Rondey S. Angelle, Louis. Anglada, Eugene Sr. Ansardi, Lester. Anselmi, Darren. Aparicio, Alfred. Aparicio, David. Aparicio, Ernest. Arabie, Georgia P. Arabie, Joseph. Arcement, Craig J. Arcement, Lester C. Arcemont, Donald Sr. Arceneaux, Matthew J. Arceneaux, Michael K. Areas, Christopher J. Armbruster, John III. Armbruster, Paula D. Armstrong, Jude Jr. Arnesen, George. Arnold, Lonnie L Jr. Arnona, Joseph T. Arnondin, Robert. Arthur, Brenda J. Assavedo, Floyd. Atwood, Gregory Kenneth. Au, Chow D. Au, Robert. Aucoin, Dewey F. Aucoin, Earl. Aucoin, Laine A. Aucoin, Perry J. Austin, Dennis. Austin, Dennis J. Authement, Brice. Authement, Craig L. Authement, Dion J. Authement, Gordon. Authement, Lance M. Authement, Larry. Authement, Larry Sr. Authement, Roger J. Authement, Sterling P.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Autin, Bobby.
			Autin, Bruce J.
			Autin, Kenneth D.
			Autin, Marvin J.
			Autin, Paul F Jr.
			Autin, Roy.
			Avenel, Albert J Jr.
			Ba Wells, Tran Thi.
			Babb, Conny.
			Babin, Brad.
			Babin, Joey L.
			Babin, Klint.
			Babin, Molly.
			Babin, Norman J.
			Babineaux, Kirby.
			Babineaux, Vicki.
			Bach, Ke Van.
			Bach, Reo Long.
			Backman, Benny.
			Badeaux, Todd.
			Baham, Dewayne.
			Bailey, Albert.
			Bailey, Antoine III.
			Bailey, David B Sr.
			Bailey, Don.
			Baker, Clarence.
			Baker, Donald Earl.
			Baker, James.
			Baker, Kenneth.
			Baker, Ronald J.
			Balderas, Antonio.
			Baldwin, Richard Prentiss.
			Ballard, Albert.
			Ballas, Barbara A.
			Ballas, Charles J.
			Baltz, John F.
			Ban, John.
			Bang, Bruce K.
			Barbaree, Joe W.
			Barbe, Mark A and Cindy.
			Barber, Louie W Jr.
			Barber, Louie W Sr.
			Barbier, Percy T.
			Barbour, Raymond A.
			Bargainear, James E.
			Barisich, George A.
			Barisich, Joseph J.
			Barnette, Earl.
			Barnhill, Nathan.
			Barrios, Clarence.
			Barrios, Corbert J.
			Barrios, Corbert M.
			Barrios, David.
			Barrios, John.
			Barrios, Shane James.
			Barrois, Angela Gail.
			Barrois, Dana A.
			Barrois, Tracy James.
			Barrois, Wendell Jude Jr.
			Barthe, Keith Sr.
			Barthelemy, Allen M.
			Barthelemy, John A.
			Barthelemy, Rene T Sr.
			Barthelemy, Walter A Jr.
			Bartholomew, Mitchell.
			Bartholomew, Neil W.
			Bartholomew, Thomas E.
			Bartholomew, Wanda C.
			Basse, Donald J Sr.
			Bates, Mark.
			Bates, Ted Jr.
			Bates, Vernon Jr.
			Battle, Louis.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Baudoin, Drake J. Baudoin, Murphy A. Baudouin, Stephen. Bauer, Gary. Baye, Glen P. Bean, Charles A. Beazley, William E. Becnel, Glenn J. Becnel, Kent. Beecher, Carold F. Beechler, Ronald. Bell, James E. Bell, Ronald A. Bellanger, Arnold. Bellanger, Clifton. Bellanger, Scott J. Belsome, Derrell M. Belsome, Karl M. Bennett, Cecil A Jr. Bennett, Gary Lynn. Bennett, Irin Jr. Bennett, James W Jr. Bennett, Louis. Benoit, Francis J. Benoit, Nicholas L. Benoit, Paula T. Benoit, Tenna J Jr. Benton, Walter T. Berger, Ray W. Bergeron, Alfred Scott. Bergeron, Jeff. Bergeron, Nolan A. Bergeron, Ulysses J. Bernard, Lamont L. Berner, Mark J. Berthelot, Gerard J Sr. Berthelot, James A. Berthelot, Myron J. Bertrand, Jerl C. Beverung, Keith J. Bianchini, Raymond W. Bickham, Leo E. Bienvenu, Charles. Biggs, Jerry W Sr. Bigler, Delbert. Billington, Richard. Billiot, Alfredia. Billiot, Arthur. Billiot, Aubrey. Billiot, Barell J. Billiot, Betty. Billiot, Bobby J. Billiot, Brian K. Billiot, Cassidy. Billiot, Charles Sr. Billiot, Chris J Sr. Billiot, E J E. Billiot, Earl W Sr. Billiot, Ecton L. Billiot, Emary. Billiot, Forest Jr. Billiot, Gerald. Billiot, Harold J. Billiot, Jacco A. Billiot, Jake A. Billiot, James Jr. Billiot, Joseph S Jr. Billiot, Laurence V. Billiot, Leonard F Jr. Billiot, Lisa. Billiot, Mary L. Billiot, Paul J Sr. Billiot, Shirley L.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Billiot, Steve M.
			Billiot, Thomas Adam.
			Billiot, Thomas Sr.
			Billiot, Wenceslaus Jr.
			Billiott, Alexander J.
			Biron, Yale.
			Black, William C.
			Blackston, Larry E.
			Blackwell, Wade H III.
			Blackwell, Wade H Jr.
			Blanchard, Albert.
			Blanchard, Andrew J.
			Blanchard, Billy J.
			Blanchard, Cyrus.
			Blanchard, Daniel A.
			Blanchard, Dean.
			Blanchard, Douglas Jr.
			Blanchard, Dwayne.
			Blanchard, Elgin.
			Blanchard, Gilbert.
			Blanchard, Jade.
			Blanchard, James.
			Blanchard, John F Jr.
			Blanchard, Katie.
			Blanchard, Kelly.
			Blanchard, Matt Joseph.
			Blanchard, Michael.
			Blanchard, Quentin Timothy.
			Blanchard, Roger Sr.
			Blanchard, Walton H Jr.
			Bland, Quyen T.
			Blouin, Roy A.
			Blume, Jack Jr.
			Bodden, Arturo.
			Bodden, Jasper.
			Bollinger, Donald E.
			Bolotte, Darren W.
			Bolton, Larry F.
			Bondi, Paul J.
			Bonvillain, Jimmy J.
			Bonvillian, Donna M.
			Boone, Clifton Felix
			Boone, Donald F II.
			Boone, Donald F III (Ricky).
			Boone, Gregory T.
			Boquet, Noriss P Jr.
			Boquet, Wilfred Jr.
			Bordelon, Glenn Sr.
			Bordelon, James P.
			Bordelon, Shelby P.
			Borden, Benny.
			Borne, Crystal.
			Borne, Dina L.
			Borne, Edward Joseph Jr.
			Borne, Edward Sr.
			Bosarge, Hubert Lawrence.
			Bosarge, Robert.
			Bosarge, Sandra.
			Bosarge, Steve.
			Boudlauch, Durel A Jr.
			Boudoin, Larry Terrell.
			Boudoin, Nathan.
			Boudreaux, Brent J.
			Boudreaux, Elvin J III.
			Boudreaux, James C Jr.
			Boudreaux, James N.
			Boudreaux, Jessie.
			Boudreaux, Leroy A.
			Boudreaux, Mark.
			Boudreaux, Paul Sr.
			Boudreaux, Richard D.
			Boudreaux, Ronald Sr.
			Boudreaux, Sally.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Boudreaux, Veronica.
			Boudwin, Dwayne.
			Boudwin, Jewel James Sr.
			Boudwin, Wayne.
			Bouise, Norman.
			Boulet, Irwin J Jr.
			Boullion, Debra.
			Bourg, Allen T.
			Bourg, Benny.
			Bourg, Chad J.
			Bourg, Channon.
			Bourg, Chris.
			Bourg, Douglas.
			Bourg, Glenn A.
			Bourg, Jearmie Sr.
			Bourg, Kent A.
			Bourg, Mark.
			Bourg, Nolan P.
			Bourg, Ricky J.
			Bourgeois, Albert P.
			Bourgeois, Brian J Jr.
			Bourgeois, Daniel.
			Bourgeois, Dwayne.
			Bourgeois, Jake.
			Bourgeois, Johnny M.
			Bourgeois, Johnny M Jr.
			Bourgeois, Leon A.
			Bourgeois, Louis A.
			Bourgeois, Merrie E.
			Bourgeois, Randy P.
			Bourgeois, Reed.
			Bourgeois, Webley.
			Bourn, Chris.
			Bourque, Murphy Paul.
			Bourque, Ray.
			Bousegard, Duvic Jr.
			Boutte, Manuel J Jr.
			Bouvier, Colbert A II.
			Bouzigard, Dale J.
			Bouzigard, Edgar J III.
			Bouzigard, Eeris.
			Bowers, Harold.
			Bowers, Tommy.
			Boyd, David E Sr.
			Boyd, Elbert.
			Boykin, Darren L.
			Boykin, Thomas Carol.
			Bradley, James.
			Brady, Brian.
			Brandhurst, Kay.
			Brandhurst, Ray E Sr.
			Brandhurst, Raymond J.
			Braneff, David G.
			Brannan, William P.
			Branom, Donald James Jr.
			Braud, James M.
			Brazan, Frank J.
			Breaud, Irvin F Jr.
			Breaux, Barbara.
			Breaux, Brian J.
			Breaux, Charlie M.
			Breaux, Clifford.
			Breaux, Colin E.
			Breaux, Daniel Jr.
			Breaux, Larry J.
			Breaux, Robert J Jr.
			Breaux, Shelby.
			Briscoe, Robert F Jr.
			Britsch, L D Jr.
			Broussard, Dwayne E.
			Broussard, Eric.
			Broussard, Keith.
			Broussard, Larry.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Broussard, Mark A.
			Broussard, Roger David.
			Broussard, Roger R.
			Broussard, Steve P.
			Brown, Cindy B.
			Brown, Colleen.
			Brown, Donald G.
			Brown, John W.
			Brown, Paul R.
			Brown, Ricky.
			Brown, Toby H.
			Bruce, Adam J.
			Bruce, Adam J Jr.
			Bruce, Bob R.
			Bruce, Daniel M Sr.
			Bruce, Eli T Sr.
			Bruce, Emelda L.
			Bruce, Gary J Sr.
			Bruce, James P.
			Bruce, Lester J Jr.
			Bruce, Margie L.
			Bruce, Mary P.
			Bruce, Nathan.
			Bruce, Robert.
			Bruce, Russell.
			Brudnock, Peter Sr.
			Brunet, Elton J.
			Brunet, Joseph A.
			Brunet, Joseph A.
			Brunet, Levy J Jr.
			Brunet, Raymond Sr.
			Bryan, David N.
			Bryant, Ina Fay V.
			Bryant, Jack D Sr.
			Bryant, James Larry.
			Buford, Ernest.
			Bui, Ben.
			Bui, Dich.
			Bui, Dung Thi.
			Bui, Huong T.
			Bui, Ngan.
			Bui, Nhuan.
			Bui, Nuoi Van.
			Bui, Tai.
			Bui, Tien.
			Bui, Tommy.
			Bui, Xuan and De Nguyen.
			Bui, Xuanmai.
			Bull, Delbert E.
			Bundy, Belvina (Kenneth).
			Bundy, Kenneth Sr.
			Bundy, Nicky.
			Bundy, Ronald J.
			Bundy, Ronnie J.
			Buquet, John Jr.
			Buras, Clayton M.
			Buras, Leander.
			Buras, Robert M Jr.
			Buras, Waylon J.
			Burlett, Elliott C.
			Burlett, John C Jr.
			Burnell, Charles B.
			Burnell, Charles R.
			Burnham, Deanna Lea.
			Burns, Stuart E.
			Burroughs, Lindsey Hilton Jr.
			Burton, Ronnie.
			Busby, Hardy E.
			Busby, Tex H.
			Busch, RC.
			Bush, Robert A.
			Bussey, Tyler.
			Butcher, Dorothy.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Butcher, Rocky J.
			Butler, Albert A.
			Butler, Aline M.
			Bychurch, Johnny.
			Bychurch, Johnny Jr.
			Cabanilla, Alex.
			Caboz, Jose Santos.
			Cacioppo, Anthony Jr.
			Caddell, David.
			Cadiere, Mae Quick.
			Cadiere, Ronald J.
			Cahill, Jack.
			Caillouet, Stanford Jr.
			Caison, Jerry Lane Jr.
			Calcagno, Stephen Paul Sr.
			Calderone, John S.
			Callahan, Gene P Sr.
			Callahan, Michael J.
			Callahan, Russell.
			Callais, Ann.
			Callais, Franklin D.
			Callais, Gary D.
			Callais, Michael.
			Callais, Michael.
			Callais, Sandy.
			Callais, Terrence.
			Camardelle, Anna M.
			Camardelle, Chris J.
			Camardelle, David.
			Camardelle, Edward J III.
			Camardelle, Edward J Jr.
			Camardelle, Harris A.
			Camardelle, Knowles.
			Camardelle, Noel T.
			Camardelle, Tilman J.
			Caminita, John A III.
			Campo, Donald Paul.
			Campo, Kevin.
			Campo, Nicholas J.
			Campo, Roy.
			Campo, Roy Sr.
			Camus, Ernest M Jr.
			Canova, Carl.
			Cantrelle, Alvin.
			Cantrelle, Eugene J.
			Cantrelle, Otis A Sr.
			Cantrelle, Otis Jr (Buddy).
			Cantrelle, Philip A.
			Cantrelle, Tate Joseph.
			Canty, Robert Jamies.
			Cao, Anna.
			Cao, Billy.
			Cao, Billy Viet.
			Cao, Binh Quang.
			Cao, Chau.
			Cao, Dan Dien.
			Cao, Dung Van.
			Cao, Gio Van.
			Cao, Hiep A.
			Cao, Linh Huyen.
			Cao, Nghia Thi.
			Cao, Nhieu V.
			Cao, Si-Van.
			Cao, Thanh Kim.
			Cao, Tuong Van.
			Carinhas, Jack G Jr.
			Carl, Joseph Allen.
			Carlos, Gregory.
			Carlos, Irvin.
			Carmadelle, David J.
			Carmadelle, Larry G.
			Carmadelle, Rudy J.
			Carrere, Anthony T Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Carrier, Larry J.
			Caruso, Michael.
			Casanova, David W Sr.
			Cassagne, Alphonse G III.
			Cassagne, Alphonse G IV.
			Cassidy, Mark.
			Casso, Joseph.
			Castelin, Gilbert.
			Castelin, Sharon.
			Castellanos, Raul L.
			Castelluccio, John A Jr.
			Castille, Joshua.
			Caulfield, Adolph Jr.
			Caulfield, Hope.
			Caulfield, James M Jr.
			Caulfield, Jean.
			Cepriano, Salvador.
			Cerdes, Julius W Jr.
			Cerise, Marla.
			Chabert, John.
			Chaisson, Dean J.
			Chaisson, Henry.
			Chaisson, Vincent A.
			Chaix, Thomas B III.
			Champagne, Brian.
			Champagne, Harold P.
			Champagne, Kenton.
			Champagne, Leon J.
			Champagne, Leroy A.
			Champagne, Lori.
			Champagne, Timmy D.
			Champagne, Willard.
			Champlin, Kim J.
			Chance, Jason R.
			Chancey, Jeff.
			Chapa, Arturo.
			Chaplin Robert G Sr.
			Chaplin, Saxby Stowe.
			Charles, Christopher.
			Charpentier, Allen J.
			Charpentier, Alvin J.
			Charpentier, Daniel J.
			Charpentier, Lawrence.
			Charpentier, Linton.
			Charpentier, Melanie.
			Charpentier, Murphy Jr.
			Charpentier, Robert J.
			Chartier, Michelle.
			Chau, Minh Huu.
			Chauvin, Anthony.
			Chauvin, Anthony P Jr.
			Chauvin, Carey M.
			Chauvin, David James.
			Chauvin, James E.
			Chauvin, Kimberly Kay.
			Cheeks, Alton Bruce.
			Cheers, Elwood.
			Chenier, Ricky.
			Cheramie, Alan.
			Cheramie, Alan J Jr.
			Cheramie, Alton J.
			Cheramie, Berwick Jr.
			Cheramie, Berwick Sr.
			Cheramie, Daniel James Sr.
			Cheramie, Danny.
			Cheramie, David J.
			Cheramie, David P.
			Cheramie, Dickey J.
			Cheramie, Donald.
			Cheramie, Enola.
			Cheramie, Flint.
			Cheramie, Harold L.
			Cheramie, Harry J Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cheramie, Harry Jr.
			Cheramie, Harvey Jr.
			Cheramie, Harvey Sr.
			Cheramie, Henry J Sr.
			Cheramie, James A.
			Cheramie, James P.
			Cheramie, Jody P.
			Cheramie, Joey J.
			Cheramie, Johnny.
			Cheramie, Joseph A.
			Cheramie, Lee Allen.
			Cheramie, Linton J.
			Cheramie, Mark A.
			Cheramie, Murphy J.
			Cheramie, Nathan A Sr.
			Cheramie, Neddy P.
			Cheramie, Nicky J.
			Cheramie, Ojess M.
			Cheramie, Paris P.
			Cheramie, Robbie.
			Cheramie, Rodney E Jr.
			Cheramie, Ronald.
			Cheramie, Roy.
			Cheramie, Roy A.
			Cheramie, Sally K.
			Cheramie, Terry J.
			Cheramie, Terry Jr.
			Cheramie, Timmy.
			Cheramie, Tina.
			Cheramie, Todd M.
			Cheramie, Tommy.
			Cheramie, Wayne A.
			Cheramie, Wayne A Jr.
			Cheramie, Wayne F Sr.
			Cheramie, Wayne J.
			Cheramie, Webb Jr.
			Chevalier, Mitch.
			Chew, Thomas J.
			Chhun, Samantha.
			Chiasson, Jody J.
			Chiasson, Manton P Jr.
			Chiasson, Michael P.
			Childress, Gordon.
			Chisholm, Arthur.
			Chisholm, Henry Jr.
			Christen, David Jr.
			Christen, Vernon.
			Christmas, John T Jr.
			Chung, Long V.
			Ciaccio, Vance.
			Cibilic, Bozidar.
			Cieutat, John.
			Cisneros, Albino.
			Ciuffi, Michael L.
			Clark, James M.
			Clark, Jennings.
			Clark, Mark A.
			Clark, Ricky L.
			Cobb, Michael A.
			Cochran, Jimmy.
			Coleman, Ernest.
			Coleman, Freddie Jr.
			Colletti, Rodney A.
			Collier, Ervin J.
			Collier, Wade.
			Collins, Bernard J.
			Collins, Bruce J Jr.
			Collins, Donald.
			Collins, Earline.
			Collins, Eddie F Jr.
			Collins, Jack.
			Collins, Jack.
			Collins, Julius.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Collins, Lawson Bruce Sr.
			Collins, Lindy S Jr.
			Collins, Logan A Jr.
			Collins, Robert.
			Collins, Timmy P.
			Collins, Vendon Jr.
			Collins, Wilbert Jr.
			Collins, Woodrow.
			Colson, Chris and Michelle.
			Comardelle, Michael J.
			Comeaux, Allen J.
			Compeaux, Curtis J.
			Compeaux, Gary P.
			Compeaux, Harris.
			Cone, Jody.
			Contreras, Mario.
			Cook, Edwin A Jr.
			Cook, Edwin A Sr.
			Cook, Joshua.
			Cook, Larry R Sr.
			Cook, Scott.
			Cook, Theodore D.
			Cooksey, Ernest Neal.
			Cooper, Acy J III.
			Cooper, Acy J Jr.
			Cooper, Acy Sr.
			Cooper, Christopher W.
			Cooper, Jon C.
			Cooper, Marla F.
			Cooper, Vincent J.
			Copeman, John R.
			Corley, Ronald E.
			Cornett, Eddie.
			Cornwall, Roger.
			Cortez, Brenda M.
			Cortez, Cathy.
			Cortez, Curtis.
			Cortez, Daniel P.
			Cortez, Edgar.
			Cortez, Keith J.
			Cortez, Leslie J.
			Cosse, Robert K.
			Coston, Clayton.
			Cotsovolos, John Gordon.
			Coulon, Allen J Jr.
			Coulon, Allen J Sr.
			Coulon, Amy M.
			Coulon, Cleveland F.
			Coulon, Darrin M.
			Coulon, Don.
			Coulon, Earline N.
			Coulon, Ellis Jr.
			Coursey, John W.
			Courville, Ronnie P.
			Cover, Darryl L.
			Cowdrey, Michael Dudley.
			Cowdrey, Michael Nelson.
			Crain, Michael T.
			Crawford, Bryan D.
			Crawford, Steven J.
			Creamer, Quention.
			Credeur, Todd A Sr.
			Credeur, Tony J.
			Creppel, Carlton.
			Creppel, Catherine.
			Creppel, Craig Anthony.
			Creppel, Freddy.
			Creppel, Isadore Jr.
			Creppel, Julinne G III.
			Creppel, Kenneth.
			Creppel, Kenneth.
			Creppel, Nathan J Jr.
			Creppell, Michel P.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cristina, Charles J.
			Crochet, Sterling James.
			Crochet, Tony J.
			Crosby, Benjy J.
			Crosby, Darlene.
			Crosby, Leonard W Jr.
			Crosby, Ted J.
			Crosby, Thomas.
			Crum, Lonnie.
			Crum, Tommy Lloyd.
			Cruz, Jesus.
			Cubbage, Melinda T.
			Cuccia, Anthony J.
			Cuccia, Anthony J Jr.
			Cuccia, Kevin.
			Cumbie, Bryan E.
			Cure, Mike.
			Curole, Keith J.
			Curole, Kevin P.
			Curole, Margaret B.
			Curole, Willie P Jr.
			Cutrer, Jason C.
			Cvitanovich, T.
			Daigle, Alfred.
			Daigle, Cleve and Nona.
			Daigle, David John.
			Daigle, EJ.
			Daigle, Glenn.
			Daigle, Jamie J.
			Daigle, Jason.
			Daigle, Kirk.
			Daigle, Leonard P.
			Daigle, Lloyd.
			Daigle, Louis J.
			Daigle, Melanie.
			Daigle, Michael J.
			Daigle, Michael Wayne and JoAnn.
			Daisy, Jeff.
			Dale, Cleveland L.
			Dang, Ba.
			Dang, Dap.
			Dang, David.
			Dang, Duong.
			Dang, Khang.
			Dang, Khang and Tam Phan.
			Dang, Loan Thi.
			Dang, Minh.
			Dang, Minh Van.
			Dang, Son.
			Dang, Tao Kevin.
			Dang, Thang Duc.
			Dang, Thien Van.
			Dang, Thuong.
			Dang, Thuy.
			Dang, Van D.
			Daniels, David.
			Daniels, Henry.
			Daniels, Leslie.
			Danos, Albert Sr.
			Danos, James A.
			Danos, Jared.
			Danos, Oliver J.
			Danos, Ricky P.
			Danos, Rodney.
			Danos, Timothy A.
			d'Antignac, Debi.
			d'Antignac, Jack.
			Dantin, Archie A.
			Dantin, Mark S Sr.
			Dantin, Stephen Jr.
			Dao, Paul.
			Dao, Vang.
			Dao-Nguyen, Chrysti.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Darda, Albert L Jr. Darda, Gertrude. Darda, Herbert. Darda, J C. Darda, Jeremy. Darda, Tammy. Darda, Trudy. Dardar, Alvin. Dardar, Basile J. Dardar, Basile Sr. Dardar, Cindy. Dardar, David. Dardar, Donald S. Dardar, Edison J Sr. Dardar, Gayle Picou. Dardar, Gilbert B. Dardar, Gilbert Sr. Dardar, Isadore J Jr. Dardar, Jacqueline. Dardar, Jonathan M. Dardar, Lanny. Dardar, Larry J. Dardar, Many. Dardar, Neal A. Dardar, Norbert. Dardar, Patti V. Dardar, Percy B Sr. Dardar, Rose. Dardar, Rusty J. Dardar, Samuel. Dardar, Summersgill. Dardar, Terry P. Dardar, Toney M Jr. Dardar, Toney Sr. Dargis, Stephen M. Dassau, Louis. David, Philip J Jr. Davis, Cliff. Davis, Daniel A. Davis, Danny A. Davis, James. Davis, John W. Davis, Joseph D. Davis, Michael Steven. Davis, Ronald B. Davis, William T Jr. Davis, William Theron. Dawson, JT. de la Cruz, Avery T. Dean, Ilene L. Dean, John N. Dean, Stephen. DeBarge, Brian K. DeBarge, Sherry. DeBarge, Thomas W. Decoursey, John. Dedon, Walter. Deere, Daryl. Deere, David E. Deere, Dennis H. Defelice, Robin. Defelice, Tracie L. DeHart, Ashton J Sr. Dehart, Bernard J. Dehart, Blair. Dehart, Clevis. Dehart, Clevis Jr. DeHart, Curtis P Sr. Dehart, Eura Sr. Dehart, Ferrell John. Dehart, Leonard M. DeHart, Troy. DeJean, Chris N Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			DeJean, Chris N Sr. Dekemel, Bonnie D. Dekemel, Wm J Jr. Delande, Paul. Delande, Ten Chie. Delatte, Michael J Sr. Delaune, Kip M. Delaune, Thomas J. Delaune, Todd J. Delcambre, Carroll A. Delgado, Jesse. Delino, Carlton. Delino, Lorene. Deloach, Stephen W Jr. DeMoll, Herman J Jr. DeMoll, Herman J Sr. DeMoll, James C Jr. DeMoll, Ralph. DeMoll, Robert C. DeMoll, Terry R. DeMolle, Freddy. DeMolle, Otis. Dennis, Fred. Denty, Steve. Deroche, Barbara H. Derouen, Caghe. Deshotel, Rodney. DeSilvey, David. Despaux, Byron J. Despaux, Byron J Jr. Despaux, Glen A. Despaux, Ken. Despaux, Kerry. Despaux, Suzanna. Detillier, David E. DeVaney, Bobby C Jr. Dickey, Wesley Frank. Diep, Vu. Dinger, Anita. Dinger, Corbert Sr. Dinger, Eric. Dingler, Mark H. Dinh, Chau Thanh. Dinh, Khai Duc. Dinh, Lien. Dinh, Toan. Dinh, Vincent. Dion, Ernest. Dion, Paul A. Dion, Thomas Autry. Disalvo, Paul A. Dismuke, Robert E Sr. Ditcharo, Dominick III. Dixon, David. Do, Cuong V. Do, Dan C. Do, Dung V. Do, Hai Van. Do, Hieu. Do, Hung V. Do, Hung V. Do, Johnny. Do, Kiet Van. Do, Ky Hong. Do, Ky Quoc. Do, Lam. Do, Liet Van. Do, Luong Van. Do, Minh Van. Do, Nghiep Van. Do, Ta. Do, Ta Phon. Do, Than Viet.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Do, Thanh V.
			Do, Theo Van.
			Do, Thien Van.
			Do, Tinh A.
			Do, Tri.
			Do, Vi V.
			Doan, Anh Thi.
			Doan, Joseph.
			Doan, Mai.
			Doan, Minh.
			Doan, Ngoc.
			Doan, Tran Van.
			Domangue, Darryl.
			Domangue, Emile.
			Domangue, Mary.
			Domangue, Michael.
			Domangue, Paul.
			Domangue, Ranzell Sr.
			Domangue, Stephen.
			Domangue, Westley.
			Domingo, Carolyn.
			Dominique, Amy R.
			Dominque, Gerald R.
			Donini, Ernest N.
			Donnelly, David C.
			Donohue, Holly M.
			Dooley, Denise F.
			Dopson, Craig B.
			Dore, Presley J.
			Dore, Preston J Jr.
			Dorr, Janthan C Jr.
			Doucet, Paul J Sr.
			Downey, Colleen.
			Doxey, Robert Lee Sr.
			Doxey, Ruben A.
			Doxey, William L.
			Doyle, John T.
			Drawdy, John Joseph.
			Drury, Bruce W Jr.
			Drury, Bruce W Sr.
			Drury, Bryant J.
			Drury, Eric S.
			Drury, Helen M.
			Drury, Jeff III.
			Drury, Kevin.
			Drury, Kevin S Sr.
			Drury, Steve R.
			Drury, Steven J.
			Dubberly, James F.
			Dubberly, James Michael.
			Dubberly, James Michael Jr.
			Dubberly, John J.
			Dubois, Euris A.
			Dubois, John D Jr.
			Dubois, Lonnie J.
			Duck, Kermit Paul.
			Dudenhefer, Anthony.
			Dudenhefer, Connie S.
			Dudenhefer, Eugene A.
			Dudenhefer, Milton J Jr.
			Duet, Brad J.
			Duet, Darrel A.
			Duet, Guy J.
			Duet, Jace J.
			Duet, Jay.
			Duet, John P.
			Duet, Larson.
			Duet, Ramie.
			Duet, Raymond J.
			Duet, Tammy B.
			Duet, Tyrone.
			Dufrene, Archie.
			Dufrene, Charles.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Dufrene, Curt F.
			Dufrene, Elson A.
			Dufrene, Eric F.
			Dufrene, Eric F Jr.
			Dufrene, Eric John.
			Dufrene, Golden J.
			Dufrene, Jeremy M.
			Dufrene, Juliette B.
			Dufrene, Leroy J.
			Dufrene, Milton J.
			Dufrene, Ronald A Jr.
			Dufrene, Ronald A Sr.
			Dufrene, Scottie M.
			Dufrene, Toby.
			Dugar, Edward A II.
			Dugas, Donald John.
			Dugas, Henri J IV.
			Duhe, Greta.
			Duhe, Robert.
			Duhon, Charles.
			Duhon, Douglas P.
			Duncan, Faye E.
			Duncan, Gary.
			Duncan, Loyde C.
			Dunn, Bob.
			Duong, Billy.
			Duong, Chamroeun.
			Duong, EM.
			Duong, Ho Tan Phi.
			Duong, Kong.
			Duong, Mau.
			Duplantis, Blair P.
			Duplantis, David.
			Duplantis, Frankie J.
			Duplantis, Maria.
			Duplantis, Teddy W.
			Duplantis, Wedgir J Jr.
			Duplessis, Anthony James Sr.
			Duplessis, Bonnie S.
			Duplessis, Clarence R.
			Dupre, Brandon P.
			Dupre, Cecile.
			Dupre, David A.
			Dupre, Davis J Jr.
			Dupre, Easton J.
			Dupre, Jimmie Sr.
			Dupre, Linward P.
			Dupre, Mary L.
			Dupre, Michael J.
			Dupre, Michael J Jr.
			Dupre, Randall P.
			Dupre, Richard A.
			Dupre, Rudy P.
			Dupre, Ryan A.
			Dupre, Tony J.
			Dupre, Troy A.
			Dupree, Bryan.
			Dupree, Derrick.
			Dupree, Malcolm J Sr.
			Dupuis, Clayton J.
			Durand, Walter Y.
			Dusang, Melvin A.
			Duval, Denval H Sr.
			Duval, Wayne.
			Dyer, Nadine D.
			Dyer, Tony.
			Dykes, Bert L.
			Dyson, Adley L Jr.
			Dyson, Adley L Sr.
			Dyson, Amy.
			Dyson, Casandra.
			Dyson, Clarence III.
			Dyson, Jimmy Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Dyson, Jimmy L Sr.
			Dyson, Kathleen.
			Dyson, Maricela.
			Dyson, Phillip II.
			Dyson, Phillip Sr.
			Dyson, William.
			Eckerd, Bill.
			Edens, Angela Blake.
			Edens, Donnie.
			Edens, Jeremy Donald.
			Edens, Nancy M.
			Edens, Steven L.
			Edens, Timothy Dale.
			Edgar, Daniel.
			Edgar, Joey.
			Edgerson, Roosevelt.
			Edwards,Tommy W III.
			Ellerbee, Jody Duane.
			Ellison, David Jr.
			Encalade, Alfred Jr.
			Encalade, Anthony T.
			Encalade, Cary.
			Encalade, Joshua C.
			Encalade, Stanley A.
			Enclade, Joseph L.
			Enclade, Michael Sr and Jeannie Pitre.
			Enclade, Rodney J.
			Englade, Alfred.
			Ennis, A L Jr.
			Erickson, Grant G.
			Erlinger, Carroll.
			Erlinger, Gary R.
			Eschete, Keith A.
			Esfeller, Benny A.
			Eskine, Kenneth.
			Esponge, Ernest J.
			Estaves, David Sr.
			Estaves, Ricky Joseph.
			Estay, Allen J.
			Estay, Wayne.
			Esteves, Anthony E Jr.
			Estrada, Orestes.
			Evans, Emile J Jr.
			Evans, Kevin J.
			Evans, Lester.
			Evans, Lester J Jr.
			Evans, Tracey J Sr.
			Everson, George C.
			Eymard, Brian P Sr.
			Eymard, Jervis J and Carolyn B.
			Fabiano, Morris C.
			Fabra, Mark.
			Fabre, Alton Jr.
			Fabre, Ernest J.
			Fabre, Kelly V.
			Fabre, Peggy B.
			Fabre, Sheron.
			Fabre, Terry A.
			Fabre, Wayne M.
			Falcon, Mitchell J.
			Falgout, Barney.
			Falgout, Jerry P.
			Falgout, Leroy J.
			Falgout, Timothy J.
			Fanguy, Barry G.
			Fanning, Paul Jr.
			Farris, Thomas J.
			Fasone, Christopher J.
			Fasone, William J.
			Faulk, Lester J.
			Favaloro, Thomas J.
			Favre, Michael Jr.
			Fazende, Jeffery.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Fazende, Thomas.
			Fazende, Thomas G.
			Fazzio, Anthony.
			Fazzio, Douglas P.
			Fazzio, Maxine J.
			Fazzio, Steve.
			Felarise, EJ.
			Felarise, Wayne A Sr.
			Fernandez, John.
			Fernandez, Laudelino.
			Ferrara, Audrey B.
			Ficarino, Dominick Jr.
			Fields, Bryan.
			Fillinich, Anthony.
			Fillinich, Anthony Sr.
			Fillinich, Jack.
			Fincher, Penny.
			Fincher, William.
			Fisch, Burton E.
			Fisher, Kelly.
			Fisher, Kirk.
			Fisher, Kirk A.
			Fitch, Adam.
			Fitch, Clarence J Jr.
			Fitch, Hanson.
			Fitzgerald, Burnell.
			Fitzgerald, Kirk.
			Fitzgerald, Kirk D.
			Fitzgerald, Ricky J Jr.
			Fleming, John M.
			Fleming, Meigs F.
			Fleming, Mike.
			Flick, Dana.
			Flores, Helena D.
			Flores, Thomas.
			Flowers, Steve W.
			Flowers, Vincent F.
			Folse, David M.
			Folse, Heath.
			Folse, Mary L.
			Folse, Ronald B.
			Fonseca, Francis Sr.
			Fontaine, William S.
			Fontenot, Peggy D.
			Ford, Judy.
			Ford, Warren Wayne.
			Foreman, Ralph Jr.
			Foret, Alva J.
			Foret, Billy J.
			Foret, Brent J.
			Foret, Glenn.
			Foret, Houston.
			Foret, Jackie P.
			Foret, Kurt J Sr.
			Foret, Lovelace A Sr.
			Foret, Loveless A Jr.
			Foret, Mark M.
			Foret, Patricia C.
			Forrest, David P.
			Forsyth, Hunter.
			Forsythe, John.
			Fortune, Michael A.
			France, George J.
			Francis, Albert.
			Franklin, James K.
			Frankovich, Anthony.
			Franks, Michael.
			Frauenberger, Richard Wayne.
			Frazier, David J.
			Frazier, David M.
			Frazier, James.
			Frazier, Michael.
			Frederick, Davis.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Frederick, Johnnie and Jeannie.
			Fredrick, Michael.
			Freeman, Arthur D.
			Freeman, Darrel P Sr.
			Freeman, Kenneth F.
			Freeman, Larry Scott.
			Frelich, Charles P.
			Frelich, Floyd J.
			Frelich, Kent.
			Frerics, Doug.
			Frerks, Albert R Jr.
			Frickey, Darell.
			Frickey, Darren.
			Frickey, Dirk I.
			Frickey, Eric J.
			Frickey, Harry J Jr.
			Frickey, Jimmy.
			Frickey, Rickey J.
			Frickey, Westley J.
			Friloux, Brad.
			Frisella, Jeanette M.
			Frisella, Jerome A Jr.
			Frost, Michael R.
			Fruge, Wade P.
			Gadson, James.
			Gaines, Dwayne.
			Gala, Christine.
			Galjour, Jess J.
			Galjour, Reed.
			Gallardo, John W.
			Gallardo, Johnny M.
			Galliano, Anthony.
			Galliano, Horace J.
			Galliano, Joseph Sr.
			Galliano, Logan J.
			Galliano, Lynne L.
			Galliano, Moise Jr.
			Galloway, AT Jr.
			Galloway, Jimmy D.
			Galloway, Judy L.
			Galloway, Mark D.
			Galt, Giles F.
			Gambarella, Luvencie J.
			Ganoi, Kristine.
			Garcia, Ana Maria.
			Garcia, Anthony.
			Garcia, Edward.
			Garcia, Kenneth.
			Garner, Larry S.
			Gary, Dalton J.
			Gary, Ernest J.
			Gary, Leonce Jr.
			Garza, Andres.
			Garza, Jose H.
			Gaskill, Elbert Clinton and Sandra.
			Gaspar, Timothy.
			Gaspard, Aaron and Hazel C.
			Gaspard, Dudley A Jr.
			Gaspard, Leonard J.
			Gaspard, Michael A.
			Gaspard, Michael Sr.
			Gaspard, Murry.
			Gaspard, Murry A Jr.
			Gaspard, Murry Sr.
			Gaspard, Murvin.
			Gaspard, Ronald Sr.
			Gaspard, Ronald Wayne Jr.
			Gaubert, Elizabeth.
			Gaubert, Gregory M.
			Gaubert, Melvin.
			Gaudet, Allen J IV.
			Gaudet, Ricky Jr.
			Gauthier, Hewitt J Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gautreaux, William A. Gay, Norman F. Gay, Robert G. Gazzier, Daryl G. Gazzier, Emanuel A. Gazzier, Wilfred E. Gegenheimer, William F. Geiling, James. Geisman, Tony. Gentry, Robert. Gentry, Samuel W Jr. George, James J Jr. Gerica, Clara. Gerica, Peter. Giambrone, Corey P. Gibson, Eddie E. Gibson, Joseph. Gibson, Ronald F. Gilden, Eddie Jr. Gilden, Eddie Sr. Gilden, Inez W. Gilden, Wayne. Gillikin, James D. Girard, Chad Paul. Giroir, Mark S. Gisclair, Anthony J. Gisclair, Anthony Joseph Sr. Gisclair, August. Gisclair, Dallas J Sr. Gisclair, Doyle A. Gisclair, Kip J. Gisclair, Ramona D. Gisclair, Wade. Gisclair, Walter. Glover, Charles D. Glynn, Larry. Goetz, George. Goings, Robert Eugene. Golden, George T. Golden, William L. Gollot, Brian. Gollot, Edgar R. Gonzales, Arnold Jr. Gonzales, Mrs Cyril E Jr. Gonzales, Rene R. Gonzales, Rudolph S Jr. Gonzales, Rudolph S Sr. Gonzales, Sylvia A. Gonzales, Tim J. Gonzalez, Jorge Jr. Gonzalez, Julio. Gordon, Donald E. Gordon, Patrick Alvin. Gore, Henry H. Gore, Isabel. Gore, Pam. Gore, Thomas L. Gore, Timothy Ansel. Gottschalk, Gregory. Gourgues, Harold C Jr. Goutierrez, Tony C. Govea, Joaquin. Graham, Darrell. Graham, Steven H. Granger, Albert J Sr. Granich, James. Granier, Stephen J. Grass, Michael. Graves, Robert N Sr. Gray, Jeannette. Gray, Monroe. Gray, Shirley E. Gray, Wayne A Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Graybill, Ruston.
			Green, Craig X.
			Green, James W.
			Green, James W Jr.
			Green, Shaun.
			Greenlaw, W C Jr.
			Gregoire, Ernest L.
			Gregoire, Rita M.
			Gregory, Curtis B.
			Gregory, Mercedes E.
			Grice, Raymond L Jr.
			Griffin, Alden J Sr.
			Griffin, Craig.
			Griffin, David D.
			Griffin, Elvis Joseph Jr.
			Griffin, Faye.
			Griffin, Faye Ann.
			Griffin, Jimmie J.
			Griffin, Nolty J.
			Griffin, Rickey.
			Griffin, Sharon.
			Griffin, Timothy.
			Griffin, Troy D.
			Groff, Alfred A.
			Groff, John A.
			Groover, Hank.
			Gros, Brent J Sr.
			Gros, Craig J.
			Gros, Danny A.
			Gros, Gary Sr.
			Gros, Junius A Jr.
			Gros, Keven.
			Gros, Michael A.
			Gross, Homer.
			Grossie, Janet M.
			Grossie, Shane A.
			Grossie, Tate.
			Grow, Jimmie C.
			Guenther, John J.
			Guenther, Raphael.
			Guerra, Bruce.
			Guerra, Chad L.
			Guerra, Fabian C.
			Guerra, Guy A.
			Guerra, Jerry V Sr.
			Guerra, Kurt P Sr.
			Guerra, Ricky J Sr.
			Guerra, Robert.
			Guerra, Ryan.
			Guerra, Troy A.
			Guerra, William Jr.
			Guidroz, Warren J.
			Guidry, Alvin A.
			Guidry, Andy J.
			Guidry, Arthur.
			Guidry, Bud.
			Guidry, Calvin P.
			Guidry, Carl J.
			Guidry, Charles J.
			Guidry, Chris J.
			Guidry, Clarence P.
			Guidry, Clark.
			Guidry, Clint.
			Guidry, Clinton P Jr.
			Guidry, Clyde A.
			Guidry, David.
			Guidry, Dobie.
			Guidry, Douglas J Sr.
			Guidry, Elgy III.
			Guidry, Elgy Jr.
			Guidry, Elwin A Jr.
			Guidry, Gerald A.
			Guidry, Gordon Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Guidry, Guillaume A.
			Guidry, Harold.
			Guidry, Jason.
			Guidry, Jessie J.
			Guidry, Jessie Joseph.
			Guidry, Jonathan B.
			Guidry, Joseph T Jr.
			Guidry, Keith M.
			Guidry, Kenneth J.
			Guidry, Kerry A.
			Guidry, Marco.
			Guidry, Maurin T and Tamika.
			Guidry, Michael J.
			Guidry, Nolan J Sr.
			Guidry, Randy Peter Sr.
			Guidry, Rhonda S.
			Guidry, Robert C.
			Guidry, Robert Joseph.
			Guidry, Robert Wayne.
			Guidry, Roger.
			Guidry, Ronald.
			Guidry, Roy Anthony.
			Guidry, Roy J.
			Guidry, Tammy.
			Guidry, Ted.
			Guidry, Thomas P.
			Guidry, Timothy.
			Guidry, Troy.
			Guidry, Troy.
			Guidry, Ulysses.
			Guidry, Vicki.
			Guidry, Wayne J.
			Guidry, Wyatt.
			Guidry, Yvonne.
			Guidry-Calva, Holly A.
			Guilbeaux, Donald J.
			Guilbeaux, Lou.
			Guillie, Shirley.
			Guillory, Horace H.
			Guillot, Benjamin J Jr.
			Guillot, Rickey A.
			Gulledge, Lee.
			Gutierrez, Anita.
			Guy, Jody.
			Guy, Kimothy Paul.
			Guy, Wilson.
			Ha, Cherie Lan.
			Ha, Co Dong.
			Ha, Lai Thuy Thi.
			Ha, Lyanna.
			Hadwall, John R.
			Hafford, Johnny.
			Hagan, Jules.
			Hagan, Marianna.
			Haiglea, Robbin Richard.
			Hales, William E.
			Halili, Rhonda L.
			Hall, Byron S.
			Hall, Darrel T Sr.
			Hall, Lorrie A.
			Hammer, Michael P.
			Hammock, Julius Michael.
			Hancock, Jimmy L.
			Handlin, William Sr.
			Hang, Cam T.
			Hansen, Chris.
			Hansen, Eric P.
			Hanson, Edmond A.
			Harbison, Louis.
			Hardee, William P.
			Hardison, Louis.
			Hardy, John C.
			Hardy, Sharon.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Harmon, Michelle.
			Harrington, George J.
			Harrington, Jay.
			Harris, Bobby D.
			Harris, Buster.
			Harris, Jimmy Wayne Sr.
			Harris, Johnny Ray.
			Harris, Kenneth A.
			Harris, Ronnie.
			Harris, Susan D.
			Harris, William.
			Harrison, Daniel L.
			Hartmann, Leon M Jr.
			Hartmann, Walter Jr.
			Hattaway, Errol Henry.
			Haycock, Kenneth.
			Haydel, Gregory.
			Hayes, Clinton.
			Hayes, Katherine F.
			Hayes, Lod Jr.
			Hean, Hong.
			Heathcock, Walter Jr.
			Hebert, Albert Joseph.
			Hebert, Bernie.
			Hebert, Betty Jo.
			Hebert, Chris.
			Hebert, Craig J.
			Hebert, David.
			Hebert, David Jr.
			Hebert, Earl J.
			Hebert, Eric J.
			Hebert, Jack M.
			Hebert, Johnny Paul.
			Hebert, Jonathan.
			Hebert, Jules J.
			Hebert, Kim M.
			Hebert, Lloyd S III.
			Hebert, Michael J.
			Hebert, Myron A.
			Hebert, Norman.
			Hebert, Patrick.
			Hebert, Patrick A.
			Hebert, Pennington Jr.
			Hebert, Philip.
			Hebert, Robert A.
			Hebert, Terry W.
			Hedrick, Gerald J Jr.
			Helmer, Claudia A.
			Helmer, Gerry J.
			Helmer, Herman C Jr.
			Helmer, Kenneth.
			Helmer, Larry J Sr.
			Helmer, Michael A Sr.
			Helmer, Rusty L.
			Helmer, Windy.
			Hemmenway, Jack.
			Henderson, Brad.
			Henderson, Curtis.
			Henderson, David A Jr.
			Henderson, David A Sr.
			Henderson, Johnny.
			Henderson, Olen.
			Henderson, P Loam.
			Henry, Joanne.
			Henry, Rodney.
			Herbert, Patrick and Terry.
			Hereford, Rodney O Jr.
			Hereford, Rodney O Sr.
			Hernandez, Corey.
			Herndon, Mark.
			Hertel, Charles W.
			Hertz, Edward C Sr.
			Hess, Allen L Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Hess, Henry D Jr. Hess, Jessica R. Hess, Wayne B. Hewett, Emma. Hewett, James. Hickman, John. Hickman, Marvin. Hicks, Billy M. Hicks, James W. Hicks, Larry W. Hicks, Walter R. Hien, Nguyen. Higgins, Joseph J III. Hill, Darren S. Hill, Joseph R. Hill, Sharon. Hill, Willie E Jr. Hills, Herman W. Hingle, Barbara E. Hingle, Rick A. Hingle, Roland T Jr. Hingle, Roland T Sr. Hingle, Ronald J. Hinojosa, R. Hinojosa, Randy. Hinojosa, Ricky A. Hipps, Nicole Marie. Ho, Dung Tan. Ho, Hung. Ho, Jennifer. Ho, Jimmy. Ho, Lam. Ho, Nam. Ho, Nga T. Ho, O. Ho, Sang N. Ho, Thanh Quoc. Ho, Thien Dang. Ho, Tien Van. Ho, Tri Tran. Hoang, Dung T. Hoang, Hoa T and Tam Hoang. Hoang, Huy Van. Hoang, Jennifer Vu. Hoang, John. Hoang, Julie. Hoang, Kimberly. Hoang, Linda. Hoang, Loan. Hoang, San Ngoc. Hoang, Tro Van. Hoang, Trung Kim. Hoang, Trung Tuan. Hoang, Vincent Huynh. Hodges, Ralph W. Hoffpaviiz, Harry K. Holland, Vidal. Holler, Boyce Dwight Jr. Hollier, Dennis J. Holloway, Carl D. Hong, Tai Van. Hood, Malcolm. Hopton, Douglas. Horaist, Shawn P. Hostetler, Warren L II. Hotard, Claude. Hotard, Emile J Jr. Howard, Jeff. Howerin, Billy Sr. Howerin, Wendell Sr. Hubbard, Keith. Hubbard, Perry III. Huber, Berry T.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Huber, Charles A.
			Huck, Irma Elaine.
			Huck, Steven R.
			Huckabee, Harold.
			Hue, Patrick A.
			Hughes, Brad J.
			Hults, Thomas.
			Hutcherson, Daniel J.
			Hutchinson, Douglas.
			Hutchinson, George D.
			Hutchinson, William H.
			Hutto, Cynthia E.
			Hutto, Henry G Jr.
			Huynh, Chien Thi.
			Huynh, Dong Xuan.
			Huynh, Dung.
			Huynh, Dung V.
			Huynh, Hai.
			Huynh, Hai.
			Huynh, Hai Van.
			Huynh, Hoang D.
			Huynh, Hoang Van.
			Huynh, Hung.
			Huynh, James N.
			Huynh, Johhny Hiep.
			Huynh, Johnnie.
			Huynh, Kim.
			Huynh, Lay.
			Huynh, Long.
			Huynh, Mack Van.
			Huynh, Mau Van.
			Huynh, Minh.
			Huynh, Minh Van.
			Huynh, Nam Van.
			Huynh, Thai.
			Huynh, Tham Thi.
			Huynh, Thanh.
			Huynh, Thanh.
			Huynh, The V.
			Huynh, Tri.
			Huynh, Truc.
			Huynh, Tu.
			Huynh, Tu.
			Huynh, Tung Van.
			Huynh, Van X.
			Huynh, Viet Van.
			Huynh, Vuong Van.
			Hymel, Joseph Jr.
			Hymel, Michael D.
			Hymel, Nolan J Sr.
			Ingham, Herbert W.
			Inglis, Richard M.
			Ingraham, Joseph S.
			Ingraham, Joyce.
			Ipock, Billy.
			Ipock, William B.
			Ireland, Arthur Allen.
			Iver, George Jr.
			Jackson, Alfred M.
			Jackson, Carl John.
			Jackson, David.
			Jackson, Eugene O.
			Jackson, Glenn C Jr.
			Jackson, Glenn C Sr.
			Jackson, James Jerome.
			Jackson, John D.
			Jackson, John Elton Sr.
			Jackson, Levi.
			Jackson, Nancy L.
			Jackson, Robert W.
			Jackson, Shannon.
			Jackson, Shaun C.
			Jackson, Steven A.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Jacob, Ronald R.
			Jacob, Warren J Jr.
			Jacobs, L Anthony.
			Jacobs, Lawrence F.
			Jarreau, Billy and Marilyn.
			Jarvis, James D.
			Jaye, Emma.
			Jeanfreau, Vincent R.
			Jefferies, William.
			Jemison, Timothy Michael Sr.
			Jennings, Jacob.
			Joffrion, Harold J Jr.
			Johnson, Albert F.
			Johnson, Ashley Lamar.
			Johnson, Bernard Jr.
			Johnson, Brent W.
			Johnson, Bruce Warem.
			Johnson, Carl S.
			Johnson, Carolyn.
			Johnson, Clyde Sr.
			Johnson, David G.
			Johnson, David Paul.
			Johnson, Gary Allen Sr.
			Johnson, George D.
			Johnson, Michael A.
			Johnson, Randy J.
			Johnson, Regenia.
			Johnson, Robert.
			Johnson, Ronald Ray Sr.
			Johnson, Steve.
			Johnson, Thomas Allen Jr.
			Johnston, Ronald.
			Joly, Nicholas J Jr.
			Jones, Charles.
			Jones, Clinton.
			Jones, Daisy Mae.
			Jones, Jeffery E.
			Jones, Jerome N Sr.
			Jones, John W.
			Jones, Larry.
			Jones, Len.
			Jones, Michael G Sr.
			Jones, Paul E.
			Jones, Perry T Sr.
			Jones, Ralph William.
			Jones, Richard G Sr.
			Jones, Stephen K.
			Jones, Wayne.
			Joost, Donald F.
			Jordan, Dean.
			Jordan, Hubert William III (Bert).
			Jordan, Hurbert W Jr.
			Judalet, Ramon G.
			Judy, William Roger.
			Julian, Ida.
			Julian, John I Sr.
			Juneau, Anthony Sr.
			Juneau, Bruce.
			Juneau, Robert A Jr and Laura K.
			Jurjevich, Leander J.
			Kain, Jules B Sr.
			Kain, Martin A.
			Kalliainen, Dale.
			Kalliainen, Richard.
			Kang, Chamroeun.
			Kang, Sambo.
			Kap, Brenda.
			Keen, Robert Steven.
			Keenan, Robert M.
			Kellum, Kenneth Sr.
			Kellum, Larry Gray Sr.
			Kellum, Roxanne.
			Kelly, Roger B.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Kelly, Thomas E.
			Kendrick, Chuck J.
			Kennair, Michael S.
			Kennedy, Dothan.
			Kenney, David Jr.
			Kenney, Robert W.
			Kent, Michael A.
			Keo, Bunly.
			Kerchner, Steve.
			Kern, Thurmond.
			Khin, Sochenda.
			Khui, Lep and Nga Ho.
			Kidd, Frank.
			Kiesel, Edward C and Lorraine T.
			Kiff, Hank J.
			Kiff, Melvin.
			Kiffe, Horace.
			Kim, Puch.
			Kimbrough, Carson.
			Kim-Tun, Soeun.
			King, Andy A.
			King, Donald Jr.
			King, James B.
			King, Thornell.
			King, Wesley.
			Kit, An.
			Kizer, Anthony J.
			Kleimann, Robert.
			Knapp, Alton P Jr.
			Knapp, Alton P Sr.
			Knapp, Ellis L Jr.
			Knapp, Melvin L.
			Knapp, Theresa.
			Knecht, Frederick Jr.
			Knezek, Lee.
			Knight, George.
			Knight, Keith B.
			Knight, Robert E.
			Koch, Howard J.
			Kong, Seng.
			Konitz, Bobby.
			Koo, Herman.
			Koonce, Curtis S.
			Koonce, Howard N.
			Kopszywa, Mark L.
			Kopszywa, Stanley J.
			Kotulja, Stejepan.
			Kraemer, Bridget.
			Kraemer, Wilbert J.
			Kraemer, Wilbert Jr.
			Kramer, David.
			Krantz, Arthur Jr.
			Krantz, Lori.
			Kraver, C W.
			Kreger, Ronald A Sr.
			Kreger, Roy J Sr.
			Kreger, Ryan A.
			Krennerich, Raymond A.
			Kroke, Stephen E.
			Kruth, Frank D.
			Kuchler, Alphonse L III.
			Kuhn, Bruce A Sr.
			Kuhn, Gerard R Jr.
			Kuhn, Gerard R Sr.
			Kuhns, Deborah.
			LaBauve, Kerry.
			LaBauve, Sabrina.
			LaBauve, Terry.
			LaBiche, Todd A.
			LaBove, Carroll.
			LaBove, Frederick P.
			Lachica, Jacqueline.
			Lachico, Douglas.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lacobon, Tommy W Jr. Lacobon, Tony C. LaCoste, Broddie. LaCoste, Carl. LaCoste, Dennis E. LaCoste, Grayland J. LaCoste, Malcolm Jr. LaCoste, Melvin. LaCoste, Melvin W Jr. LaCoste, Ravin J Jr. LaCoste, Ravin Sr. Ladner, Clarence J III. Ladson, Earlene G. LaFont, Douglas A Sr. LaFont, Edna S. LaFont, Jackin. LaFont, Noces J Jr. LaFont, Weyland J Sr. LaFrance, Joseph T. Lagarde, Frank N. Lagarde, Gary Paul. Lagasse, Michael F. Lai, Hen K. Lai, Then. Lam, Cang Van. Lam, Cui. Lam, Dong Van. Lam, Hiep Tan. Lam, Lan Van. Lam, Lee Phenh. Lam, Phan. Lam, Qui. Lam, Sochen. Lam, Tai. Lam, Tinh Huu. Lambas, Jessie J Sr. Lanclos, Paul. Landry, David A. Landry, Dennis J. Landry, Edward N Jr. Landry, George. Landry, George M. Landry, James F. Landry, Jude C. Landry, Robert E. Landry, Ronald J. Landry, Samuel J Jr. Landry, Tracy. Lane, Daniel E. Lapeyrouse, Lance M. Lapeyrouse, Rosalie. Lapeyrouse, Tillman Joseph. LaRive, James L Jr. LaRoche, Daniel S. Lasseigne, Betty. Lasseigne, Blake. Lasseigne, Floyd. Lasseigne, Frank. Lasseigne, Harris Jr. Lasseigne, Ivy Jr. Lasseigne, Jefferson. Lasseigne, Jefferson P Jr. Lasseigne, Johnny J. Lasseigne, Marlene. Lasseigne, Nolan J. Lasseigne, Trent. Lat, Chhiet. Latapie, Charlotte A. Latapie, Crystal. Latapie, Jerry. Latapie, Joey G. Latapie, Joseph. Latapie, Joseph F Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Latapie, Travis.
			Latiolais, Craig J.
			Latiolais, Joel.
			Lau, Ho Thanh.
			Laughlin, James G.
			Laughlin, James Mitchell.
			Laurent, Yvonne M.
			Lavergne, Roger.
			Lawdros, Terrance Jr.
			Layrisson, Michael A III.
			Le, Amanda.
			Le, An Van.
			Le, Ben.
			Le, Binh T.
			Le, Cheo Van.
			Le, Chinh Thanh.
			Le, Chinh Thanh and Yen Vo.
			Le, Cu Thi.
			Le, Dai M.
			Le, Dale.
			Le, David Rung.
			Le, Du M.
			Le, Duc V.
			Le, Duoc M.
			Le, Hien V.
			Le, Houston T.
			Le, Hung.
			Le, Jimmy.
			Le, Jimmy and Hoang.
			Le, Khoa.
			Le, Kim.
			Le, Ky Van.
			Le, Lang Van.
			Le, Lily.
			Le, Lisa Tuyet Thi.
			Le, Loi.
			Le, Minh Van.
			Le, Muoi Van.
			Le, My.
			Le, My V.
			Le, Nam and Xhan-Minh Le.
			Le, Nam Van.
			Le, Nhieu T.
			Le, Nhut Hoang.
			Le, Nu Thi.
			Le, Phuc Van.
			Le, Que V.
			Le, Quy.
			Le, Robert.
			Le, Sam Van.
			Le, Sau V.
			Le, Son.
			Le, Son.
			Le, Son H.
			Le, Son Quoc.
			Le, Son Van.
			Le, Su.
			Le, Tam V.
			Le, Thanh Huong.
			Le, Tong Minh.
			Le, Tony.
			Le, Tracy Lan Chi.
			Le, Tuan Nhu.
			Le, Viet Hoang.
			Le, Vui.
			Leaf, Andrew Scott.
			Leary, Roland.
			LeBeauf, Thomas.
			LeBlanc, Donnie.
			LeBlanc, Edwin J.
			LeBlanc, Enoch P.
			LeBlanc, Gareth R III.
			LeBlanc, Gareth R Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			LeBlanc, Gerald E.
			LeBlanc, Hubert C.
			LeBlanc, Jerald.
			LeBlanc, Jesse Jr.
			LeBlanc, Keenon Anthony.
			LeBlanc, Lanvin J.
			LeBlanc, Luke A.
			LeBlanc, Marty J.
			LeBlanc, Marty J Jr.
			LeBlanc, Mickel J.
			LeBlanc, Robert Patrick.
			LeBlanc, Scotty M.
			LeBlanc, Shelton.
			LeBlanc, Terry J.
			LeBoeuf, Brent J.
			LeBoeuf, Emery J.
			LeBoeuf, Joseph R.
			LeBoeuf, Tammy Y.
			LeBouef, Dale.
			LeBouef, Edward J.
			LeBouef, Ellis J Jr.
			LeBouef, Gillis.
			LeBouef, Jimmie.
			LeBouef, Leslie.
			LeBouef, Lindy J.
			LeBouef, Micheal J.
			LeBouef, Raymond.
			LeBouef, Tommy J.
			LeBouef, Wiley Sr.
			LeBourgeois, Stephen A.
			LeCompte, Alena.
			LeCompte, Aubrey J.
			LeCompte, Etha.
			LeCompte, Jesse C Jr.
			LeCompte, Jesse Jr.
			LeCompte, Jesse Sr.
			LeCompte, Lyle.
			LeCompte, Patricia F.
			LeCompte, Todd.
			LeCompte, Troy A Sr.
			Ledet, Brad.
			Ledet, Bryan.
			Ledet, Carlton.
			Ledet, Charles J.
			Ledet, Jack A.
			Ledet, Kenneth A.
			Ledet, Mark.
			Ledet, Maxine B.
			Ledet, Mervin.
			Ledet, Phillip John.
			Ledoux, Dennis.
			Ledwig, Joe J.
			Lee, Carl.
			Lee, James K.
			Lee, Marilyn.
			Lee, Otis M Jr.
			Lee, Raymond C.
			Lee, Robert E.
			Lee, Steven J.
			Leek, Mark A.
			LeGaux, Roy J Jr.
			Legendre, Kerry.
			Legendre, Paul.
			Leger, Andre.
			LeGros, Alex M.
			LeJeune, Philip Jr.
			LeJeune, Philip Sr.
			LeJeune, Ramona V.
			LeJeunee, Debbie.
			LeJuine, Eddie R.
			LeLand, Allston Bochet.
			Leland, Rutledge B III.
			Leland, Rutledge B Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			LeLeaux, David.
			Leleux, Kevin J.
			Lemoine, Jeffery Jr.
			Leonard, Dan.
			Leonard, Dexter J Jr.
			Leonard, Micheal A.
			Lepine, Leroy L.
			Lesso, Rudy Jr.
			Lester, Shawn.
			Levron, Dale T.
			Levy, Patrick T.
			Lewis, Kenneth.
			Lewis, Mark Steven.
			Libersat, Anthony R.
			Libersat, Kim.
			Licatino, Daniel Jr.
			Lichenstein, Donald L.
			Lilley, Douglas P.
			Lim, Chhay.
			Lim, Koung.
			Lim, Tav Seng.
			Linden, Eric L.
			Liner, Claude J Jr.
			Liner, Harold.
			Liner, Jerry.
			Liner, Kevin.
			Liner, Michael B Sr.
			Liner, Morris T Jr.
			Liner, Morris T Sr.
			Liner, Tandy M.
			Linh, Pham.
			Linwood, Dolby.
			Lirette, Alex J Sr.
			Lirette, Bobby and Sheri.
			Lirette, Chester Patrick.
			Lirette, Daniel J.
			Lirette, Dean J.
			Lirette, Delvin J Jr.
			Lirette, Delvin Jr.
			Lirette, Desaire J.
			Lirette, Eugis P Sr.
			Lirette, Guy A.
			Lirette, Jeannie.
			Lirette, Kern A.
			Lirette, Ron C.
			Lirette, Russell (Chico) Jr.
			Lirette, Shaun Patrick.
			Lirette, Terry J Sr.
			Little, William A.
			Little, William Boyd.
			Liv, Niem S.
			Livaudais, Ernest J.
			Liverman, Harry R.
			LoBue, Michael Anthony Sr.
			Locascio, Dustin.
			Lockhart, William T.
			Lodrigue, Jimmy A.
			Lodrigue, Kerry.
			Lombardo, Joseph P.
			Lombas, James A Jr.
			Lombas, Kim D.
			Londrie, Harley.
			Long, Cao Thanh.
			Long, Dinh.
			Long, Robert.
			Longo, Ronald S Jr.
			Longwater, Ryan Heath.
			Loomer, Rhonda.
			Lopez, Celestino.
			Lopez, Evelio.
			Lopez, Harry N.
			Lopez, Ron.
			Lopez, Scott.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lopez, Stephen R Jr.
			Lord, Michael E Sr.
			Loupe, George Jr.
			Loupe, Ted.
			Lovell, Billy.
			Lovell, Bobby Jason.
			Lovell, Bradford John.
			Lovell, Charles J Jr.
			Lovell, Clayton.
			Lovell, Douglas P.
			Lovell, Jacob G.
			Lovell, Lois.
			Lovell, Slade M.
			Luke, Bernadette C.
			Luke, David.
			Luke, Dustan.
			Luke, Henry.
			Luke, Jeremy Paul.
			Luke, Keith J.
			Luke, Patrick A.
			Luke, Patrick J.
			Luke, Paul Leroy.
			Luke, Rudolph J.
			Luke, Samantha.
			Luke, Sidney Jr.
			Luke, Terry Patrick Jr.
			Luke, Terry Patrick Sr.
			Luke, Timothy.
			Luke, Wiltz J.
			Lund, Ora G.
			Luneau, Ferrell J.
			Luong, Kevin.
			Luong, Thu X.
			Luscy, Lydia.
			Luscy, Richard.
			Lutz, William A.
			Luu, Binh.
			Luu, Vinh.
			Luu, Vinh V.
			Ly, Bui.
			Ly, Hen.
			Ly, Hoc.
			Ly, Kelly D.
			Ly, Nu.
			Ly, Sa.
			Ly, Ven.
			Lyall, Rosalie.
			Lycett, James A.
			Lyons, Berton J.
			Lyons, Berton J Sr.
			Lyons, Jack.
			Lyons, Jerome M.
			Mackey, Marvin Sr.
			Mackie, Kevin L.
			Maggio, Wayne A.
			Magwood, Edwin Wayne.
			Mai, Danny V.
			Mai, Lang V.
			Mai, Tai.
			Mai, Trach Xuan.
			Maise, Rubin J.
			Maise, Todd.
			Majoue, Ernest J.
			Majoue, Nathan L.
			Malcombe, David.
			Mallett, Irvin Ray.
			Mallett, Jimmie.
			Mallett, Lawrence J.
			Mallett, Mervin B.
			Mallett, Rainbow.
			Mallett, Stephney.
			Malley, Ned F Jr.
			Mamolo, Charles H Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Mamolo, Romeo C Jr. Mamolo, Terry A. Mancera, Jesus. Manuel, Joseph R. Manuel, Shon. Mao, Chandarasy. Mao, Kim. Marcel, Michelle. Marchese, Joe Jr. Mareno, Ansley. Mareno, Brent J. Mareno, Kenneth L. Marie, Allen J. Marie, Marty. Marmande, Al. Marmande, Alidore. Marmande, Denise. Marquize, Heather. Marquize, Kip. Marris, Roy C Jr. Martin, Darren. Martin, Dean J. Martin, Dennis. Martin, Jody W. Martin, John F III. Martin, Michael A. Martin, Nora S. Martin, Rod J. Martin, Roland J Jr. Martin, Russel J Sr. Martin, Sharon J. Martin, Tanna G. Martin, Wendy. Martinez, Carl R. Martinez, Henry. Martinez, Henry Joseph. Martinez, Lupe. Martinez, Michael. Martinez, Rene J. Mason, James F Jr. Mason, Johnnie W. Mason, Luther. Mason, Mary Lois. Mason, Percy D Jr. Mason, Walter. Matherne, Anthony. Matherne, Blakland Sr. Matherne, Bradley J. Matherne, Claude I Jr. Matherne, Clifford P. Matherne, Curlis J. Matherne, Forest J. Matherne, George J. Matherne, Glenn A. Matherne, Grace L. Matherne, James C. Matherne, James J Jr. Matherne, James J Sr. Matherne, Joey A. Matherne, Keith. Matherne, Larry Jr. Matherne, Louis M Sr. Matherne, Louis Michael. Matherne, Nelson. Matherne, Thomas G. Matherne, Thomas G Jr. Matherne, Thomas Jr. Matherne, Thomas M Sr. Matherne, Wesley J. Mathews, Patrick. Mathurne, Barry. Matte, Martin J Sr. Mauldin, Johnny.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Mauldin, Mary.
			Mauldin, Shannon.
			Mavar, Mark D.
			Mayeux, Lonies A Jr.
			Mayeux, Roselyn P.
			Mayfield, Gary.
			Mayfield, Henry A Jr.
			Mayfield, James J III.
			Mayon, Allen J.
			Mayon, Wayne Sr.
			McAnespy, Henry.
			McAnespy, Louis.
			McCall, Marcus H.
			McCall, R Terry Sr.
			McCarthy, Carliss.
			McCarthy, Michael.
			McCauley, Byron Keith.
			McCauley, Katrina.
			McClantoc, Robert R and Debra.
			McClellan, Eugene Gardner.
			McCormick, Len.
			McCuiston, Denny Carlton.
			McDonald, Allan.
			McElroy, Harry J.
			McFarlain, Merlin J Jr.
			McGuinn, Dennis.
			McIntosh, James Richard.
			McIntyre, Michael D.
			McIver, John H Jr.
			McKendree, Roy.
			McKenzie, George B.
			McKinzie, Bobby E.
			McKoin, Robert.
			McKoin, Robert F Jr.
			McLendon, Jonathon S.
			McNab, Robert Jr.
			McQuaig, Don W.
			McQuaig, Oliver J.
			Medine, David P.
			Mehaffey, John P.
			Melancon, Brent K.
			Melancon, Neva.
			Melancon, Rickey.
			Melancon, Roland Jr.
			Melancon, Roland T Jr.
			Melancon, Sean P.
			Melancon, Terral J.
			Melancon, Timmy J.
			Melanson, Ozimea J III.
			Melerine, Angela.
			Melerine, Brandon T.
			Melerine, Claude A.
			Melerine, Claude A Jr.
			Melerine, Dean J.
			Melerine, Eric W Jr.
			Melerine, John D Sr.
			Melerine, Linda C.
			Melerine, Raymond Joseph.
			Melford, Daniel W Sr.
			Mello, Nelvin.
			Men, Sophin.
			Menendez, Wade E.
			Menesses, Dennis.
			Menesses, James H.
			Menesses, Jimmy.
			Menesses, Louis.
			Menge, Lionel A.
			Menge, Vincent J.
			Mercy, Dempsey.
			Merrick, Harold A.
			Merrick, Kevin Sr.
			Merritt, Darren Sr.
			Messer, Chase.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Meyers, Otis J.
			Miarm, Soeum.
			Michel, Steven D.
			Middleton, Dan Sr.
			Migues, Henry.
			Migues, Kevin L Sr.
			Milam, Ricky.
			Miles, Ricky David.
			Miley, Donna J.
			Militello, Joseph.
			Miller, David W.
			Miller, Fletcher N.
			Miller, James A.
			Miller, Larry B.
			Miller, Mabry Allen Jr.
			Miller, Michael E.
			Miller, Michele K.
			Miller, Randy A.
			Miller, Rhonda E.
			Miller, Wayne.
			Millet, Leon B.
			Millington, Donnie.
			Millington, Ronnie.
			Millis, Moses.
			Millis, Raeford.
			Millis, Timmie Lee.
			Mine, Derrick.
			Miner, Peter G.
			Minh, Kha.
			Minh, Phuc-Truong.
			Mitchell, Ricky Allen.
			Mitchell, Todd.
			Mitchum, Francis Craig.
			Mixon, G C.
			Mobley, Bryan A.
			Mobley, Jimmy Sr.
			Mobley, Robertson.
			Mock, Frank Sr.
			Mock, Frankie E Jr.
			Mock, Jesse R II.
			Mock, Terry Lyn.
			Molero, Louis F III.
			Molero, Louis Frank.
			Molinere, Al L.
			Molinere, Floyd.
			Molinere, Roland Jr.
			Molinere, Stacey.
			Moll, Angela.
			Moll, Jerry J Jr.
			Moll, Jonathan P.
			Moll, Julius J.
			Moll, Randall Jr.
			Mollere, Randall.
			Mones, Philip J Jr.
			Mones, Tino.
			Moody, Guy D.
			Moore, Carl Stephen.
			Moore, Curtis L.
			Moore, Kenneth.
			Moore, Richard.
			Moore, Willis.
			Morales, Anthony.
			Morales, Clinton A.
			Morales, Daniel Jr.
			Morales, Daniel Sr.
			Morales, David.
			Morales, Elwood J Jr.
			Morales, Eugene J Jr.
			Morales, Eugene J Sr.
			Morales, Kimberly.
			Morales, Leonard L.
			Morales, Phil J Jr.
			Morales, Raul.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Moran, Scott.
			Moreau, Allen Joseph.
			Moreau, Berlin J Sr.
			Moreau, Daniel R.
			Moreau, Hubert J.
			Moreau, Mary.
			Moreau, Rickey J Sr.
			Morehead, Arthur B Jr.
			Moreno, Ansley.
			Morgan, Harold R.
			Morici, John.
			Morris, Herbert Eugene.
			Morris, Jesse A.
			Morris, Jesse A Sr.
			Morris, Preston.
			Morrison, Stephen D Jr.
			Morton, Robert A.
			Morvant, Keith M.
			Morvant, Patsy Lishman.
			Moschettieri, Chalam.
			Moseley, Kevin R.
			Motley, Michele.
			Mouille, William L.
			Mouton, Ashton J.
			Moveront, Timothy.
			Mund, Mark.
			Murphy, Denis R.
			Muth, Gary J Sr.
			Myers, Joseph E Jr.
			Na, Tran Van.
			Naccio, Andrew.
			Nacio, Lance M.
			Nacio, Noel.
			Nacio, Philocles J Sr.
			Naquin, Alton J.
			Naquin, Andrew J Sr.
			Naquin, Antoine Jr.
			Naquin, Autry James.
			Naquin, Bobby J and Sheila.
			Naquin, Bobby Jr.
			Naquin, Christine.
			Naquin, Dean J.
			Naquin, Donna P.
			Naquin, Earl.
			Naquin, Earl L.
			Naquin, Freddie.
			Naquin, Gerald.
			Naquin, Henry.
			Naquin, Irvin J.
			Naquin, Jerry Joseph Jr.
			Naquin, Kenneth J Jr.
			Naquin, Kenneth J Sr.
			Naquin, Linda L.
			Naquin, Lionel A Jr.
			Naquin, Mark D Jr.
			Naquin, Marty J Sr.
			Naquin, Milton H IV.
			Naquin, Oliver A.
			Naquin, Robert.
			Naquin, Roy A.
			Naquin, Vernon.
			Navarre, Curtis J.
			Navero, Floyd G Jr.
			Neal, Craig A.
			Neal, Roy J Jr.
			Neely, Bobby H.
			Nehlig, Raymond E Sr.
			Neil, Dean.
			Neil, Jacob.
			Neil, Julius.
			Neil, Robert J Jr.
			Neil, Tommy Sr.
			Nelson, Billy J Sr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nelson, Deborah.
			Nelson, Elisha W.
			Nelson, Ernest R.
			Nelson, Faye.
			Nelson, Fred H Sr.
			Nelson, Gordon Kent Sr.
			Nelson, Gordon W III.
			Nelson, Gordon W Jr.
			Nelson, John Andrew.
			Nelson, William Owen Jr.
			Nelton, Aaron J Jr.
			Nelton, Steven J.
			Nettleton, Cody.
			Newell, Ronald B.
			Newsome, Thomas E.
			Newton, Paul J.
			Nghiem, Billy.
			Ngo, Chuong Van.
			Ngo, Duc.
			Ngo, Hung V.
			Ngo, Liem Thanh.
			Ngo, Maxie.
			Ngo, The T.
			Ngo, Truong Dinh.
			Ngo, Van Lo.
			Ngo, Vu Hoang.
			Ngoc, Lam Lam.
			Ngu, Thoi.
			Nguyen, Amy.
			Nguyen, An Hoang.
			Nguyen, Andy Dung.
			Nguyen, Andy T.
			Nguyen, Anh and Thanh D Tiet.
			Nguyen, Ba.
			Nguyen, Ba Van.
			Nguyen, Bac Van.
			Nguyen, Bao Q.
			Nguyen, Bay Van.
			Nguyen, Be.
			Nguyen, Be.
			Nguyen, Be.
			Nguyen, Be Em.
			Nguyen, Bich Thao.
			Nguyen, Bien V.
			Nguyen, Binh.
			Nguyen, Binh Cong.
			Nguyen, Binh V.
			Nguyen, Binh Van.
			Nguyen, Binh Van.
			Nguyen, Binh Van.
			Nguyen, Bui Van.
			Nguyen, Ca Em.
			Nguyen, Can.
			Nguyen, Can Van.
			Nguyen, Canh V.
			Nguyen, Charlie.
			Nguyen, Chien.
			Nguyen, Chien Van.
			Nguyen, Chin.
			Nguyen, Chinh Van.
			Nguyen, Christian.
			Nguyen, Chuc.
			Nguyen, Chung.
			Nguyen, Chung Van.
			Nguyen, Chuong Hoang.
			Nguyen, Chuong V.
			Nguyen, Chuyen.
			Nguyen, Coolly Dinh.
			Nguyen, Cuong.
			Nguyen, Dai.
			Nguyen, Dan T.
			Nguyen, Dan Van.
			Nguyen, Dan Van.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Dang.
			Nguyen, Danny.
			Nguyen, David.
			Nguyen, Day Van.
			Nguyen, De Van.
			Nguyen, Den.
			Nguyen, Diem.
			Nguyen, Dien.
			Nguyen, Diep.
			Nguyen, Dinh.
			Nguyen, Dinh V.
			Nguyen, Dong T.
			Nguyen, Dong Thi.
			Nguyen, Dong X.
			Nguyen, Duc.
			Nguyen, Duc Van.
			Nguyen, Dung.
			Nguyen, Dung Anh and Xuan Duong.
			Nguyen, Dung Ngoc.
			Nguyen, Dung Van.
			Nguyen, Dung Van.
			Nguyen, Duoc.
			Nguyen, Duong V.
			Nguyen, Duong Van.
			Nguyen, Duong Xuan.
			Nguyen, Francis N.
			Nguyen, Frank.
			Nguyen, Gary.
			Nguyen, Giang T.
			Nguyen, Giang Truong.
			Nguyen, Giau Van.
			Nguyen, Ha T.
			Nguyen, Ha Van.
			Nguyen, Hai Van.
			Nguyen, Hai Van.
			Nguyen, Han Van.
			Nguyen, Han Van.
			Nguyen, Hang.
			Nguyen, Hanh T.
			Nguyen, Hao Van.
			Nguyen, Harry H.
			Nguyen, Henri Hiep.
			Nguyen, Henry-Trang.
			Nguyen, Hien.
			Nguyen, Hien V.
			Nguyen, Hiep.
			Nguyen, Ho.
			Nguyen, Ho V.
			Nguyen, Hoa.
			Nguyen, Hoa.
			Nguyen, Hoa N.
			Nguyen, Hoa Van.
			Nguyen, Hoang.
			Nguyen, Hoang.
			Nguyen, Hoang T.
			Nguyen, Hoi.
			Nguyen, Hon Xuong.
			Nguyen, Huan.
			Nguyen, Hung.
			Nguyen, Hung.
			Nguyen, Hung.
			Nguyen, Hung M.
			Nguyen, Hung Manh.
			Nguyen, Hung Van.
			Nguyen, Hung-Joseph.
			Nguyen, Huu Nghia.
			Nguyen, Hy Don N.
			Nguyen, Jackie Tin.
			Nguyen, James.
			Nguyen, James N.
			Nguyen, Jefferson.
			Nguyen, Jennifer.
			Nguyen, Jimmy.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Jimmy.
			Nguyen, Joachim.
			Nguyen, Joe.
			Nguyen, John R.
			Nguyen, John Van.
			Nguyen, Johnny.
			Nguyen, Joseph Minh.
			Nguyen, Kenny Hung Mong.
			Nguyen, Kevin.
			Nguyen, Khai.
			Nguyen, Khanh.
			Nguyen, Khanh and Viet Dinh.
			Nguyen, Khanh Q.
			Nguyen, Khiem.
			Nguyen, Kien Phan.
			Nguyen, Kim.
			Nguyen, Kim Mai.
			Nguyen, Kim Thoa.
			Nguyen, Kinh V.
			Nguyen, Lai.
			Nguyen, Lai.
			Nguyen, Lai Tan.
			Nguyen, Lam.
			Nguyen, Lam Van.
			Nguyen, Lam Van.
			Nguyen, Lam Van.
			Nguyen, Lan.
			Nguyen, Lang.
			Nguyen, Lang.
			Nguyen, Lanh.
			Nguyen, Lap Van.
			Nguyen, Lap Van.
			Nguyen, Le.
			Nguyen, Lien and Hang Luong.
			Nguyen, Lien Thi.
			Nguyen, Linda Oan.
			Nguyen, Linh Thi.
			Nguyen, Linh Van.
			Nguyen, Lintt Danny.
			Nguyen, Lluu.
			Nguyen, Loc.
			Nguyen, Loi.
			Nguyen, Loi.
			Nguyen, Long Phi.
			Nguyen, Long T.
			Nguyen, Long Viet.
			Nguyen, Luom T.
			Nguyen, Mai Van.
			Nguyen, Man.
			Nguyen, Mao-Van.
			Nguyen, Mary.
			Nguyen, Mary.
			Nguyen, Melissa.
			Nguyen, Minh.
			Nguyen, Minh.
			Nguyen, Minh.
			Nguyen, Minh.
			Nguyen, Minh.
			Nguyen, Minh Ngoc.
			Nguyen, Minh Van.
			Nguyen, Moot.
			Nguyen, Mui Van.
			Nguyen, Mung T.
			Nguyen, Muoi.
			Nguyen, My Le Thi.
			Nguyen, My Tan.
			Nguyen, My V.
			Nguyen, Nam Van.
			Nguyen, Nam Van.
			Nguyen, Nam Van.
			Nguyen, Nam Van.
			Nguyen, Nancy.
			Nguyen, Nancy.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Nghi. Nguyen, Nghi Q. Nguyen, Nghia. Nguyen, Nghiep. Nguyen, Ngoc Tim. Nguyen, Ngoc Van. Nguyen, Nguyet. Nguyen, Nhi. Nguyen, Nho Van. Nguyen, Nina. Nguyen, Nuong. Nguyen, Peter. Nguyen, Peter Thang. Nguyen, Peter V. Nguyen, Phe. Nguyen, Phong. Nguyen, Phong Ngoc. Nguyen, Phong T. Nguyen, Phong Xuan. Nguyen, Phu Huu. Nguyen, Phuc. Nguyen, Phuoc H. Nguyen, Phuoc Van. Nguyen, Phuong. Nguyen, Phuong. Nguyen, Quang. Nguyen, Quang. Nguyen, Quang Dang. Nguyen, Quang Dinh. Nguyen, Quang Van. Nguyen, Quoc Van. Nguyen, Quyen Minh. Nguyen, Quyen T. Nguyen, Quyen-Van. Nguyen, Ran T. Nguyen, Randon. Nguyen, Richard. Nguyen, Richard Nghia. Nguyen, Rick Van. Nguyen, Ricky Tinh. Nguyen, Roe Van. Nguyen, Rose. Nguyen, Sam. Nguyen, Sandy Ha. Nguyen, Sang Van. Nguyen, Sau V. Nguyen, Si Ngoc. Nguyen, Son. Nguyen, Son Thanh. Nguyen, Son Van. Nguyen, Song V. Nguyen, Steve. Nguyen, Steve Q. Nguyen, Steven Giap. Nguyen, Sung. Nguyen, Tai. Nguyen, Tai The. Nguyen, Tai Thi. Nguyen, Tam. Nguyen, Tam Minh. Nguyen, Tam Thanh. Nguyen, Tam V. Nguyen, Tam Van. Nguyen, Tan. Nguyen, Ten Tan. Nguyen, Thach. Nguyen, Thang. Nguyen, Thanh. Nguyen, Thanh. Nguyen, Thanh. Nguyen, Thanh Phuc. Nguyen, Thanh V. Nguyen, Thanh Van.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Nguyen, Thanh Van.
			Nguyen, Thanh Van.
			Nguyen, Thanh Van.
			Nguyen, Thao.
			Nguyen, Thi Bich Hang.
			Nguyen, Thiet.
			Nguyen, Thiet.
			Nguyen, Tho Duke.
			Nguyen, Thoa D.
			Nguyen, Thoa Thi.
			Nguyen, Thomas.
			Nguyen, Thu.
			Nguyen, Thu and Rose.
			Nguyen, Thu Duc.
			Nguyen, Thu Van.
			Nguyen, Thuan.
			Nguyen, Thuan.
			Nguyen, Thuong.
			Nguyen, Thuong Van.
			Nguyen, Thuy.
			Nguyen, Thuyen.
			Nguyen, Thuyen.
			Nguyen, Tinh.
			Nguyen, Tinh Van.
			Nguyen, Toan.
			Nguyen, Toan Van.
			Nguyen, Tommy.
			Nguyen, Tony.
			Nguyen, Tony.
			Nguyen, Tony.
			Nguyen, Tony D.
			Nguyen, Tony Hong.
			Nguyen, Tony Si.
			Nguyen, Tra.
			Nguyen, Tra.
			Nguyen, Tracy T.
			Nguyen, Tri D.
			Nguyen, Trich Van.
			Nguyen, Trung Van.
			Nguyen, Tu Van.
			Nguyen, Tuan.
			Nguyen, Tuan A.
			Nguyen, Tuan H.
			Nguyen, Tuan Ngoc.
			Nguyen, Tuan Q.
			Nguyen, Tuan Van.
			Nguyen, Tung.
			Nguyen, Tuyen Duc.
			Nguyen, Tuyen Van.
			Nguyen, Ty and Ngoc Ngo.
			Nguyen, Van H.
			Nguyen, Van Loi.
			Nguyen, Vang Van.
			Nguyen, Viet.
			Nguyen, Viet.
			Nguyen, Viet V.
			Nguyen, Viet Van.
			Nguyen, Vinh Van.
			Nguyen, Vinh Van.
			Nguyen, Vinh Van.
			Nguyen, VT.
			Nguyen, Vu Minh.
			Nguyen, Vu T.
			Nguyen, Vu Xuan.
			Nguyen, Vui.
			Nguyen, Vuong V.
			Nguyen, Xuong Kim.
			Nhan, Tran Quoc.
			Nhon, Seri.
			Nichols, Steve Anna.
			Nicholson, Gary.
			Nixon, Leonard.
			Noble, Earl.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Noland, Terrel W.
			Normand, Timothy.
			Norris, Candace P.
			Norris, John A.
			Norris, Kenneth L.
			Norris, Kevin J.
			Nowell, James E.
			Noy, Phen.
			Nunez, Conrad.
			Nunez, Jody.
			Nunez, Joseph Paul.
			Nunez, Randy.
			Nunez, Wade Joseph.
			Nyuyen, Toan.
			Oberling, Darryl.
			O'Blance, Adam.
			O'Brien, Gary S.
			O'Brien, Mark.
			O'Brien, Michele.
			Ogden, John M.
			Oglesby, Henry.
			Oglesby, Phyllis.
			O'Gwynn, Michael P Sr.
			Ohmer, Eva G.
			Ohmer, George J.
			Olander, Hazel.
			Olander, Rodney.
			Olander, Roland J.
			Olander, Russell J.
			Olander, Thomas.
			Olano, Kevin.
			Olano, Owen J.
			Olano, Shelby F.
			Olds, Malcolm D Jr.
			Olinde, Wilfred J Jr.
			Oliver, Charles.
			O'Neil, Carey.
			Oracoy, Brad R.
			Orage, Eugene.
			Orlando, Het.
			Oteri, Robert F.
			Oubre, Faron P.
			Oubre, Thomas W.
			Ourks, SokHoms K.
			Owens, Larry E.
			Owens, Sheppard.
			Owens, Timothy.
			Pacaccio, Thomas Jr.
			Padgett, Kenneth J.
			Palmer, Gay Ann P.
			Palmer, John W.
			Palmer, Mack.
			Palmisano, Daniel P.
			Palmisano, Dwayne Jr.
			Palmisano, Kim.
			Palmisano, Larry J.
			Palmisano, Leroy J.
			Palmisano, Robin G.
			Pam, Phuong Bui.
			Parfait, Antoine C Jr.
			Parfait, Jerry Jr.
			Parfait, John C.
			Parfait, Joshua K.
			Parfait, Mary F.
			Parfait, Mary S.
			Parfait, Olden G Jr.
			Parfait, Robert C Jr.
			Parfait, Robert C Sr.
			Parfait, Rodney.
			Parfait, Shane A.
			Parfait, Shelton J.
			Parfait, Timmy J.
			Parker, Clyde A.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Parker, Franklin L. Parker, Paul A. Parker, Percy Todd. Parks, Daniel Duane. Parks, Ellery Doyle Jr. Parrett, Joseph D Jr. Parria, Danny. Parria, Gavin C Sr. Parria, Gillis F Jr. Parria, Gillis F Sr. Parria, Jerry D. Parria, Kip G. Parria, Lionel J Sr. Parria, Louis III. Parria, Louis J Sr. Parria, Louis Jr. Parria, Michael. Parria, Ronald. Parria, Ross. Parria, Troy M. Parrish, Charles. Parrish, Walter L. Passmore, Penny. Pate, Shane. Paterbaugh, Richard. Patingo, Roger D. Paul, Robert Emmett. Payne, John Francis. Payne, Stuart. Peatross, David A. Pelas, James Curtis. Pelas, Jeffery. Pellegrin, Corey P. Pellegrin, Curlynn. Pellegrin, James A Jr. Pellegrin, Jordey. Pellegrin, Karl. Pellegrin, Karl J. Pellegrin, Randy. Pellegrin, Randy Sr. Pellegrin, Rodney J Sr. Pellegrin, Samuel. Pellegrin, Troy Sr. Peltier, Clyde. Peltier, Rodney J. Pena, Bartolo Jr. Pena, Israel. Pendarvis, Gracie. Pennison, Elaine. Pennison, Milton G. Pequeno, Julius. Percle, David P. Perez, Allen M. Perez, David J. Perez, David P. Perez, Derek. Perez, Edward Jr. Perez, Henry Jr. Perez, Joe B. Perez, Tilden A Jr. Perez, Warren A Jr. Perez, Warren A Sr. Perez, Wesley. Perrin, Dale. Perrin, David M. Perrin, Edward G Sr. Perrin, Errol Joseph Jr. Perrin, Jerry J. Perrin, Kenneth V. Perrin, Kevin. Perrin, Kline J Sr. Perrin, Kurt M. Perrin, Michael.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Perrin, Michael A.
			Perrin, Murphy P.
			Perrin, Nelson C Jr.
			Perrin, Pershing J Jr.
			Perrin, Robert.
			Perrin, Tim J.
			Perrin, Tony.
			Persohn, William T.
			Peshoff, Kirk Lynn.
			Pete, Alfred F Jr.
			Pete, Alfred F Sr.
			Pfleeger, William A.
			Pham, An V.
			Pham, Anh My.
			Pham, Bob.
			Pham, Cho.
			Pham, Cindy.
			Pham, David.
			Pham, Dung.
			Pham, Dung Phuoc.
			Pham, Dung Phuoc.
			Pham, Duong Van.
			Pham, Gai.
			Pham, Hai.
			Pham, Hai Hong.
			Pham, Hien.
			Pham, Hien C.
			Pham, Hiep.
			Pham, Hieu.
			Pham, Huan Van.
			Pham, Hung.
			Pham, Hung V.
			Pham, Hung V.
			Pham, Huynh.
			Pham, John.
			Pham, Johnny.
			Pham, Joseph S.
			Pham, Kannin.
			Pham, Nga T.
			Pham, Nhung T.
			Pham, Osmond.
			Pham, Paul P.
			Pham, Phong-Thanh.
			Pham, Phung.
			Pham, Quoc V.
			Pham, Steve Ban.
			Pham, Steve V.
			Pham, Thai Van.
			Pham, Thai Van.
			Pham, Thanh.
			Pham, Thanh.
			Pham, Thanh V.
			Pham, Thinh.
			Pham, Thinh V.
			Pham, Tommy V.
			Pham, Tran and Thu Quang.
			Pham, Ut Van.
			Phan, Anh Thi.
			Phan, Banh Van.
			Phan, Cong Van.
			Phan, Dan T.
			Phan, Hoang.
			Phan, Hung Thanh.
			Phan, Johnny.
			Phan, Lam.
			Phan, Luyen Van.
			Phan, Nam V.
			Phan, Thong.
			Phan, Tien V.
			Phan, Toan.
			Phan, Tu Van.
			Phat, Lam Mau.
			Phelps, John D.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Phillips, Bruce A.
			Phillips, Danny D.
			Phillips, Gary.
			Phillips, Harry Louis.
			Phillips, James C Jr.
			Phillips, Kristrina W.
			Phipps, AW.
			Phonthaasa, Khaolop.
			Phorn, Phen.
			Pickett, Kathy.
			Picou, Calvin Jr.
			Picou, Gary M.
			Picou, Jennifer.
			Picou, Jerome J.
			Picou, Jordan J.
			Picou, Randy John.
			Picou, Ricky Sr.
			Picou, Terry.
			Pierce, Aaron.
			Pierce, Dean.
			Pierce, Elwood.
			Pierce, Imogene.
			Pierce, Stanley.
			Pierce, Taffie Boone.
			Pierre, Ivy.
			Pierre, Joseph.
			Pierre, Joseph C Jr.
			Pierre, Paul J.
			Pierre, Ronald J.
			Pierron, Jake.
			Pierron, Patsy H.
			Pierron, Roger D.
			Pinell, Ernie A.
			Pinell, Harry J Jr.
			Pinell, Jody J.
			Pinell, Randall James.
			Pinnell, Richard J.
			Pinnell, Robert.
			Pitre, Benton J.
			Pitre, Carol.
			Pitre, Claude A Sr.
			Pitre, Elrod.
			Pitre, Emily B.
			Pitre, Glenn P.
			Pitre, Herbert.
			Pitre, Jeannie.
			Pitre, Leo P.
			Pitre, Robert Jr.
			Pitre, Robin.
			Pitre, Ryan P.
			Pitre, Ted J.
			Pittman, Roger.
			Pizani, Bonnie.
			Pizani, Craig.
			Pizani, Jane.
			Pizani, Terrill J.
			Pizani, Terry M.
			Pizani, Terry M Jr.
			Plaisance, Arthur E.
			Plaisance, Burgess.
			Plaisance, Darren.
			Plaisance, Dean J Sr.
			Plaisance, Dorothy B.
			Plaisance, Dwayne.
			Plaisance, Earl J Jr.
			Plaisance, Errance H.
			Plaisance, Evans P.
			Plaisance, Eves A III.
			Plaisance, Gideons.
			Plaisance, Gillis S.
			Plaisance, Henry A Jr.
			Plaisance, Jacob.
			Plaisance, Jimmie J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Plaisance, Joyce.
			Plaisance, Keith.
			Plaisance, Ken G.
			Plaisance, Lawrence J.
			Plaisance, Lucien Jr.
			Plaisance, Peter A Sr.
			Plaisance, Peter Jr.
			Plaisance, Richard J.
			Plaisance, Russel P.
			Plaisance, Russell P Sr.
			Plaisance, Thomas.
			Plaisance, Thomas J.
			Plaisance, Wayne P.
			Plaisance, Whitney III.
			Plork, Phan.
			Poche, Glenn J Jr.
			Poche, Glenn J Sr.
			Pockrus, Gerald.
			Poiencot, Russell Jr.
			Poillion, Charles A.
			Polito, Gerald.
			Polkey, Gary J.
			Polkey, Richard R Jr.
			Polkey, Ronald.
			Polkey, Shawn Michael.
			Pollet, Lionel J Sr.
			Pomgoria, Mario.
			Ponce, Ben.
			Ponce, Lewis B.
			Poon, Raymond.
			Pope, Robert.
			Popham, Winford A.
			Poppell, David M.
			Porche, Ricky J.
			Portier, Bobby.
			Portier, Chad.
			Portier, Corinne L.
			Portier, Penelope J.
			Portier, Robbie.
			Portier, Russel A Sr.
			Portier, Russell.
			Potter, Hubert Edward Jr.
			Potter, Robert D.
			Potter, Robert J.
			Pounds, Terry Wayne.
			Powers, Clyde T.
			Prejean, Dennis J.
			Price, Carl.
			Price, Curtis.
			Price, Edwin J.
			Price, Franklin J.
			Price, George J Sr.
			Price, Norris J Sr.
			Price, Steve J Jr.
			Price, Timmy T.
			Price, Wade J.
			Price, Warren J.
			Prihoda, Steve.
			Primeaux, Scott.
			Pritchard, Dixie J.
			Pritchard, James Ross Jr.
			Prosperie, Claude J Jr.
			Prosperie, Myron.
			Prout, Rollen.
			Prout, Sharonski K.
			Prum, Thou.
			Pugh, Charles D Jr.
			Pugh, Charles Sr.
			Pugh, Cody.
			Pugh, Deanna.
			Pugh, Donald.
			Pugh, Nickolas.
			Punch, Alvin Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Punch, Donald J. Punch, Todd M. Punch, Travis J. Purata, Maria. Purse, Emil. Purvis, George. Quach, Duc. Quach, James D. Quach, Joe. Quach, Si Tan. Quinn, Dora M. Racca, Charles. Racine, Sylvan P Jr. Radulic, Igor. Ragas, Albert G. Ragas, Gene. Ragas, John D. Ragas, Jonathan. Ragas, Richard A. Ragas, Ronda S. Ralph, Lester B. Ramirez, Alfred J Jr. Randazzo, John A Jr. Randazzo, Rick A. Rando, Stanley D. Ranko, Ellis Gerald. Rapp, Dwayne. Rapp, Leroy and Sedonia. Rawlings, John H Sr. Rawlings, Ralph E. Rawls, Norman E. Ray, Leo. Ray, William C Jr. Raynor, Steven Earl. Readenour, Kelty O. Reagan, Roy. Reason, Patrick W. Reaux, Paul S Sr. Reaves, Craig A. Reaves, Laten. Rebert, Paul J Sr. Rebert, Steve M Jr. Rebstock, Charles. Rector, Lance Jr. Rector, Warren L. Redden, Yvonne. Regnier, Leoncea B. Remondet, Garland Jr. Renard, Lanny. Reno, Edward. Reno, George C. Reno, George H. Reno, George T. Reno, Harry. Revell, Ben David. Reyes, Carlton. Reyes, Dwight D Sr. Reynon, Marcello Jr. Rhodes, Randolph N. Rhoto, Christopher L. Ribardi, Frank A. Rich, Wanda Heafner. Richard, Bruce J. Richard, David L. Richard, Edgar J. Richard, James Ray. Richard, Melissa. Richard, Randall K. Richardson, James T. Richert, Daniel E. Richo, Earl Sr. Richoux, Dudley Donald Jr. Richoux, Irvin J Jr.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Richoux, Judy.
			Richoux, Larry.
			Richoux, Mary A.
			Riego, Raymond A.
			Riffle, Josiah B.
			Rigaud, Randall Ryan.
			Riggs, Jeffrey B.
			Riley, Jackie Sr.
			Riley, Raymond.
			Rinkus, Anthony J III.
			Rios, Amado.
			Ripp, Norris M.
			Robbins, Tony.
			Robert, Dan S.
			Roberts, Michael A.
			Robertson, Kevin.
			Robeson, Richard S Jr.
			Robichaux, Craig J.
			Robin, Alvin G.
			Robin, Cary Joseph.
			Robin, Charles R III.
			Robin, Danny J.
			Robin, Donald.
			Robin, Floyd A.
			Robin, Kenneth J Sr.
			Robin, Ricky R.
			Robinson, Johnson P III.
			Robinson, Walter.
			Roccaforte, Clay.
			Rodi, Dominick R.
			Rodi, Rhonda.
			Rodrigue, Brent J.
			Rodrigue, Carrol Sr.
			Rodrigue, Glenn.
			Rodrigue, Lerlene.
			Rodrigue, Reggie Sr.
			Rodrigue, Sonya.
			Rodrigue, Wayne.
			Rodriguez, Barry.
			Rodriguez, Charles V Sr.
			Rodriguez, Gregory.
			Rodriguez, Jesus.
			Rodriguez, Joseph C Jr.
			Roeum, Orn.
			Rogers, Barry David.
			Rogers, Chad.
			Rogers, Chad M.
			Rogers, Kevin J.
			Rogers, Nathan J.
			Rojas, Carlton J Sr.
			Rojas, Curtis Sr.
			Rojas, Dennis J Jr.
			Rojas, Dennis J Sr.
			Rojas, Gordon V.
			Rojas, Kerry D.
			Rojas, Kerry D Jr.
			Rojas, Randy J Sr.
			Rojas, Raymond J Jr.
			Roland, Brad.
			Roland, Mathias C.
			Roland, Vincent.
			Rollins, Theresa.
			Rollo, Wayne A.
			Rome, Victor J IV.
			Romero, D H.
			Romero, Kardel J.
			Romero, Norman.
			Romero, Philip J.
			Ronquille, Glenn.
			Ronquille, Norman C.
			Ronquillo, Earl.
			Ronquillo, Richard J.
			Ronquillo, Timothy.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Roseburrough, Charles R Jr.
			Ross, Dorothy.
			Ross, Edward Danny Jr.
			Ross, Leo L.
			Ross, Robert A.
			Roth, Joseph F Jr.
			Roth, Joseph M Jr.
			Rotolo, Carolyn.
			Rotolo, Feliz.
			Rouse, Jimmy.
			Roussel, Michael D Jr.
			Roy, Henry Lee Jr.
			Rudolph, Chad A.
			Ruiz, Donald W.
			Ruiz, James L.
			Ruiz, Paul E.
			Ruiz, Paul R.
			Russell, Bentley R.
			Russell, Casey.
			Russell, Daniel.
			Russell, James III.
			Russell, Julie Ann.
			Russell, Michael J.
			Russell, Nicholas M.
			Russell, Paul.
			Rustick, Kenneth.
			Ruttley, Adrian K.
			Ruttley, Ernest T Jr.
			Ruttley, JT.
			Ryan, James C Sr.
			Rybiski, Rhebb R.
			Ryder, Luther V.
			Sadler, Stewart.
			Sagnes, Everett.
			Saha, Amanda K.
			Saling, Don M.
			Saltalamacchia, Preston J.
			Saltalamacchia, Sue A.
			Salvato, Lawrence Jr.
			Samanie, Caroll J.
			Samanie, Frank J.
			Samsome, Don.
			Sanamo, Troy P.
			Sanchez, Augustine.
			Sanchez, Jeffery A.
			Sanchez, Juan.
			Sanchez, Robert A.
			Sanders, William Shannon.
			Sandras, R J.
			Sandras, R J Jr.
			Sandrock, Roy R III.
			Santini, Lindberg W Jr.
			Santiny, James.
			Santiny, Patrick.
			Sapia, Carroll J Jr.
			Sapia, Eddie J Jr.
			Sapia, Willard.
			Saturday, Michael Rance.
			Sauce, Carlton Joseph.
			Sauce, Joseph C Jr.
			Saucier, Houston J.
			Sauls, Russell.
			Savage, Malcolm H.
			Savant, Raymond.
			Savoie, Allen.
			Savoie, Brent T.
			Savoie, James.
			Savoie, Merlin F Jr.
			Savoie, Reginald M II.
			Sawyer, Gerald.
			Sawyer, Rodney.
			Scarabin, Clifford.
			Scarabin, Michael J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Schaffer, Kelly.
			Schaubhut, Curry A.
			Schellinger, Lester B Jr.
			Schexnaydre, Michael.
			Schirmer, Robert Jr.
			Schjott, Joseph J Sr.
			Schlindwein, Henry.
			Schmit, Paul A Jr.
			Schmit, Paul A Sr.
			Schmit, Victor J Jr.
			Schouest, Ellis J III.
			Schouest, Ellis Jr.
			Schouest, Juston.
			Schouest, Mark.
			Schouest, Noel.
			Schrimpf, Robert H Jr.
			Schultz, Troy A.
			Schwartz, Sidney.
			Scott, Aaron J.
			Scott, Audie B.
			Scott, James E III.
			Scott, Milford P.
			Scott, Paul.
			Seabrook, Terry G.
			Seal, Charles T.
			Seal, Joseph G.
			Seaman, Garry.
			Seaman, Greg.
			Seaman, Ollie L Jr.
			Seaman, Ollie L Sr.
			Seang, Meng.
			Sehon, Robert Craig.
			Sekul, Morris G.
			Sekul, S George.
			Sellers, Isaac Charles.
			Seng, Sophan.
			Serigne, Adam R.
			Serigne, Elizabeth.
			Serigne, James J III.
			Serigne, Kimmie J.
			Serigne, Lisa M.
			Serigne, Neil.
			Serigne, O'Neil N.
			Serigne, Richard J Sr.
			Serigne, Rickey N.
			Serigne, Ronald Raymond.
			Serigne, Ronald Roch.
			Serigne, Ross.
			Serigny, Gail.
			Serigny, Wayne A.
			Serpas, Lenny Jr.
			Sessions, William O III.
			Sessions, William O Jr.
			Sevel, Michael D.
			Sevin, Carl Anthony.
			Sevin, Earline.
			Sevin, Janell A.
			Sevin, Joey.
			Sevin, Nac J.
			Sevin, O'Neil and Symantha.
			Sevin, Phillip T.
			Sevin, Shane.
			Sevin, Shane Anthony.
			Sevin, Stanley J.
			Sevin, Willis.
			Seymour, Janet A.
			Shackelford, David M.
			Shaffer, Curtis E.
			Shaffer, Glynnon D.
			Shay, Daniel A.
			Shilling, Jason.
			Shilling, L E.
			Shugars, Robert L.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Shutt, Randy.
			Sifuentes, Esteban.
			Sifuentes, Fernando.
			Silver, Curtis A Jr.
			Simon, Curnis.
			Simon, John.
			Simon, Leo.
			Simpson, Mark.
			Sims, Donald L.
			Sims, Mike.
			Singley, Charlie Sr.
			Singley, Glenn.
			Singley, Robert Joseph.
			Sirgo, Jace.
			Sisung, Walter.
			Sisung, Walter Jr.
			Skinner, Gary M Sr.
			Skinner, Richard.
			Skipper, Malcolm W.
			Skrmetta, Martin J.
			Smelker, Brian H.
			Smith, Brian.
			Smith, Carl R Jr.
			Smith, Clark W.
			Smith, Danny.
			Smith, Danny M Jr.
			Smith, Donna.
			Smith, Elmer T Jr.
			Smith, Glenda F.
			Smith, James E.
			Smith, Margie T.
			Smith, Mark A.
			Smith, Nancy F.
			Smith, Raymond C Sr.
			Smith, Tim.
			Smith, Walter M Jr.
			Smith, William T.
			Smithwick, Ted Wayne.
			Smoak, Bill.
			Smoak, William W III.
			Snell, Erick.
			Snodgrass, Sam.
			Soeung, Phat.
			Soileau, John C Sr.
			Sok, Kheng.
			Sok, Montha.
			Sok, Nhip.
			Solet, Darren.
			Solet, Donald M.
			Solet, Joseph R.
			Solet, Raymond J.
			Solorzano, Marilyn.
			Son, Kim.
			Son, Sam Nang.
			Son, Samay.
			Son, Thuong Cong.
			Soprano, Daniel.
			Sork, William.
			Sou, Mang.
			Soudelier, Louis Jr.
			Soudelier, Shannon.
			Sour, Yem Kim.
			Southerland, Robert.
			Speir, Barbara Kay.
			Spell, Jeffrey B.
			Spell, Mark A.
			Spellmeyer, Joel F Sr.
			Spencer, Casey.
			Spiers, Donald A.
			Sprinkle, Avery M.
			Sprinkle, Emery Shelton Jr.
			Sprinkle, Joseph Warren.
			Squarsich, Kenneth J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Sreiy, Siphan.
			St Amant, Dana A.
			St Ann, Mr and Mrs Jerome K.
			St Pierre, Darren.
			St Pierre, Scott A.
			Staves, Patrick.
			Stechmann, Chad.
			Stechmann, Karl J.
			Stechmann, Todd.
			Steele, Arnold D Jr.
			Steele, Henry H III.
			Steen, Carl L.
			Steen, James D.
			Steen, Kathy G.
			Stein, Norris J Jr.
			Stelly, Adlar.
			Stelly, Carl A.
			Stelly, Chad P.
			Stelly, Delores.
			Stelly, Sandrus J Sr.
			Stelly, Sandrus Jr.
			Stelly, Toby J.
			Stelly, Veronica G.
			Stelly, Warren.
			Stephenson, Louis.
			Stevens, Alvin.
			Stevens, Curtis D.
			Stevens, Donald.
			Stevens, Glenda.
			Stewart, Chester Jr.
			Stewart, Derald.
			Stewart, Derek.
			Stewart, Fred.
			Stewart, Jason F.
			Stewart, Ronald G.
			Stewart, William C.
			Stiffler, Thanh.
			Stipelcovich, Lawrence L.
			Stipelcovich, Todd J.
			Stockfett, Brenda.
			Stokes, Todd.
			Stone-Rinkus, Pamela.
			Strader, Steven R.
			Strickland, Kenneth.
			Strickland, Rita G.
			Stuart, James Vernon.
			Stutes, Rex E.
			Sulak, Billy W.
			Sun, Hong Sreng.
			Surmik, Donald D.
			Swindell, Keith M.
			Sylve, Dennis A.
			Sylve, James L.
			Sylve, Nathan.
			Sylve, Scott.
			Sylvesr, Paul A.
			Ta, Ba Van.
			Ta, Chris.
			Tabb, Calvin.
			Taliancich, Andrew.
			Taliancich, Ivan.
			Taliancich, Joseph M.
			Taliancich, Srecka.
			Tan, Ho Dung.
			Tan, Hung.
			Tan, Lan T.
			Tan, Ngo The.
			Tang, Thanh.
			Tanner, Robert Charles.
			Taravella, Raymond.
			Tassin, Alton J.
			Tassin, Keith P.
			Tate, Archie P.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tate, Terrell.
			Tauzier, Kevin M.
			Taylor, Doyle L.
			Taylor, Herman R.
			Taylor, Herman R Jr.
			Taylor, J P Jr.
			Taylor, John C.
			Taylor, Leander J Sr.
			Taylor, Leo Jr.
			Taylor, Lewis.
			Taylor, Nathan L.
			Taylor, Robert L.
			Taylor, Robert M.
			Teap, Phal.
			Tek, Heng.
			Templat, Paul.
			Terluin, John L III.
			Terrebonne, Adrein Scott.
			Terrebonne, Alphonse J.
			Terrebonne, Alton S Jr.
			Terrebonne, Alton S Sr.
			Terrebonne, Carol.
			Terrebonne, Carroll.
			Terrebonne, Chad.
			Terrebonne, Chad Sr.
			Terrebonne, Daniel J.
			Terrebonne, Donavon J.
			Terrebonne, Gary J Sr.
			Terrebonne, Jimmy Jr.
			Terrebonne, Jimmy Sr.
			Terrebonne, Kline A.
			Terrebonne, Lanny.
			Terrebonne, Larry F Jr.
			Terrebonne, Scott.
			Terrebonne, Steven.
			Terrebonne, Steven.
			Terrebonne, Toby J.
			Terrel, Chad J Sr.
			Terrell, C Todd.
			Terrio, Brandon James.
			Terrio, Harvey J Jr.
			Terry, Eloise P.
			Tesvich, Kuzma D.
			Thac, Dang Van.
			Thach, Phuong.
			Thai, Huynh Tan.
			Thai, Paul.
			Thai, Thomas.
			Thanh, Thien.
			Tharpe, Jack.
			Theriot, Anthony.
			Theriot, Carroll A Jr.
			Theriot, Clay J Jr.
			Theriot, Craig A.
			Theriot, Dean P.
			Theriot, Donnie.
			Theriot, Jeffery C.
			Theriot, Larry J.
			Theriot, Lynn.
			Theriot, Mark A.
			Theriot, Roland P Jr.
			Theriot, Wanda J.
			Thibodaux, Jared.
			Thibodeaux, Bart James.
			Thibodeaux, Brian A.
			Thibodeaux, Brian M.
			Thibodeaux, Calvin A Jr.
			Thibodeaux, Fay F.
			Thibodeaux, Glenn P.
			Thibodeaux, Jeffrey.
			Thibodeaux, Jonathan.
			Thibodeaux, Josephine.
			Thibodeaux, Keith.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Thibodeaux, Tony J.
			Thibodeaux, Warren J.
			Thidobaux, James V Sr.
			Thiet, Tran.
			Thomas, Alvin.
			Thomas, Brent.
			Thomas, Dally S.
			Thomas, Janie G.
			Thomas, John Richard.
			Thomas, Kenneth Ward.
			Thomas, Monica P.
			Thomas, Ralph L Jr.
			Thomas, Ralph Lee Jr.
			Thomas, Randall.
			Thomas, Robert W.
			Thomas, Willard N Jr.
			Thomassie, Gerard.
			Thomassie, Nathan A.
			Thomassie, Philip A.
			Thomassie, Ronald J.
			Thomassie, Tracy Joseph.
			Thompson, Bobbie.
			Thompson, David W.
			Thompson, Edwin A.
			Thompson, George.
			Thompson, James D Jr.
			Thompson, James Jr.
			Thompson, John E.
			Thompson, John R.
			Thompson, Randall.
			Thompson, Sammy.
			Thompson, Shawn.
			Thong, R.
			Thonn, John J Jr.
			Thonn, Victor J.
			Thorpe, Robert Lee Jr.
			Thurman, Charles E.
			Tiet, Thanh Duc.
			Tilghman, Gene E.
			Tillett, Billy Carl.
			Tillman, Lewis A Jr.
			Tillman, Timothy P and Yvonne M.
			Tillotson, Pat.
			Tinney, Mark A.
			Tisdale, Georgia W.
			Tiser, Oscar.
			Tiser, Thomas C Jr.
			Tiser, Thomas C Sr.
			To, Cang Van.
			To, Du Van.
			Todd, Fred Noel.
			Todd, Patricia J.
			Todd, Rebecca G.
			Todd, Robert C and Patricia J.
			Todd, Vonnie Frank Jr.
			Tompkins, Gerald Paul II.
			Toney, George Jr.
			Tong, Hai V.
			Tong, Linh C.
			Toomer, Christina Abbott.
			Toomer, Christy.
			Toomer, Frank G Jr.
			Toomer, Jeffrey E.
			Toomer, Kenneth.
			Toomer, Lamar K.
			Toomer, Larry Curtis and Tina.
			Toomer, William Kemp.
			Torrible, David P.
			Torrible, Jason.
			Touchard, Anthony H.
			Touchard, John B Jr.
			Touchard, Paul V Jr.
			Touchet, Eldridge III.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Touchet, Eldridge Jr.
			Toups, Anthony G.
			Toups, Bryan.
			Toups, Jeff.
			Toups, Jimmie J.
			Toups, Kim.
			Toups, Manuel.
			Toups, Ted.
			Toups, Tommy.
			Toureau, James.
			Tower, H Melvin.
			Townsend, Harmon Lynn.
			Townsend, Marion Brooks.
			Tra, Hop T.
			Trabeau, James D.
			Trahan, Allen A Jr.
			Trahan, Alvin Jr.
			Trahan, Druby.
			Trahan, Dudley.
			Trahan, Elie J.
			Trahan, Eric J.
			Trahan, James.
			Trahan, Karen C.
			Trahan, Lynn P Sr.
			Trahan, Ricky.
			Trahan, Ronald J.
			Trahan, Tracey L.
			Trahan, Wayne Paul.
			Tran, Allen Hai.
			Tran, Andana.
			Tran, Anh.
			Tran, Anh.
			Tran, Anh N.
			Tran, Bay V.
			Tran, Bay Van.
			Tran, Binh.
			Tran, Binh Van.
			Tran, Ca Van.
			Tran, Cam Van.
			Tran, Chau V.
			Tran, Chau Van.
			Tran, Chau Van.
			Tran, Chi T.
			Tran, Christina Phuong.
			Tran, Chu V.
			Tran, Cuong.
			Tran, Cuong.
			Tran, Danny Duc.
			Tran, Den.
			Tran, Dien.
			Tran, Dinh M.
			Tran, Dinh Q.
			Tran, Doan.
			Tran, Dung Van.
			Tran, Duoc.
			Tran, Duoc.
			Tran, Duong.
			Tran, Eric.
			Tran, Francis.
			Tran, Francis.
			Tran, Giang.
			Tran, Giao.
			Tran, Ha Mike.
			Tran, Hai.
			Tran, Hien H.
			Tran, Hiep Phuoc.
			Tran, Hieu.
			Tran, Hoa.
			Tran, Hoa.
			Tran, Hue T.
			Tran, Huey.
			Tran, Hung.
			Tran, Hung.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tran, Hung.
			Tran, Hung P.
			Tran, Hung Van.
			Tran, Hung Van.
			Tran, Hung Viet.
			Tran, James N.
			Tran, John.
			Tran, Johnny Dinh.
			Tran, Joseph.
			Tran, Joseph T.
			Tran, Khan Van.
			Tran, Khanh.
			Tran, Kim.
			Tran, Kim Chi Thi.
			Tran, Lan Tina.
			Tran, Le and Phat Le.
			Tran, Leo Van.
			Tran, Loan.
			Tran, Long.
			Tran, Long Van.
			Tran, Luu Van.
			Tran, Ly.
			Tran, Ly Van.
			Tran, Mai Thi.
			Tran, Mary.
			Tran, Miel Van.
			Tran, Mien.
			Tran, Mike.
			Tran, Mike Dai.
			Tran, Minh Huu.
			Tran, Muoi.
			Tran, My T.
			Tran, Nam Van.
			Tran, Nang Van.
			Tran, Nghia and T Le Banh.
			Tran, Ngoc.
			Tran, Nhanh Van.
			Tran, Nhieu T.
			Tran, Nhieu Van.
			Tran, Nho.
			Tran, Peter.
			Tran, Phu Van.
			Tran, Phuc D.
			Tran, Phuc V.
			Tran, Phung.
			Tran, Quan Van.
			Tran, Quang Quang.
			Tran, Quang T.
			Tran, Quang Van.
			Tran, Qui V.
			Tran, Quy Van.
			Tran, Ran Van.
			Tran, Sarah T.
			Tran, Sau.
			Tran, Scotty.
			Tran, Son.
			Tran, Son Van.
			Tran, Steven Tuan.
			Tran, Tam.
			Tran, Te Van.
			Tran, Than.
			Tran, Thang Van.
			Tran, Thanh.
			Tran, Thanh.
			Tran, Thanh Van.
			Tran, Theresa.
			Tran, Thi.
			Tran, Thich Van.
			Tran, Thien.
			Tran, Thien Van.
			Tran, Thiet.
			Tran, Tommy.
			Tran, Tony.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Tran, Tri.
			Tran, Trinh.
			Tran, Trung.
			Tran, Trung Van.
			Tran, Tu.
			Tran, Tuan.
			Tran, Tuan.
			Tran, Tuan Minh.
			Tran, Tuong Van.
			Tran, Tuyet Thi.
			Tran, Van T.
			Tran, Victor.
			Tran, Vinh.
			Tran, Vinh Q.
			Tran, Vinh Q.
			Tran, Vui Kim.
			Trang, Tan.
			Trapp, Tommy.
			Treadaway, Michael.
			Tregle, Curtis.
			Treloar, William Paul.
			Treuil, Gary J.
			Trevino, Manuel.
			Treybig, E H ''Buddy'' Jr.
			Triche, Donald G.
			Trieu, Hiep and Jackie.
			Trieu, Hung Hoa.
			Trieu, Jasmine and Ly.
			Trieu, Lorie and Tam.
			Trieu, Tam.
			Trinh, Christopher B.
			Trinh, Philip P.
			Trosclair, Clark K.
			Trosclair, Clark P.
			Trosclair, Eugene P.
			Trosclair, James J.
			Trosclair, Jerome.
			Trosclair, Joseph.
			Trosclair, Lori.
			Trosclair, Louis V.
			Trosclair, Patricia.
			Trosclair, Randy.
			Trosclair, Ricky.
			Trosclair, Wallace Sr.
			Truong, Andre.
			Truong, Andre V.
			Truong, Be Van.
			Truong, Benjamin.
			Truong, Dac.
			Truong, Huan.
			Truong, Kim.
			Truong, Nhut Van.
			Truong, Steve.
			Truong, Tham T.
			Truong, Thanh Minh.
			Truong, Them Van.
			Truong, Thom.
			Truong, Timmy.
			Trutt, George W Sr.
			Trutt, Wanda.
			Turlich, Mervin A.
			Turner, Calvin L.
			Tyre, John.
			Upton, Terry R.
			Valentino, J G Jr.
			Valentino, James.
			Vallot, Christopher A.
			Vallot, Nancy H.
			Valure, Hugh P.
			Van Alsburg, Charles.
			Van Gordstnoven, Jean J.
			Van Nguyen, Irving.
			Van, Than.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Van, Vui.
			Vanacor, Kathy D.
			Vanacor, Malcolm J Sr.
			Vanicor, Bobbie.
			VanMeter, Matthew T.
			VanMeter, William Earl.
			Varney, Randy L.
			Vath, Raymond S.
			Veasel, William E III.
			Vegas, Brien J.
			Vegas, Percy J.
			Vegas, Terry J.
			Vegas, Terry J Jr.
			Vegas, Terry Jr.
			Vela, Peter.
			Verdin, Aaron.
			Verdin, Av.
			Verdin, Bradley J.
			Verdin, Brent A.
			Verdin, Charles A.
			Verdin, Charles E.
			Verdin, Coy P.
			Verdin, Curtis A Jr.
			Verdin, Delphine.
			Verdin, Diana A.
			Verdin, Ebro W.
			Verdin, Eric P.
			Verdin, Ernest Joseph Sr.
			Verdin, Jeff C.
			Verdin, Jeffrey A.
			Verdin, Jessie J.
			Verdin, John P.
			Verdin, Joseph.
			Verdin, Joseph A Jr.
			Verdin, Joseph Cleveland.
			Verdin, Joseph D Jr.
			Verdin, Joseph S.
			Verdin, Joseph W Jr.
			Verdin, Justilien G.
			Verdin, Matthew W Sr.
			Verdin, Michel A.
			Verdin, Paul E.
			Verdin, Perry Anthony.
			Verdin, Rodney.
			Verdin, Rodney P.
			Verdin, Rodney P.
			Verdin, Skylar.
			Verdin, Timmy J.
			Verdin, Toby.
			Verdin, Tommy P.
			Verdin, Tony J.
			Verdin, Troy.
			Verdin, Vincent.
			Verdin, Viness Jr.
			Verdin, Wallace P.
			Verdin, Webb A Sr.
			Verdin, Wesley D Sr.
			Verdine, Jimmy R.
			Vermeulen, Joseph Thomas.
			Verret, Darren L.
			Verret, Donald J.
			Verret, Ernest J Sr.
			Verret, James A.
			Verret, Jean E.
			Verret, Jimmy J Sr.
			Verret, Johnny R.
			Verret, Joseph L.
			Verret, Paul L.
			Verret, Preston.
			Verret, Quincy.
			Verret, Ronald Paul Sr.
			Versaggi, Joseph A.
			Versaggi, Salvatore J.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Vicknair, Brent J Sr.
			Vicknair, Duane P.
			Vicknair, Henry Dale.
			Vicknair, Ricky A.
			Vidrine, Bill and Kathi.
			Vidrine, Corey.
			Vidrine, Richard.
			Vila, William F.
			Villers, Joseph A.
			Vincent, Gage Tyler.
			Vincent, Gene.
			Vincent, Gene B.
			Vincent, Robert N.
			Vise, Charles E III.
			Vizier, Barry A.
			Vizier, Christopher.
			Vizier, Clovis J III.
			Vizier, Douglas M.
			Vizier, Tommie Jr.
			Vo, Anh M.
			Vo, Chin Van.
			Vo, Dam.
			Vo, Dan M.
			Vo, Dany.
			Vo, Day V.
			Vo, Duong V.
			Vo, Dustin.
			Vo, Hai Van.
			Vo, Hanh Xuan.
			Vo, Hien Van.
			Vo, Hoang The.
			Vo, Hong.
			Vo, Hung Thanh.
			Vo, Huy K.
			Vo, Johnny.
			Vo, Kent.
			Vo, Lien Van.
			Vo, Man.
			Vo, Mark Van.
			Vo, Minh Hung.
			Vo, Minh Ngoc.
			Vo, Minh Ray.
			Vo, Mong V.
			Vo, My Dung Thi.
			Vo, My Lynn.
			Vo, Nga.
			Vo, Nhon Tai.
			Vo, Nhu Thanh.
			Vo, Quang Minh.
			Vo, Sang M.
			Vo, Sanh M.
			Vo, Song V.
			Vo, Tan Thanh.
			Vo, Tan Thanh.
			Vo, Thanh Van.
			Vo, Thao.
			Vo, Thuan Van.
			Vo, Tien Van.
			Vo, Tom.
			Vo, Tong Ba.
			Vo, Trao Van.
			Vo, Truong.
			Vo, Van Van.
			Vo, Vi Viet.
			Vodopija, Benjamin S.
			Vogt, James L.
			Voisin, Eddie James.
			Voisin, Joyce.
			Voison, Jamie.
			Von Harten, Harold L.
			Vona, Michael A.
			Vongrith, Richard.
			Vossler, Kirk.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Vu, Hung.
			Vu, John H.
			Vu, Khanh.
			Vu, Khoi Van.
			Vu, Quan Quoc.
			Vu, Ruyen Viet.
			Vu, Sac.
			Vu, Sean.
			Vu, Tam.
			Vu, Thiem Ngoc.
			Vu, Thuy.
			Vu, Tom.
			Vu, Tu Viet.
			Vu, Tuyen Jack.
			Vu, Tuyen Viet.
			Wade, Calvin J Jr.
			Wade, Gerard.
			Waguespack, David M Sr.
			Waguespack, Randy P II.
			Wainwright, Vernon.
			Walker, Jerry.
			Walker, Rogers H.
			Wallace, Dennis.
			Wallace, Edward.
			Wallace, John A.
			Wallace, John K.
			Wallace, Trevis L.
			Waller, Jack Jr.
			Waller, John M.
			Waller, Mike.
			Wallis, Craig A.
			Wallis, Keith.
			Walters, Samuel G.
			Walton, Marion M.
			Wannage, Edward Joseph.
			Wannage, Fred Jr.
			Wannage, Frederick W Sr.
			Ward, Clarence Jr.
			Ward, Olan B.
			Ward, Walter M.
			Washington, Clifford.
			Washington, John Emile III.
			Washington, Kevin.
			Washington, Louis N.
			Wattigney, Cecil K Jr.
			Wattigney, Michael.
			Watts, Brandon A.
			Watts, Warren.
			Webb, Bobby.
			Webb, Bobby N.
			Webb, Josie M.
			Webre, Donald.
			Webre, Dudley A.
			Webster, Harold.
			Weeks, Don Franklin.
			Weems, Laddie E.
			Weinstein, Barry C.
			Weiskopf, Rodney.
			Weiskopf, Rodney Sr.
			Weiskopf, Todd.
			Welch, Amos J.
			Wells, Douglas E.
			Wells, Stephen Ray.
			Wendling, Steven W.
			Wescovich, Charles W.
			Wescovich, Wesley Darryl.
			Whatley, William J.
			White, Allen Sr.
			White, Charles.
			White, Charles Fulton.
			White, David L.
			White, Gary Farrell.
			White, James Hugh.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			White, Perry J.
			White, Raymond.
			White, Robert Sr.
			Wicher, John.
			Wiggins, Chad M Sr.
			Wiggins, Ernest.
			Wiggins, Harry L.
			Wiggins, Kenneth A.
			Wiggins, Matthew.
			Wilbur, Gerald Anthony.
			Wilcox, Robert.
			Wiles, Alfred Adam.
			Wiles, Glen Gilbert.
			Wiles, Sonny Joel Sr.
			Wilkerson, Gene Dillard and Judith.
			Wilkinson, William Riley.
			Williams, Allen Jr.
			Williams, Andrew.
			Williams, B Dean.
			Williams, Clyde L.
			Williams, Dale A.
			Williams, Emmett J.
			Williams, Herman J Jr.
			Williams, J T.
			Williams, John A.
			Williams, Johnny Paul.
			Williams, Joseph H.
			Williams, Kirk.
			Williams, Leopold A.
			Williams, Mark A.
			Williams, Mary Ann C.
			Williams, Melissa A.
			Williams, Nina.
			Williams, Oliver Kent.
			Williams, Parish.
			Williams, Roberto.
			Williams, Ronnie.
			Williams, Scott A.
			Williams, Steven.
			Williams, Thomas D.
			Williamson, Richard L Sr.
			Willyard, Derek C.
			Willyard, Donald R.
			Wilson, Alward.
			Wilson, Hosea.
			Wilson, Joe R.
			Wilson, Jonathan.
			Wilson, Katherine.
			Wiltz, Allen.
			Wing, Melvin.
			Wiseman, Allen.
			Wiseman, Clarence J Jr.
			Wiseman, Jean P.
			Wiseman, Joseph A.
			Wiseman, Michael T Jr.
			Wiseman, Michael T Sr.
			Wolfe, Charles.
			Woods, John T III.
			Wright, Curtis.
			Wright, Leonard.
			Wright, Randy D.
			Yeamans, Douglas.
			Yeamans, Neil.
			Yeamans, Ronnie.
			Yoeuth, Peon.
			Yopp, Harold.
			Yopp, Jonathon.
			Yopp, Milton Thomas.
			Young, James.
			Young, Taing.
			Young, Willie.
			Yow, Patricia D.
			Yow, Richard C.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Zanca, Anthony V Sr.
			Zar, Ashley A.
			Zar, Carl J.
			Zar, John III.
			Zar, Steve.
			Zar, Steven.
			Zar, Troy A.
			Zerinque, John S Jr.
			Zirlott, Curtis.
			Zirlott, Jason D.
			Zirlott, Jeremy.
			Zirlott, Kimberly.
			Zirlott, Milton.
			Zirlott, Perry.
			Zirlott, Rosa H.
			Zito, Brian C.
			Zuvich, Michael A Jr.
			Ad Hoc Shrimp Trade Action Committee.
			Bryan Fishermens' Co-Op Inc.
			Louisiana Shrimp Association.
			South Carolina Shrimpers Association.
			Vietnamese-American Commerical Fisherman's Union.
			3–G Enterprize dba Griffin's Seafood.
			A & G Trawlers Inc.
			A & T Shrimping.
			A Ford Able Seafood.
			A J Horizon Inc.
			A&M Inc.
			A&R Shrimp Co.
			A&T Shrimping.
			AAH Inc.
			AC Christopher Sea Food Inc.
			Ace of Trade LLC.
			Adriana Corp.
			AJ Boats Inc.
			AJ Horizon Inc.
			AJ's Seafood.
			Alario Inc.
			Alcide J Adams Jr.
			Aldebaran Inc.
			Aldebran Inc.
			Alexander and Dola.
			Alfred Englade Inc.
			Alfred Trawlers Inc.
			Allen Hai Tran dba Kien Giang.
			Al's Shrimp Co.
			Al's Shrimp Co LLC.
			Al's Shrimp Co LLC.
			Al's Whosale & Retail.
			Alton Cheeks.
			Amada Inc.
			Amber Waves.
			Amelia Isle.
			American Beauty.
			American Beauty Inc.
			American Eagle Enterprise Inc.
			American Girl.
			American Seafood.
			Americana Shrimp.
			Amvina II.
			Amvina II.
			Amy D Inc.
			Amy's Seafood Mart.
			An Kit.
			Andy Boy.
			Andy's SFD.
			Angel Annie Inc.
			Angel Leigh.
			Angel Seafood Inc.
			Angela Marie Inc.
			Angela Marie Inc.
			Angelina Inc.
			Anna Grace LLC.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Anna Grace LLC.
			Annie Thornton Inc.
			Annie Thornton Inc.
			Anthony Boy I.
			Anthony Boy I.
			Anthony Fillinich Sr.
			Apalachee Girl Inc.
			Aparicio Trawlers Inc dba Marcosa.
			Apple Jack Inc.
			Aquila Seafood Inc.
			Aquillard Seafood.
			Argo Marine.
			Arnold's Seafood.
			Arroya Cruz Inc.
			Art & Red Inc.
			Arthur Chisholm.
			A-Seafood Express.
			Ashley Deeb Inc.
			Ashley W 648675.
			Asian Gulf Corp.
			Atlantic.
			Atocha Troy A LeCompte Sr.
			Atwood Enterprises.
			B & B Boats Inc.
			B & B Seafood.
			B&J Seafood.
			BaBe Inc.
			Baby Ruth.
			Bailey, David B Sr—Bailey's Seafood.
			Bailey's Seafood of Cameron Inc.
			Bait Inc.
			Bait Inc.
			Baker Shrimp.
			Bama Love Inc.
			Bama Sea Products Inc.
			Bao Hung Inc.
			Bao Hung Inc.
			Bar Shrimp.
			Barbara Brooks Inc.
			Barbara Brooks Inc.
			Barisich Inc.
			Barisich Inc.
			Barnacle-Bill Inc.
			Barney's Bait & Seafood.
			Barrios Seafood.
			Bay Boy.
			Bay Islander Inc.
			Bay Sweeper Nets.
			Baye's Seafood 335654.
			Bayou Bounty Seafood LLC.
			Bayou Caddy Fisheries Inc.
			Bayou Carlin Fisheries.
			Bayou Carlin Fisheries Inc.
			Bayou Shrimp Processors Inc.
			BBC Trawlers Inc.
			BBS Inc.
			Beachcomber Inc.
			Beachcomber Inc.
			Bea's Corp.
			Beecher's Seafood.
			Believer Inc.
			Bennett's Seafood.
			Benny Alexie.
			Bergeron's Seafood.
			Bertileana Corp.
			Best Sea-Pack of Texas Inc.
			Beth Lomonte Inc.
			Beth Lomonte Inc.
			Betty B.
			Betty H Inc.
			Bety Inc.
			BF Millis & Sons Seafood.
			Big Daddy Seafood Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Big Grapes Inc.
			Big Kev.
			Big Oak Seafood.
			Big Oak Seafood.
			Big Oaks Seafood.
			Big Shrimp Inc.
			Billy J Foret—BJF Inc.
			Billy Sue Inc.
			Billy Sue Inc.
			Biloxi Freezing & Processing.
			Binh Duong.
			BJB LLC.
			Blain & Melissa Inc.
			Blanca Cruz Inc.
			Blanchard & Cheramie Inc.
			Blanchard Seafood.
			Blazing Sun Inc.
			Blazing Sun Inc.
			Blue Water Seafood.
			Bluewater Shrimp Co.
			Bluffton Oyster Co.
			Boat Josey Wales.
			Boat Josey Wales LLC.
			Boat Monica Kiff.
			Boat Warrior.
			Bob-Rey Fisheries Inc.
			Bodden Trawlers Inc.
			Bolillo Prieto Inc.
			Bon Secour Boats Inc.
			Bon Secour Fisheries Inc.
			Bon Secur Boats Inc.
			Bonnie Lass Inc.
			Boone Seafood.
			Bosarge Boats.
			Bosarge Boats.
			Bosarge Boats Inc.
			Bottom Verification LLC.
			Bowers Shrimp.
			Bowers Shrimp Farm.
			Bowers Valley Shrimp Inc.
			Brad Friloux.
			Brad Nicole Seafood.
			Bradley John Inc.
			Bradley's Seafood Mkt.
			Brava Cruz Inc.
			Brenda Darlene Inc.
			Brett Anthony.
			Bridgeside Marina.
			Bridgeside Seafood.
			Bridget's Seafood Service Inc.
			Bridget's Seafood Service Inc.
			BRS Seafood.
			BRS Seafood.
			Bruce W Johnson Inc.
			Bubba Daniels Inc.
			Bubba Tower Shrimp Co.
			Buccaneer Shrimp Co.
			Buchmer Inc.
			Buck & Peed Inc.
			Buddy Boy Inc.
			Buddy's Seafood.
			Bumble Bee Seafoods LLC.
			Bumble Bee Seafoods LLC.
			Bundy Seafood.
			Bundy's Seafood.
			Bunny's Shrimp.
			Burgbe Gump Seafood.
			Burnell Trawlers Inc.
			Burnell Trawlers Inc/Mamacita/Swamp Irish.
			Buster Brown Inc.
			By You Seafood.
			C & R Trawlers Inc.
			CA Magwood Enterprises Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Cajun Queen of LA LLC.
			Calcasien Point Bait N More Inc.
			Cam Ranh Bay.
			Camardelle's Seafood.
			Candy Inc.
			Cao Family Inc.
			Cap Robear.
			Cap'n Bozo Inc.
			Capn Jasper's Seafood Inc.
			Capt Aaron.
			Capt Adam.
			Capt Anthony Inc.
			Capt Bean (Richard A Ragas).
			Capt Beb Inc.
			Capt Bill Jr Inc.
			Capt Brother Inc.
			Capt Bubba.
			Capt Buck.
			Capt Carl.
			Capt Carlos Trawlers Inc.
			Capt Chance Inc.
			Capt Christopher Inc.
			Capt Chuckie.
			Capt Craig.
			Capt Craig Inc.
			Capt Crockett Inc.
			Capt Darren Hill Inc.
			Capt Dennis Inc.
			Capt Dickie Inc.
			Capt Dickie V Inc.
			Capt Doug.
			Capt Eddie Inc.
			Capt Edward Inc.
			Capt Eli's.
			Capt Elroy Inc.
			Capt Ernest LLC.
			Capt Ernest LLC.
			Capt GDA Inc.
			Capt George.
			Capt H & P Corp.
			Capt Havey Seafood.
			Capt Henry Seafood Dock.
			Capt Huy.
			Capt JDL Inc.
			Capt Jimmy Inc.
			Capt Joe.
			Capt Johnny II.
			Capt Jonathan.
			Capt Jonathan Inc.
			Capt Joshua Inc.
			Capt Jude 520556 13026.
			Capt Ken.
			Capt Kevin Inc.
			Capt Ko Inc.
			Capt Koung Lim.
			Capt Larry Seafood Market.
			Capt Larry's Inc.
			Capt LC Corp.
			Capt LD Seafood Inc.
			Capt Linton Inc.
			Capt Mack Inc.
			Capt Marcus Inc.
			Capt Morris.
			Capt Opie.
			Capt P Inc.
			Capt Pappie Inc.
			Capt Pat.
			Capt Paw Paw.
			Capt Pete Inc.
			Capt Peter Long Inc.
			Capt Pool Bear II's Seafood.
			Capt Quang.
			Capt Quina Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Capt Richard.
			Capt Ross Inc.
			Capt Roy.
			Capt Russell Jr Inc.
			Capt Ryan Inc.
			Capt Ryan's.
			Capt Sam.
			Capt Sang.
			Capt Scar Inc.
			Capt Scott.
			Capt Scott 5.
			Capt Scott Seafood.
			Capt Sparkers Shrimp.
			Capt St Peter.
			Capt T&T Corp.
			Capt Thien.
			Capt Tommy Inc.
			Capt Two Inc.
			Capt Van's Seafood.
			Capt Walley Inc.
			Capt Zoe Inc.
			Captain Allen's Bait & Tackle.
			Captain Arnulfo Inc.
			Captain Blair Seafood.
			Captain Dexter Inc.
			Captain D's.
			Captain Homer Inc.
			Captain Jeff.
			Captain JH III Inc.
			Captain Joshua.
			Captain Larry'O.
			Captain Miss Cammy Nhung.
			Captain Regis.
			Captain Rick.
			Captain T/Thiet Nguyen.
			Captain Tony.
			Captain Truong Phi Corp.
			Captain Vinh.
			Cap't-Brandon.
			Captian Thomas Trawler Inc.
			Carlino Seafood.
			Carly Sue Inc.
			Carmelita Inc.
			Carolina Lady Inc.
			Carolina Sea Foods Inc.
			Caroline and Calandra Inc.
			Carson & Co.
			Carson & Co Inc.
			Cary Encalade Trawling.
			Castellano's Corp.
			Cathy Cheramie Inc.
			CBS Seafood & Catering LLC.
			CBS Seafood & Catering LLC.
			Cecilia Enterprise Inc.
			CF Gollot & Son Sfd Inc.
			CF Gollott and Son Seafood Inc.
			Chackbay Lady.
			Chad & Chaz LLC.
			Challenger Shrimp Co Inc.
			Chalmette Marine Supply Co Inc.
			Chalmette Net & Trawl.
			Chapa Shrimp Trawlers.
			Chaplin Seafood.
			Charlee Girl.
			Charles Guidry Inc.
			Charles Sellers.
			Charles White.
			Charlotte Maier Inc.
			Charlotte Maier Inc.
			Chef Seafood Ent LLC.
			Cheramies Landing.
			Cherry Pt Seafood.
			Cheryl Lynn Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Chez Francois Seafood.
			Chilling Pride Inc.
			Chin Nguyen Co.
			Chin Nguyen Co.
			Chinatown Seafood Co Inc.
			Chines Cajun Net Shop.
			Chris Hansen Seafood.
			Christian G Inc.
			Christina Leigh Shrimp Co.
			Christina Leigh Shrimp Company Inc.
			Christina Leigh Shrimp Company Inc.
			Cieutat Trawlers.
			Cinco de Mayo Inc.
			Cindy Lynn Inc.
			Cindy Mae Inc.
			City Market Inc.
			CJ Seafood.
			CJs Seafood.
			Clifford Washington.
			Clinton Hayes—C&S Enterprises of Brandon Inc.
			Cochran's Boat Yard.
			Colorado River Seafood.
			Colson Marine.
			Comm Fishing.
			Commercial Fishing Service CFS Seafoods.
			Cong Son.
			Cong-An Inc.
			Country Girl Inc.
			Country Inc.
			Courtney & Ory Inc.
			Cowdrey Fish.
			Cptn David.
			Crab-Man Bait Shop.
			Craig A Wallis, Keith Wallis dba W&W Dock & 10 boats.
			Cristina Seafood.
			CRJ Inc.
			Cruillas Inc.
			Crusader Inc.
			Crustacean Frustration.
			Crystal Gayle Inc.
			Crystal Light Inc.
			Crystal Light Inc.
			Curtis Henderson.
			Custom Pack Inc.
			Custom Pack Inc.
			Cyril's Ice House & Supplies.
			D & A Seafood.
			D & C Seafood Inc.
			D & J Shrimping LLC.
			D & M Seafood & Rental LLC.
			D Ditcharo Jr Seafoods.
			D G & R C Inc.
			D S L & R Inc.
			D&T Marine Inc.
			Daddys Boys.
			DaHa Inc/Cat'Sass.
			DAHAPA Inc.
			Dale's Seafood Inc.
			Dang Nguyen.
			Daniel E Lane.
			Danny Boy Inc.
			Danny Max.
			David & Danny Inc.
			David C Donnelly.
			David Daniels.
			David Ellison Jr.
			David Gollott Sfd Inc.
			David W Casanova's Seafood.
			David White.
			David's Shrimping Co.
			Davis Seafood.
			Davis Seafood.
			Davis Seafood Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Dawn Marie.
			Deana Cheramie Inc.
			Deanna Lea.
			Dean's Seafood.
			Deau Nook.
			Debbe Anne Inc.
			Deep Sea Foods Inc/Jubilee Foods Inc.
			Delcambre Seafood.
			Dell Marine Inc.
			Dennis Menesses Seafood.
			Dennis' Seafood Inc.
			Dennis Shrimp Co Inc.
			Desperado.
			DFS Inc.
			Diamond Reef Seafood.
			Diem Inc.
			Dinh Nguyen.
			Dixie General Store LLC.
			Dixie Twister.
			Dominick's Seafood Inc.
			Don Paco Inc.
			Donald F Boone II.
			Dong Nguyen.
			Donini Seafoods Inc.
			Donna Marie.
			Donovan Tien I & II.
			Dopson Seafood.
			Dorada Cruz Inc.
			Double Do Inc.
			Double Do Inc.
			Doug and Neil Inc.
			Douglas Landing.
			Doxey's Oyster & Shrimp.
			Dragnet II.
			Dragnet Inc.
			Dragnet Seafood LLC.
			Dubberly's Mobile Seafood.
			Dudenhefer Seafood.
			Dugas Shrimp Co LLC.
			Dunamis Towing Inc.
			Dupree's Seafood.
			Duval & Duval Inc.
			Dwayne's Dream Inc.
			E & M Seafood.
			E & T Boating.
			E Gardner McClellan.
			E&E Shrimp Co Inc.
			East Coast Seafood.
			East Coast Seafood.
			East Coast Seafood.
			East Coast Seafood.
			Edisto Queen LLC.
			Edward Garcia Trawlers.
			EKV Inc.
			El Pedro Fishing & Trading Co Inc.
			Eliminator Inc.
			Elizabeth Nguyen.
			Ellerbee Seafoods.
			Ellie May.
			Elmira Pflueckhahn Inc.
			Elmira Pflueckhahn Inc.
			Elvira G Inc.
			Emily's SFD.
			Emmanuel Inc.
			Ensenada Cruz Inc.
			Enterprise.
			Enterprise Inc.
			Equalizer Shrimp Co Inc.
			Eric F Dufrene Jr LLC.
			Erica Lynn Inc.
			Erickson & Jensen Seafood Packers.
			Ethan G Inc.
			Excalibur LLC.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			F/V Apalachee Warrior.
			F/V Atlantis I.
			F/V Capt Walter B.
			F/V Captain Andy.
			F/V Eight Flags.
			F/V Mary Ann.
			F/V Miss Betty.
			F/V Morning Star.
			F/V Nam Linh.
			F/V Olivia B.
			F/V Phuoc Thanh Mai II.
			F/V Sea Dolphin.
			F/V Southern Grace.
			F/V Steven Mai.
			F/V Steven Mai II.
			Famer Boys Catfish Kitchens.
			Family Thing.
			Father Casimir Inc.
			Father Dan Inc.
			Father Mike Inc.
			Fiesta Cruz Inc.
			Fine Shrimp Co.
			Fire Fox Inc.
			Fisherman's Reef Shrimp Co.
			Fishermen IX Inc.
			Fishing Vessel Enterprise Inc.
			Five Princesses Inc.
			FKM Inc.
			Fleet Products Inc.
			Flower Shrimp House.
			Flowers Seafood Co.
			Floyd's Wholesale Seafood Inc.
			Fly By Night Inc.
			Forest Billiot Jr.
			Fortune Shrimp Co Inc.
			FP Oubre.
			Francis Brothers Inc.
			Francis Brothers Inc.
			Francis III.
			Frank Toomer Jr.
			Fran-Tastic Too.
			Frederick-Dan.
			Freedom Fishing Inc.
			Freeman Seafood.
			Frelich Seafood Inc.
			Frenchie D–282226.
			Fripp Point Seafood.
			G & L Trawling Inc.
			G & O Shrimp Co Inc.
			G & O Trawlers Inc.
			G & S Trawlers Inc.
			G D Ventures II Inc.
			G G Seafood.
			G R LeBlanc Trawlers Inc.
			Gail's Bait Shop.
			Gale Force Inc.
			Gambler Inc.
			Gambler Inc.
			Garijak Inc.
			Gary F White.
			Gator's Seafood.
			Gay Fish Co.
			Gay Fish Co.
			GeeChee Fresh Seafood.
			Gemita Inc.
			Gene P Callahan Inc.
			George J Price Sr Ent Inc.
			Georgia Shrimp Co LLC.
			Gerica Marine.
			Gilden Enterprises.
			Gillikin Marine Railways Inc.
			Gina K Inc.
			Gisco Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Gisco Inc.
			Glenda Guidry Inc.
			Gloria Cruz Inc.
			Go Fish Inc.
			God's Gift.
			God's Gift Shrimp Vessel.
			Gogie.
			Gold Coast Seafood Inc.
			Golden Gulf Coast Pkg Co Inc.
			Golden Phase Inc.
			Golden Text Inc.
			Golden Text Inc.
			Golden Text Inc.
			Goldenstar.
			Gollott Brothers Sfd Co Inc.
			Gollott's Oil Dock & Ice House Inc.
			Gonzalez Trawlers Inc.
			Gore Enterprises Inc.
			Gore Enterprizes Inc.
			Gore Seafood Co.
			Gore Seafood Inc.
			Gove Lopez.
			Graham Fisheries Inc.
			Graham Shrimp Co Inc.
			Graham Shrimp Co Inc.
			Gramps Shrimp Co.
			Grandma Inc.
			Grandpa's Dream.
			Grandpa's Dream.
			Granny's Garden and Seafood.
			Green Flash LLC.
			Greg Inc.
			Gregory Mark Gaubert.
			Gregory Mark Gaubert.
			Gregory T Boone.
			Gros Tete Trucking Inc.
			Guidry's Bait Shop.
			Guidry's Net Shop.
			Gulf Central Seaood Inc.
			Gulf Crown Seafood Co Inc.
			Gulf Fish Inc.
			Gulf Fisheries Inc.
			Gulf Island Shrimp & Seafood II LLC.
			Gulf King Services Inc.
			Gulf Pride Enterprises Inc.
			Gulf Seaway Seafood Inc.
			Gulf Shrimp.
			Gulf South Inc.
			Gulf Stream Marina LLC.
			Gulf Sweeper Inc (Trawler Gulf Sweeper).
			Gypsy Girl Inc.
			H & L Seafood.
			Hack Berry Seafood.
			Hagen & Miley Inc.
			Hailey Marie Inc.
			Hanh Lai Inc.
			Hannah Joyce Inc.
			Hardy Trawlers.
			Hardy Trawlers.
			Harrington Fish Co Inc.
			Harrington Seafood & Supply Inc.
			Harrington Shrimp Co Inc.
			Harrington Trawlers Inc.
			Harris Fisheries Inc.
			Hazel's Hustler.
			HCP LLC.
			Heather Lynn Inc.
			Heavy Metal Inc.
			Hebert Investments Inc.
			Hebert's Mini Mart LLC.
			Helen E Inc.
			Helen Kay Inc.
			Helen Kay Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Helen W Smith Inc.
			Henderson Seafood.
			Henry Daniels Inc.
			Hermosa Cruz Inc.
			Hi Seas of Dulac Inc.
			Hien Le Van Inc.
			High Hope Inc.
			Hoang Anh.
			Hoang Long I, II.
			Holland Enterprises.
			Holly Beach Seafood.
			Holly Marie's Seafood Market.
			Hombre Inc.
			Home Loving Care Co.
			Hondumex Ent Inc.
			Hong Nga Inc.
			Hongri Inc.
			Houston Foret Seafood.
			Howerin Trawlers Inc.
			HTH Marine Inc.
			Hubbard Seafood.
			Hurricane Emily Seafood Inc.
			Hutcherson Christian Shrimp Inc.
			Huyen Inc.
			Icy Seafood II Inc.
			ICY Seafood Inc.
			Icy Seafood Inc.
			Ida's Seafood Rest & Market.
			Ike & Zack Inc.
			Independent Fish Company Inc.
			Inflation Inc.
			Integrity Fisheries Inc.
			Integrity Fishing Inc.
			International Oceanic Ent.
			Interstate Vo LLC.
			Intracoastal Seafood Inc.
			Iorn Will Inc.
			Irma Trawlers Inc.
			Iron Horse Inc.
			Isabel Maier Inc.
			Isabel Maier Inc.
			Isla Cruz Inc.
			J & J Rentals Inc.
			J & J Trawler's Inc.
			J & R Seafood.
			J Collins Trawlers.
			J D Land Co.
			Jackie & Hiep Trieu.
			Jacob A Inc.
			Jacquelin Marie Inc.
			Jacquelin Marie Inc.
			James D Quach Inc.
			James E Scott III.
			James F Dubberly.
			James Gadson.
			James J Matherne Jr.
			James J Matherne Sr.
			James Kenneth Lewis Sr.
			James LaRive Jr.
			James W Green Jr dba Miss Emilie Ann.
			James W Hicks.
			Janet Louise Inc.
			Jani Marie.
			JAS Inc.
			JBS Packing Co Inc.
			JBS Packing Inc.
			JCM.
			Jean's Bait.
			Jeff Chancey.
			Jemison Trawler's Inc.
			Jenna Dawn LLC.
			Jennifer Nguyen—Capt T.
			Jensen Seafood Pkg Co Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Jesse LeCompte Jr.
			Jesse LeCompte Sr.
			Jesse Shantelle Inc.
			Jessica Ann Inc.
			Jessica Inc.
			Jesus G Inc.
			Jimmy and Valerie Bonvillain.
			Jimmy Le Inc.
			Jim's Cajen Shrimp.
			Joan of Arc Inc.
			JoAnn and Michael W Daigle.
			Jody Martin.
			Joe Quach.
			Joel's Wild Oak Bait Shop & Fresh Seafood.
			John A Norris.
			John J Alexie.
			John Michael E Inc.
			John V Alexie.
			Johnny & Joyce's Seafood.
			Johnny O Co.
			Johnny's Seafood.
			John's Seafood.
			Joker's Wild.
			Jones—Kain Inc.
			Joni John Inc (Leon J Champagne).
			Jon's C Seafood Inc.
			Joseph Anthony.
			Joseph Anthony Inc.
			Joseph Garcia.
			Joseph Martino.
			Joseph Martino Corp.
			Joseph T Vermeulen.
			Josh & Jake Inc.
			Joya Cruz Inc.
			JP Fisheries.
			Julie Ann LLC.
			Julie Hoang.
			Julie Shrimp Co Inc (Trawler Julie).
			Julio Gonzalez Boat Builders Inc.
			Justin Dang.
			JW Enterprise.
			K & J Trawlers.
			K&D Boat Company.
			K&S Enterprises Inc.
			Kalliainen Seafoods Inc.
			KAM Fishing.
			Kandi Sue Inc.
			Karl M Belsome LLC.
			KBL Corp.
			KDH Inc.
			Keith M Swindell.
			Kellum's Seafood.
			Kellum's Seafood.
			Kelly Marie Inc.
			Ken Lee's Dock LLC.
			Kenneth Guidry.
			Kenny-Nancy Inc.
			Kentucky Fisheries Inc.
			Kentucky Trawlers Inc.
			Kevin & Bryan (M/V).
			Kevin Dang.
			Khang Dang.
			Khanh Huu Vu.
			Kheng Sok Shrimping.
			Kim & James Inc.
			Kim Hai II Inc.
			Kim Hai Inc.
			Kim's Seafood.
			Kingdom World Inc.
			Kirby Seafood.
			Klein Express.
			KMB Inc.
			Knight's Seafood Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Knight's Seafood Inc.
			Knowles Noel Camardelle.
			Kramer's Bait Co.
			Kris & Cody Inc.
			KTC Fishery LLC.
			L & M.
			L & N Friendship Corp.
			L & O Trawlers Inc.
			L & T Inc.
			L&M.
			LA—3184 CA.
			La Belle Idee.
			La Macarela Inc.
			La Pachita Inc.
			LA–6327–CA.
			LaBauve Inc.
			LaBauve Inc.
			Lade Melissa Inc.
			Lady Agnes II.
			Lady Agnes III.
			Lady Amelia Inc.
			Lady Anna I.
			Lady Anna II.
			Lady Barbara Inc.
			Lady Carolyn Inc.
			Lady Catherine.
			Lady Chancery Inc.
			Lady Chelsea Inc.
			Lady Danielle.
			Lady Debra Inc.
			Lady Dolcina Inc.
			Lady Gail Inc.
			Lady Katherine Inc.
			Lady Kelly Inc.
			Lady Kelly Inc.
			Lady Kristie.
			Lady Lavang LLC.
			Lady Liberty Seafood Co.
			Lady Lynn Ltd.
			Lady Marie Inc.
			Lady Melissa Inc.
			Lady Shelly.
			Lady Shelly.
			Lady Snow Inc.
			Lady Stephanie.
			Lady Susie Inc.
			Lady Kim T Inc.
			Lady TheLna.
			Lady Toni Inc.
			Lady Veronica.
			Lafitte Frozen Foods Corp.
			Lafont Inc.
			Lafourche Clipper Inc.
			Lafourche Clipper Inc.
			Lamarah Sue Inc.
			Lan Chi Inc.
			Lan Chi Inc.
			Lancero Inc.
			Lanny Renard and Daniel Bourque.
			Lapeyrouse Seafood Bar Groc Inc.
			Larry G Kellum Sr.
			Larry Scott Freeman.
			Larry W Hicks.
			Lasseigne & Sons Inc.
			Laura Lee.
			Lauren O.
			Lawrence Jacobs Sfd.
			Lazaretta Packing Inc.
			Le & Le Inc.
			Le Family Inc.
			Le Family Inc.
			Le Tra Inc.
			Leek & Millington Trawler Privateeer.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Lee's Sales & Distribution.
			Leonard Shrimp Producers Inc.
			Leoncea B Regnier.
			Lerin Lane.
			Li Johnson.
			Liar Liar.
			Libertad Fisheries Inc.
			Liberty I.
			Lighthouse Fisheries Inc.
			Lil Aly.
			Lil Arthur Inc.
			Lil BJ LLC.
			Lil Robbie Inc.
			Lil Robbie Inc.
			Lil Robin.
			Lil Robin.
			Lilla.
			LIncoln.
			Linda & Tot Inc.
			Linda Cruz Inc.
			Linda Hoang Shrimp.
			Linda Lou Boat Corp.
			Linda Lou Boat Corp.
			Lisa Lynn Inc.
			Lisa Lynn Inc.
			Little Andrew Inc.
			Little Andy Inc.
			Little Arthur.
			Little David Gulf Trawler Inc.
			Little Ernie Gulf Trawler Inc.
			Little Ken Inc.
			Little Mark.
			Little William Inc.
			Little World.
			LJL Inc.
			Long Viet Nguyen.
			Longwater Seafood dba Ryan H Longwater.
			Louisiana Gulf Shrimp LLC.
			Louisiana Lady Inc.
			Louisiana Man.
			Louisiana Newpack Shrimp Co Inc.
			Louisiana Pride Seafood Inc.
			Louisiana Pride Seafood Inc.
			Louisiana Seafood Dist LLC.
			Louisiana Shrimp & Packing Inc.
			Louisiana Shrimp and Packing Co Inc.
			Lovely Daddy II & III.
			Lovely Jennie.
			Low Country Lady (Randolph N Rhodes).
			Low County Lady.
			Luchador Inc.
			Lucky.
			Lucky I.
			Lucky Jack Inc.
			Lucky Lady.
			Lucky Lady II.
			Lucky Leven Inc.
			Lucky MV.
			Lucky Ocean.
			Lucky Sea Star Inc.
			Lucky Star.
			Lucky World.
			Lucky's Seafood Market & Poboys LLC.
			Luco Drew's.
			Luisa Inc.
			Lupe Martinez Inc.
			LV Marine Inc.
			LW Graham Inc.
			Lyle LeCompte.
			Lynda Riley Inc.
			Lynda Riley Inc.
			M & M Seafood.
			M V Sherry D.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			M V Tony Inc.
			M&C Fisheries.
			M/V Baby Doll.
			M/V Chevo's Bitch.
			M/V Lil Vicki.
			M/V Loco-N Motion.
			M/V Patsy K #556871.
			M/V X L.
			Mabry Allen Miller Jr.
			Mad Max Seafood.
			Madera Cruz Inc.
			Madison Seafood.
			Madlin Shrimp Co Inc.
			Malibu.
			Malolo LLC.
			Mamacita Inc.
			Man Van Nguyen.
			Manteo Shrimp Co.
			Marco Corp.
			Marcos A.
			Maria Elena Inc.
			Maria Sandi.
			Mariachi Trawlers Inc.
			Mariah Jade Shrimp Company.
			Marie Teresa Inc.
			Marine Fisheries.
			Marisa Elida Inc.
			Mark and Jace.
			Marleann.
			Martin's Fresh Shrimp.
			Mary Bea Inc.
			Master Brandon Inc.
			Master Brock.
			Master Brock.
			Master Dylan.
			Master Gerald Trawlers Inc.
			Master Hai.
			Master Hai II.
			Master Henry.
			Master Jared Inc.
			Master Jhy Inc.
			Master John Inc.
			Master Justin Inc.
			Master Justin Inc.
			Master Ken Inc.
			Master Kevin Inc.
			Master Martin Inc.
			Master Mike Inc.
			Master NT Inc.
			Master Pee-Wee.
			Master Ronald Inc.
			Master Scott.
			Master Scott II.
			Master Seelos Inc.
			Master T.
			Master Tai LLC.
			Master Tai LLC.
			Mat Roland Seafood Co.
			Maw Doo.
			Mayflower.
			McQuaig Shrimp Co Inc.
			Me Kong.
			Melerine Seafood.
			Melody Shrimp Co.
			Mer Shrimp Inc.
			Michael Lynn.
			Michael Nguyen.
			Michael Saturday's Fresh Every Day South Carolina Shrimp.
			Mickey Nelson Net Shop.
			Mickey's Net.
			Midnight Prowler.
			Mike's Seafood Inc.
			Miley's Seafood Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Militello and Son Inc.
			Miller & Son Seafood Inc.
			Miller Fishing.
			Milliken & Son's.
			Milton J Dufrene and Son Inc.
			Milton Yopp—Capt'n Nathan & Thomas Winfield.
			Minh & Liem Doan.
			Mis Quynh Chi II.
			Miss Adrianna Inc.
			Miss Alice Inc.
			Miss Ann Inc.
			Miss Ann Inc.
			Miss Ashleigh.
			Miss Ashleigh Inc.
			Miss Barbara.
			Miss Barbara Inc.
			Miss Bernadette A Inc.
			Miss Bertha (M/V).
			Miss Beverly Kay.
			Miss Brenda.
			Miss Candace.
			Miss Candace Nicole Inc.
			Miss Carla Jean Inc.
			Miss Caroline Inc.
			Miss Carolyn Louise Inc.
			Miss Caylee.
			Miss Charlotte Inc.
			Miss Christine III.
			Miss Cleda Jo Inc.
			Miss Courtney Inc.
			Miss Courtney Inc.
			Miss Cynthia.
			Miss Danielle Gulf Trawler Inc.
			Miss Danielle LLC.
			Miss Dawn.
			Miss Ellie Inc.
			Miss Faye LLC.
			Miss Fina Inc.
			Miss Georgia Inc.
			Miss Hannah.
			Miss Hannah Inc.
			Miss Hazel Inc.
			Miss Hilary Inc.
			Miss Jennifer Inc.
			Miss Joanna Inc.
			Miss Julia.
			Miss Kandy Tran LLC.
			Miss Kandy Tran LLC.
			Miss Karen.
			Miss Kathi Inc.
			Miss Kathy.
			Miss Kaylyn LLC.
			Miss Khayla.
			Miss Lil.
			Miss Lillie Inc.
			Miss Liz Inc.
			Miss Loraine.
			Miss Loraine Inc.
			Miss Lori Dawn IV Inc.
			Miss Lori Dawn V Inc.
			Miss Lori Dawn VI Inc.
			Miss Lori Dawn VII Inc.
			Miss Lorie Inc.
			Miss Luana D Shrimp Co.
			Miss Luana D Shrimp Co.
			Miss Madeline Inc.
			Miss Madison.
			Miss Marie.
			Miss Marie Inc.
			Miss Marilyn Louis Inc.
			Miss Marilyn Louise.
			Miss Marilyn Louise Inc.
			Miss Marissa Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Miss Martha Inc.
			Miss Martha Inc.
			Miss Mary T.
			Miss Myle.
			Miss Narla.
			Miss Nicole.
			Miss Nicole Inc.
			Miss Plum Inc.
			Miss Quynh Anh I.
			Miss Quynh Anh I LLC.
			Miss Quynh Anh II LLC.
			Miss Redemption LLC.
			Miss Rhianna Inc.
			Miss Sambath.
			Miss Sandra II.
			Miss Sara Ann.
			Miss Savannah.
			Miss Savannah II.
			Miss Soriya.
			Miss Suzanne.
			Miss Sylvia.
			Miss Than.
			Miss Thom.
			Miss Thom Inc.
			Miss Tina Inc.
			Miss Trinh Trinh.
			Miss Trisha Inc.
			Miss Trisha Inc.
			Miss Verna Inc.
			Miss Vicki.
			Miss Victoria Inc.
			Miss Vivian Inc.
			Miss WillaDean.
			Miss Winnie Inc.
			Miss Yvette Inc.
			Miss Yvonne.
			Misty Morn Eat.
			Misty Star.
			MJM Seafood Inc.
			M'M Shrimp Co Inc.
			Mom & Dad Inc.
			Mona-Dianne Seafood.
			Montha Sok and Tan No Le.
			Moon River Inc.
			Moon Tillett Fish Co Inc.
			Moonlight.
			Moonlight Mfg.
			Moore Trawlers Inc.
			Morgan Creek Seafood.
			Morgan Rae Inc.
			Morning Star.
			Morrison Seafood.
			Mother Cabrini.
			Mother Teresa Inc.
			Mr & Mrs Inc.
			Mr & Mrs Inc.
			Mr Coolly.
			Mr Fox.
			Mr Fox.
			Mr G.
			Mr Gaget LLC.
			Mr Henry.
			Mr Natural Inc.
			Mr Neil.
			Mr Phil T Inc.
			Mr Sea Inc.
			Mr Verdin Inc.
			Mr Williams.
			Mrs Judy Too.
			Mrs Tina Lan Inc.
			Ms Alva Inc.
			Ms An.
			My Angel II.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			My Blues.
			My Dad Whitney Inc.
			My Girls LLC.
			My Thi Tran Inc.
			My Three Sons Inc.
			My V Le Inc.
			My-Le Thi Nguyen.
			Myron A Smith Inc.
			Nancy Joy.
			Nancy Joy Inc.
			Nancy Joy Inc.
			Nanny Granny Inc.
			Nanny Kat Seafood LLC.
			Napolean Seafoods.
			Napoleon II.
			Napoleon Seafood.
			Napoleon SF.
			Naquin's Seafood.
			Nautilus LLC.
			Nelma Y Lane.
			Nelson and Son.
			Nelson Trawlers Inc.
			Nelson's Quality Shrimp Company.
			Nevgulmarco Co Inc.
			New Deal Comm Fishing.
			New Way Inc.
			Nguyen Day Van.
			Nguyen Express.
			Nguyen Int'l Enterprises Inc.
			Nguyen Shipping Inc.
			NHU UYEN.
			Night Moves of Cut Off Inc.
			Night Shift LLC.
			Night Star.
			North Point Trawlers Inc.
			North Point Trawlers Inc.
			Nuestra Cruz Inc.
			Nunez Seafood.
			Oasis.
			Ocean Bird Inc.
			Ocean Breeze Inc.
			Ocean Breeze Inc.
			Ocean City Corp.
			Ocean Emperor Inc.
			Ocean Harvest Wholesale Inc.
			Ocean Pride Seafood Inc.
			Ocean Seafood.
			Ocean Select Seafood LLC.
			Ocean Springs Seafood Market Inc.
			Ocean Wind Inc.
			Oceanica Cruz Inc.
			Odin LLC.
			Old Maw Inc.
			Ole Holbrook's Fresh Fish Market LLC.
			Ole Nelle.
			One Stop Bait & Ice.
			Open Sea Inc.
			Orage Enterprises Inc.
			Orn Roeum Shrimping.
			Otis Cantrelle Jr.
			Otis M Lee Jr.
			Owens Shrimping.
			Palmetto Seafood Inc.
			Papa Rod Inc.
			Papa T.
			Pappy Inc.
			Pappy's Gold.
			Parfait Enterprises Inc.
			Paris/Asia.
			Parramore Inc.
			Parrish Shrimping Inc.
			Pascagoula Ice & Freezer Co Inc.
			Pat-Lin Enterprises Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Patricia Foret.
			Patrick Sutton Inc.
			Patty Trish Inc.
			Paul Piazza and Son Inc.
			Paw Paw Allen.
			Paw Paw Pride Inc.
			Pearl Inc. dba Indian Ridge Shrimp Co.
			Pei Gratia Inc.
			Pelican Point Seafood Inc.
			Penny V LLC.
			Perlita Inc.
			Perseverance I LLC.
			Pete & Queenie Inc.
			Phat Le and Le Tran.
			Phi Long Inc.
			Phi-Ho LLC.
			Pip's Place Marina Inc.
			Plaisance Trawlers Inc.
			Plata Cruz Inc.
			Poc-Tal Trawlers Inc.
			Pointe-Aux-Chene Marina.
			Pontchautrain Blue Crab.
			Pony Express.
			Poppee.
			Poppy's Pride Seafood.
			Port Bolivar Fisheries Inc.
			Port Marine Supplies.
			Port Royal Seafood Inc.
			Poteet Seafood Co Inc.
			Potter Boats Inc.
			Price Seafood Inc.
			Prince of Tides.
			Princess Ashley Inc.
			Princess Celine Inc.
			Princess Cindy Inc.
			Princess Lorie LLC.
			Princess Mary Inc.
			Prosperity.
			PT Fisheries Inc.
			Punch's Seafood Mkt.
			Purata Trawlers Inc.
			Pursuer Inc.
			Quality Seafood.
			Quang Minh II Inc.
			Queen Lily Inc.
			Queen Mary.
			Queen Mary Inc.
			Quinta Cruz Inc.
			Quoc Bao Inc.
			Quynh NHU Inc.
			Quynh Nhu Inc.
			R & J Inc.
			R & K Fisheries LLC.
			R & L Shrimp Inc.
			R & P Fisheries.
			R & R Bait/Seafood.
			R & S Shrimping.
			R & T Atocha LLC.
			R&D Seafood.
			R&K Fisheries LLC.
			R&R Seafood.
			RA Lesso Brokerage Co Inc.
			RA Lesso Seafood Co Inc.
			Rachel-Jade.
			Ralph Lee Thomas Jr.
			Ralph W Jones.
			Ramblin Man Inc.
			Ranchero Trawlers Inc.
			Randall J Pinell Inc.
			Randall J Pinell Inc.
			Randall K and Melissa B Richard.
			Randall Pinell.
			Randy Boy Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Randy Boy Inc.
			Rang Dong.
			Raul L Castellanos.
			Raul's Seafood.
			Raul's Seafood.
			Rayda Cheramie Inc.
			Raymond LeBouef.
			RCP Seafood I II III.
			RDR Shrimp Inc.
			Reagan's Seafood.
			Rebecca Shrimp Co Inc.
			Rebel Seafood.
			Regulus.
			Rejimi Inc.
			Reno's Sea Food.
			Res Vessel.
			Reyes Trawlers Inc.
			Rick's Seafood Inc.
			Ricky B LLC.
			Ricky G Inc.
			Riffle Seafood.
			Rigolets Bait & Seafood LLC.
			Riverside Bait & Tackle.
			RJ's.
			Roatex Ent Inc.
			Robanie C Inc.
			Robanie C Inc.
			Robanie C Inc.
			Robert E Landry.
			Robert H Schrimpf.
			Robert Johnson.
			Robert Keenan Seafood.
			Robert Upton or Terry Upton.
			Robert White Seafood.
			Rockin Robbin Fishing Boat Inc.
			Rodney Hereford Jr.
			Rodney Hereford Sr.
			Rodney Hereford Sr.
			Roger Blanchard Inc.
			Rolling On Inc.
			Romo Inc.
			Ronald Louis Anderson Jr.
			Rosa Marie Inc.
			Rose Island Seafood.
			RPM Enterprises LLC.
			Rubi Cruz Inc.
			Ruf-N-Redy Inc.
			Ruttley Boys Inc.
			Sadie D Seafood.
			Safe Harbour Seafood Inc.
			Salina Cruz Inc.
			Sally Kim III.
			Sally Kim IV.
			Sam Snodgrass & Co.
			Samaira Inc.
			San Dia.
			Sand Dollar Inc.
			Sandy N.
			Sandy O Inc.
			Santa Fe Cruz Inc.
			Santa Maria I Inc.
			Santa Maria II.
			Santa Monica Inc.
			Scavanger.
			Scooby Inc.
			Scooby Inc.
			Scottie and Juliette Dufrene.
			Scottie and Juliette Dufrene.
			Sea Angel.
			Sea Angel Inc.
			Sea Bastion Inc.
			Sea Drifter Inc.
			Sea Durbin Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Sea Eagle.
			Sea Eagle Fisheries Inc.
			Sea Frontier Inc.
			Sea Gold Inc.
			Sea Gulf Fisheries Inc.
			Sea Gypsy Inc.
			Sea Hawk I Inc.
			Sea Horse Fisheries.
			Sea Horse Fisheries Inc.
			Sea King Inc.
			Sea Pearl Seafood Company Inc.
			Sea Queen IV.
			Sea Trawlers Inc.
			Sea World.
			Seabrook Seafood Inc.
			Seabrook Seafood Inc.
			Seafood & Us Inc.
			Seaman's Magic Inc.
			Seaman's Magic Inc.
			Seaside Seafood Inc.
			Seaweed 2000.
			Seawolf Seafood.
			Second Generation Seafood.
			Shark Co Seafood Inter Inc.
			Sharon—Ali Michelle Inc.
			Shelby & Barbara Seafood.
			Shelby & Barbara Seafood.
			Shelia Marie LLC.
			Shell Creek Seafood Inc.
			Shirley Elaine.
			Shirley Girl LLC.
			Shrimp Boat Patrice.
			Shrimp Boating Inc.
			Shrimp Express.
			Shrimp Man.
			Shrimp Networks Inc.
			Shrimp Trawler.
			Shrimper.
			Shrimper.
			Shrimpy's.
			Si Ky Lan Inc.
			Si Ky Lan Inc.
			Si Ky Lan Inc.
			Sidney Fisheries Inc.
			Silver Fox.
			Silver Fox LLC.
			Simon.
			Sims Shrimping.
			Skip Toomer Inc.
			Skip Toomer Inc.
			Skyla Marie Inc.
			Smith & Sons Seafood Inc.
			Snowdrift.
			Snowdrift.
			Sochenda.
			Soeung Phat.
			Son T Le Inc.
			Son's Pride Inc.
			Sophie Marie Inc.
			Soul Mama Inc.
			Souther Obsession Inc.
			Southern Lady.
			Southern Nightmare Inc.
			Southern Star.
			Southshore Seafood.
			Spencers Seafood.
			Sprig Co Inc.
			St Anthony Inc.
			St Daniel Phillip Inc.
			St Dominic.
			St Joseph.
			St Joseph.
			St Joseph II Inc.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			St Joseph III Inc.
			St Joseph IV Inc.
			St Martin.
			St Martyrs VN.
			St Mary Seafood.
			St Mary Seven.
			St Mary Tai.
			St Michael Fuel & Ice Inc.
			St Michael's Ice & Fuel.
			St Peter.
			St Peter 550775.
			St Teresa Inc.
			St VIncent Andrew Inc.
			St VIncent Gulf Shrimp Inc.
			St VIncent One B.
			St VIncent One B Inc.
			St VIncent SF.
			St VIncent Sfd Inc.
			Start Young Inc.
			Steamboat Bills Seafood.
			Stella Mestre Inc.
			Stephen Dantin Jr.
			Stephney's Seafood.
			Stipelcovich Marine Wks.
			Stone-Co Farms LP.
			Stone-Co Farms LP.
			Stormy Sean Inc.
			Stormy Seas Inc.
			Sun Star Inc.
			Sun Swift Inc.
			Sunshine.
			Super Coon Inc.
			Super Cooper Inc.
			Swamp Irish Inc.
			Sylvan P Racine Jr—Capt Romain.
			T & T Seafood.
			T Brothers.
			T Cvitanovich Seafood LLC.
			Ta Do.
			Ta T Vo Inc.
			Ta T Vo Inc.
			Tana Inc.
			Tanya Lea Inc.
			Tanya Lea Inc.
			Tanya Lea Inc.
			Tasha Lou.
			T-Brown Inc.
			Tee Frank Inc.
			Tee Tigre Inc.
			Tercera Cruz Inc.
			Terrebonne Seafood Inc.
			Terri Monica.
			Terry Luke Corp.
			Terry Luke Corp.
			Terry Luke Corp.
			Terry Lynn Inc.
			Te-Sam Inc.
			Texas 1 Inc.
			Texas 18 Inc.
			Texas Lady Inc.
			Texas Pack Inc.
			Tex-Mex Cold Storage Inc.
			Tex-Mex Cold Storage Inc.
			Thai & Tran Inc.
			Thai Bao Inc.
			Thanh Phong.
			The Boat Phat Tai.
			The Fishermans Dock.
			The Last One.
			The Light House Bait & Seafood Shack LLC.
			The Mayporter Inc.
			The NGO.
			The Seafood Shed.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Thelma J Inc.
			Theresa Seafood Inc.
			Third Tower Inc.
			Thomas Winfield—Capt Nathan.
			Thompson Bros.
			Three C's.
			Three Dads.
			Three Sons.
			Three Sons Inc.
			Three Sons Inc.
			Thunder Roll.
			Thunderbolt Fisherman's Seafood Inc.
			Thy Tra Inc.
			Thy Tra Inc.
			Tidelands Seafood Co Inc.
			Tiffani Claire Inc.
			Tiffani Claire Inc.
			Tiger Seafood.
			Tikede Inc.
			Timmy Boy Corp.
			Tina Chow.
			Tina T LLC.
			Tino Mones Seafood.
			TJ's Seafood.
			Toan Inc.
			Todd Co.
			Todd's Fisheries.
			Tom LE LLC.
			Tom Le LLC.
			Tom N & Bill N Inc.
			Tommy Bui dba Mana II.
			Tommy Cheramie Inc.
			Tommy Gulf Sea Food Inc.
			Tommy's Seafood Inc.
			Tonya Jane Inc.
			Tony-N.
			Tookie Inc.
			Tot & Linda Inc.
			T-Pops Inc.
			Tran Phu Van.
			Tran's Express Inc.
			Travis—Shawn.
			Travis—Shawn.
			Trawler Azteca.
			Trawler Becky Lyn Inc.
			Trawler Capt GC.
			Trawler Capt GC II.
			Trawler Dalia.
			Trawler Doctor Bill.
			Trawler Gulf Runner.
			Trawler HT Seaman.
			Trawler Joyce.
			Trawler Kristi Nicole.
			Trawler Kyle & Courtney.
			Trawler Lady Catherine.
			Trawler Lady Gwen Doe.
			Trawler Linda B Inc.
			Trawler Linda June.
			Trawler Little Brothers.
			Trawler Little Gavino.
			Trawler Little Rookie Inc.
			Trawler Mary Bea.
			Trawler Master Alston.
			Trawler Master Jeffrey Inc.
			Trawler Michael Anthony Inc.
			Trawler Mildred Barr.
			Trawler Miss Alice Inc.
			Trawler Miss Jamie.
			Trawler Miss Kelsey.
			Trawler Miss Sylvia Inc.
			Trawler Mrs Viola.
			Trawler Nichols Dream.
			Trawler Raindear Partnership.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Trawler Rhonda Kathleen.
			Trawler Rhonda Lynn.
			Trawler Sandra Kay.
			Trawler Sarah Jane.
			Trawler Sea Wolf.
			Trawler Sea Wolf.
			Trawler SS Chaplin.
			Trawler The Mexican.
			Trawler Wallace B.
			Trawler Wylie Milam.
			Triple C Seafood.
			Triple T Enterprises Inc.
			Triplets Production.
			Tropical SFD.
			Troy A LeCompte Sr.
			True World Foods Inc.
			T's Seafood.
			Tu Viet Vu.
			TVN Marine Inc.
			TVN Marine Inc.
			Two Flags Inc.
			Tyler James.
			Ultima Cruz Inc.
			UTK Enterprises Inc.
			V & B Shrimping LLC.
			Valona Sea Food.
			Valona Seafood Inc.
			Van Burren Shrimp Co.
			Vaquero Inc.
			Varon Inc.
			Venetian Isles Marina.
			Venice Seafood Exchange Inc.
			Venice Seafood LLC.
			Vera Cruz Inc.
			Veronica Inc.
			Versaggi Shrimp Corp.
			Victoria Rose Inc.
			Viet Giang Corp.
			Vigilante Trawlers Inc.
			Village Creek Seafood.
			Villers Seafood Co Inc.
			Vina Enterprises Inc.
			Vincent L Alexie Jr.
			VIncent Piazza Jr & Sons Seafood Inc.
			Vin-Penny.
			Vivian Lee Inc.
			Von Harten Shrimp Co Inc.
			VT & L Inc.
			Vu NGO.
			Vu-Nguyen Partners.
			W L & O Inc.
			Waccamaw Producers.
			Wait-N-Sea Inc.
			Waller Boat Corp.
			Walter R Hicks.
			Ward Seafood Inc.
			Washington Seafood.
			Watermen Industries Inc.
			Watermen Industries Inc.
			Waymaker Inc.
			Wayne Estay Shrimp Co Inc.
			WC Trawlers Inc.
			We Three Inc.
			We Three Inc.
			Webster's Inc.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.

Commerce case No.	Commission case No.	Product/country	Petitioners/supporters
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros.
			Weems Bros Seafood.
			Weems Bros Seafood Co.
			Weiskopf Fisheries LLC.
			Wendy & Eric Inc.
			Wescovich Inc.
			West Point Trawlers Inc.
			Westley J Domangue.
			WH Blanchard Inc.
			Whiskey Joe Inc.
			White and Black.
			White Bird.
			White Foam.
			White Gold.
			Wilcox Shrimping Inc.
			Wild Bill.
			Wild Eagle Inc.
			William E Smith Jr Inc.
			William Lee Inc.
			William O Nelson Jr.
			William Patrick Inc.
			William Smith Jr Inc.
			Willie Joe Inc.
			Wind Song Inc.
			Wonder Woman.
			Woods Fisheries Inc.
			Woody Shrimp Co Inc.
			Yeaman's Inc.
			Yen Ta.
			Yogi's Shrimp.
			You & Me Shrimp.
			Ysclaskey Seafood.
			Zirlott Trawlers Inc.
			Zirlott Trawlers Inc.

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Part III

Federal Communications Commission

47 CFR Part I

Assessment and Collection of Regulatory Fees for Fiscal Year 2020; Proposed Rule

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket Nos. 19–105; MD Docket Nos. 20–105; FCC 20–64; FRS 16780]

Assessment and Collection of Regulatory Fees for Fiscal Year 2020.

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: In this document, the Federal Communications Commission (Commission) seeks comment on several proposals that will impact FY 2020 regulatory fees.

DATES: Submit comments on or before June 12, 2020; and reply comments on or before June 29, 2020.

ADDRESSES: Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments identified by MD Docket No. 20–105, by any of the following methods below. Comments and reply comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings,* 63 FR 24121 (1998).

1. *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: *http://apps.fcc.gov/ecfs/.*

2. *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.

3. Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

4. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

5. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

6. Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy,* Public Notice, DA 20–304 (March 19, 2020). *https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy.*

7. During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.

For detailed instructions for submitting comments and additional information on the rulemaking process, *see* the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Roland Helvajian, Office of Managing Director at (202) 418–0444.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rulemaking* (NPRM), FCC 20–64, MD Docket No. 19–105, and MD Docket No. 20–105, adopted on May 12, 2020 and released on May 13, 2020. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A257, Portals II, Washington, DC 20554, and may also be purchased from the Commission's copy contractor, BCPI, Inc., Portals II, 445 12th Street SW, Room CY–B402, Washington, DC 20554. Customers may contact BCPI, Inc. via their website, *http://www.bcpi.com,* or call 1–800–378–3160. This document is available in alternative formats (computer diskette, large print, audio record, and braille). Persons with disabilities who need documents in these formats may contact the FCC by email: *FCC504@fcc.gov* or phone: 202–418–0530 or TTY: 202–418–0432.

I. Procedural Matters

8. *Ex Parte Information.* This proceeding shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with section 1.1206(b) of the Commission's rules. In proceedings governed by section 1.49(f) of the Commission's rules or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

9. *Initial Regulatory Flexibility Analysis.* An initial regulatory flexibility analysis (IRFA) is contained in this summary. Comments to the IRFA must be identified as responses to the IRFA and filed by the deadlines for comments on the *Notice of Proposed Rulemaking.* The Commission will send a copy of the *Notice of Proposed Rulemaking,* including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

10. *Initial Paperwork Reduction Act of 1995 Analysis.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

II. Notice of Proposed Rulemaking

11. Congress has required the Commission to collect $339,000,000 in regulatory fees for FY 2020. Section 9 of the Act directs the Commission to set regulatory fees to ''reflect the full-time equivalent number of employees within the bureaus and offices of the Commission adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's

activities.'' The Commission implements this directive by looking first to identify the bureaus that conduct work that directly benefits fee payors and their FTEs, in order to establish ''direct'' FTEs. The remaining FTEs and other Commission costs we categorize as indirect. Once we have identified the direct FTEs by operating bureau, we look within each bureau to allocate fees to specific fee categories. The Commission uses these proportional calculations to allocate all Commission non-auction costs, direct and indirect, across all fee categories. To establish specific fees, the FCC identifies ''units'' that corollate to the benefit provided; for example, broadcast licensee fees will vary by population served [1] and wireless licensees will pay fees based on their number of subscribers.

12. The Commission projects approximately $30.52 million (9.00% of the total FTE allocation, 28 direct FTEs) in fees from International Bureau regulatees; $79.57 million (23.47% of the total FTE allocation, 73 direct FTEs) in fees from Wireless Telecommunications Bureau regulatees; $102.46 million (30.23% of the total FTE allocation, 94 direct FTEs) from Wireline Competition Bureau regulatees; and $126.45 million (37.30% of the total FTE allocation, 116 direct FTEs) from Media Bureau regulatees. We seek comment on our calculation for the FY 2020 FTEs (311 direct FTEs).

13. *International Bearer Circuits.* The regulatory fees associated with IBCs reflect the work performed by the International Bureau, primarily the Telecommunications and Analysis Division and the Office of the Bureau Chief, for the benefit of all U.S. international telecommunications service providers. International telecommunications service is provided over terrestrial, satellite, and submarine cable facilities.

14. IBC fees are currently broken into two components: (1) Terrestrial and satellite circuits, and (2) submarine cable systems. Under this bifurcated approach, based on the 2009 Consensus Proposal from the submarine cable operators, 87.6% of IBC fees are assessed to submarine cable systems and 12.4% to terrestrial and satellite facilities based on relative active or lit capacity at the time.

15. In the *Further Notice of Proposed Rulemaking* attached to the *FY 2019 Report and Order* sought comment on appropriate allocation within the IBC fee category in response to assertions regarding the relative benefits received by the different IBC components. The Commission proposes a ratio attributing 95% to submarine cables and 5% to terrestrial and satellite circuits. We seek comment on this allocation.

16. The Commission proposes to simplify the assessment by combining the two categories and assess IBC fees based on a unified fee structure. Under this approach, terrestrial and satellite facility owners will pay regulatory fees based on the number of active international circuits using the rates set out in the tiers. Submarine cable operators would continue to pay regulatory fees for each international submarine cable system based on the active (or lit) capacity of the cable system using the same tier.

17. We seek comment on the use of a unified tiered structure for IBCs and these proposed fees, which are based on a ratio attributing 95% to submarine cables and 5% to terrestrial and satellite international bearer circuits. As an alternative, we seek comment on maintaining the current fee structure for international bearer circuits and having the fees for submarine cables based on the proposed tier structure and assessing fees for terrestrial and satellite capacity at $41 per Gbps circuits.

18. *Television Broadcaster Issues.* This year the Commission proposes to complete the transition to a population-based full-power broadcast television regulatory fee. In the *FY 2018 Report and Order,* the Commission adopted the new methodology and determined to fully transition to the methodology by FY 2020. In the interim, for FY 2019, the Commission adopted a blended fee based partly on the historical DMA methodology and partly on the new population-based methodology.

19. Accordingly, the Commission now proposes FY 2020 fees for full-power broadcast television stations to be based on the population covered by a full-power broadcast television station's contour. We also propose adopting a factor of .78 of one cent ($.007837) [per person served] for FY 2020 full-power broadcast television station fees. The population data for broadcasters' service areas are extracted from the TVStudy database, based on a station's projected noise-limited service contour. Table 4 lists this population data for each licensee and the population-based fee (population multiplied by $.007837) for each full-power broadcast television station, including each satellite station. We seek comment on these proposed fees.

20. *Puerto Rico Broadcasters.* The Puerto Rico Broadcasters contend that the population-based methodology overstates the population served by Puerto Rico stations. The Commission agrees and proposes to adjust the fees of such broadcasters in two discrete ways. First, the Commission proposes to account for the objectively measurable reduction in population by reducing the population counts used in TVStudy by 16.9%, or the decline between the last census in 2010 and the current population estimate. Second, the Commission further proposes to limit the market served by a primary television stations and commonly owned satellite broadcast stations in Puerto Rico to no more than 3.10 million people, the latest population estimate. Under this scenario, the fee for television broadcasters and commonly owned satellites, using the proposed population fee of $.007837, would not exceed $24,300. We seek comment on these proposals.

21. The Commission proposes to continue to assess cable TV systems and IPTV providers at the same rate for regulatory fee purposes. The Commission has increased the DBS regulatory fee by 12 cents per subscriber per year in each subsequent year. The DBS regulatory fee is based on the significant number of Media Bureau FTEs that work on MVPD issues that include DBS, ''not a particular number of FTEs focused solely on DBS'' or ''specific recent proceedings.'' For FY 2020, the Commission proposes to continue to phase in the DBS regulatory fee by increasing it by 12 cents per subscriber, to 72 cents. This will result in a $ 0.89 fee per subscriber per year for other MVPDs. We seek comment on this proposal.

22. *Economic Effects of COVID–19 Pandemic.* The Commission recognizes that the ongoing COVID–19 pandemic is having an impact on some of our regulatees' businesses. While many states in this country have begun to permit or are developing plans to permit businesses to re-open, it is not possible to forecast how quickly or to what extent businesses affected by the pandemic will return to normal levels of operation. We seek comment on how to provide assistance to these regulatees in these circumstances.

23. In this regard, we note that the Commission is constrained in three important aspects. First, we are required by statute to collect our FY 2020 appropriation, $339,000,000, as an offsetting collection from our regulatees by September 30, 2020. Second, the Act requires that the FCC allocate our regulatory fees among regulatees in a proportional manner to fairly reflect the value of FTE work expended to benefit regulatees. Finally, the Commission cannot exempt regulatees that are not expressly exempted under the statute. Thus, the fees cannot be reduced in the proposed FY 2020 fees across-the-board.

The Commission cannot re-apportion the fees among categories based on, for example, relative ability to pay, and we cannot exempt regulatees based on their financial circumstances.

24. Within those constraints, the Commission has some flexibility to extend payment terms at nominal interest rates for regulatory fee payors that demonstrate they face significant financial challenges, as the Commission undertook in 2017 and 2018 for regulatees whose businesses were devastated by Hurricanes Florence Harvey, Irma, Maria and Florence. We seek comment on how to facilitate similar or additional relief here where appropriate.

25. *Additional Regulatory Fee Reform.* The Commission also seeks comment on additional regulatory fee reform and ways to further improve our regulatory fee process to make it less burdensome for all entities, including how our fee setting methodologies could be improved or updated to ensure equitability and the costs and benefits of reforming our fee-setting process.

III. Procedural Matters

26. Included below are procedural items as well as our current payment and collection methods. These payments and collection procedures are included as a useful way of reminding regulatory fee payers and the public about these aspects of the annual regulatory fee collection process.

27. *Credit Card Transaction Levels.* In accordance with *Treasury Financial Manual,* Volume I, Part 5, Chapter 7000, Section 7045—*Limitations on Card Collection Transactions,* the highest amount that can be charged on a credit card for transactions with federal agencies is $24,999.99. Transactions greater than $24,999.99 will be rejected. Customers who wish to pay an amount greater than $24,999.99 should consider available electronic alternatives such as Visa or MasterCard debit cards, ACH debits from a bank account, and wire transfers. Further information can be obtained at *https://www.fcc.gov/regfees.*

28. Payment Methods. Pursuant to an Office of Management and Budget (OMB) directive, the Commission has been moving towards a paperless environment. During the fee season for collecting regulatory fees, regulatees can pay their fees by credit card through Pay.gov, ACH, debit card, or by wire transfer. Additional payment instructions are posted on the Commission's website at *http://transition.fcc.gov/fees/regfees.html.*

29. *Standard Fee Calculations and Payment Dates.* The Commission will accept fee payments made in advance of the window for the payment of regulatory fees. The responsibility for payment of fees by service category is as follows:

- *Media Services:* Regulatory fees must be paid for initial construction permits that were granted on or before October 1, 2019 for AM/FM radio stations, VHF/UHF broadcast television stations, and satellite television stations. Regulatory fees must be paid for all broadcast facility licenses granted on or before October 1, 2019.
- *Wireline (Common Carrier) Services:* Regulatory fees must be paid for authorizations that were granted on or before October 1, 2019. In instances where a permit or license is transferred or assigned after October 1, 2019, responsibility for payment rests with the holder of the permit or license as of the fee due date. Audio bridging service providers are included in this category. For Responsible Organizations (RespOrgs) that manage Toll Free Numbers (TFN), regulatory fees should be paid on all working, assigned, and reserved toll free numbers, including toll free numbers in any other status as defined in section 52.103 of the Commission's rules. The count should be based on toll free numbers managed by RespOrgs on or about December 31, 2019.
- *Wireless Services:* CMRS cellular, mobile, and messaging services (fees based on number of subscribers or telephone number count): Regulatory fees must be paid for authorizations that were granted on or before October 1, 2019. The number of subscribers, units, or telephone numbers on December 31, 2019 will be used as the basis from which to calculate the fee payment. In instances where a permit or license is transferred or assigned after October 1, 2019, responsibility for payment rests with the holder of the permit or license as of the fee due date.
- *Wireless Services, Multi-year fees:* The first eight regulatory fee categories in our Schedule of Regulatory Fees pay ''small multi-year wireless regulatory fees.'' Entities pay these regulatory fees in advance for the entire ten-year term of their initial licenses, and pay regulatory fees again when the license is renewed, or a new license is obtained. These fee categories are included in our rulemaking to publicize our estimates of the number of ''small multi-year wireless'' licenses that will be renewed or newly obtained in FY 2020.
- *Multichannel Video Programming Distributor Services (cable television operators, CARS licensees, DBS, and IPTV):* Regulatory fees must be paid for the number of basic cable television subscribers as of December 31, 2019. Regulatory fees also must be paid for CARS licenses that were granted on or before October 1, 2019. In instances where a permit or license is transferred or assigned after October 1, 2019, responsibility for payment rests with the holder of the permit or license as of the fee due date. For providers of DBS service and IPTV-based MVPDs, regulatory fees should be paid based on a subscriber count on or about December 31, 2019. In instances where a permit or license is transferred or assigned after October 1, 2019, responsibility for payment rests with the holder of the permit or license as of the fee due date.
- *International Services (Earth Stations, Space Stations (GSO and NGSO):* Regulatory fees must be paid for (1) earth stations and (2) geostationary orbit space stations and non-geostationary orbit satellite systems that were U.S licensed, or non-U.S. licensed but granted U.S. market access, and operational on or before October 1, 2019. In instances where a permit or license is transferred or assigned after October 1, 2019, responsibility for payment rests with the holder of the permit or license as of the fee due date. For FY 2020 only, non-U.S. licensed GSO and NGSO satellites that have been granted market access to the U.S. through a Petition for Declaratory Ruling (PDR) or through an earth station have until July 15, 2020 to relinquish their market access status to avoid having to pay FY 2020 regulatory fees in September 2020. If non-U.S. licensed GSO and NGSO satellites, either through a PDR or an earth station, still have market access *after* July 15, 2020, regulatory fees will be assessed and payment will be required by the due date of FY 2020 regulatory fees.
- *International Services* (*Submarine Cable Systems, Terrestrial and Satellite Services*): Regulatory fees for submarine cable systems are to be paid on a per cable landing license basis based on lit circuit capacity as of December 31, 2019. Regulatory fees for terrestrial and satellite IBCs are to be paid based on active (used or leased) international bearer circuits as of December 31, 2019 in any terrestrial or satellite transmission facility for the provision of service to an end user or resale carrier. When calculating the number of such active circuits, entities must include circuits used by themselves or their affiliates. For these purposes, ''active circuits'' include backup and redundant circuits as of December 31, 2019. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits. In instances where a

permit or license is transferred or assigned after October 1, 2019, responsibility for payment rests with the holder of the permit or license as of the fee due date.

30. *Commercial Mobile Radio Service (CMRS) and Mobile Services Assessments.* The Commission will compile data from the Numbering Resource Utilization Forecast (NRUF) report that is based on ''assigned'' telephone number (subscriber) counts that have been adjusted for porting to net Type 0 ports (''in'' and ''out''). This information of telephone numbers (subscriber count) will be posted on the Commission's electronic filing and payment system (Fee Filer) along with the carrier's Operating Company Numbers (OCNs). A carrier wishing to revise its telephone number (subscriber) count can do so by accessing Fee Filer and follow the prompts to revise their telephone number counts. Providers can view their final telephone counts online in Fee Filer; a final CMRS assessment letter will not be mailed.

31. Carriers that do not file the NRUF report should compute their fee payment using the standard methodology that is currently in place for CMRS Wireless services (*i.e.,* compute their telephone number counts as of December 31, 2019), and submit their fee payment accordingly. The Commission reserves the right to audit the number of telephone numbers upon which regulatory fees are paid, and submit a bill to the carrier for the difference between what was paid and what should have been paid.

List of Tables

Table 1—Calculation of FY 2020 Revenue Requirements and Pro-Rata Fees

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

Fee category	FY 2020 payment units	Yrs	FY 2019 revenue estimate	Pro-rated FY 2020 revenue requirement	Computed FY 2020 regulatory fee	Rounded FY 2020 reg. fee	Expected FY 2020 revenue
PLMRS (Exclusive Use)	750	10	$112,500	$187,500	25.00	25	$187,500
PLMRS (Shared use)	11,700	10	1,240,000	1,170,000	10.00	10	1,170,000
Microwave	12,600	10	2,500,000	3,150,000	25.00	25	3,150,000
Marine (Ship)	7,100	10	1,065,000	1,065,000	15.00	15	1,065,000
Aviation (Aircraft)	5,500	10	450,000	550,000	10.00	10	550,000
Marine (Coast)	90	10	24,000	36,000	40.00	40	36,000
Aviation (Ground)	1,100	10	220,000	220,000	20.00	20	220,000
AM Class A [1]	62	1	285,200	296,501	4,782	4,775	296,050
AM Class B [1]	1,458	1	3,541,950	3,678,692	2,523	2,525	3,681,450
AM Class C [1]	819	1	1,266,000	1,317,039	1,608	1,600	1,310,400
AM Class D [1]	1,372	1	4,200,800	4,351,447	3,172	3,175	4,356,100
FM Classes A, B1 & C3 [1]	2,973	1	8,823,375	9,156,345	3,080	3,075	9,141,975
FM Classes B, C, C0, C1 & C2 [1]	2,952	1	10,833,000	11,216,626	3,800	3,800	11,217,600
AM Construction Permits [2]	6	1	1,785	3,720	620.1	620	3,720
FM Construction Permits [2]	60	1	67,000	64,500	1,075	1,075	64,500
Digital Television [5] (including Satellite TV)	3.25 billion population.	1	24,294,675	25,473,855	.00783665	.007837	25,473,855
Digital TV Construction Permits [2]	3	1	13,350	14,850	4,950	4,950	14,850
LPTV/Translators/Boosters/Class A TV	5,340	1	1,621,500	1,684,648	315.5	315	1,682,100
CARS Stations	160	1	202,125	208,683	1,304	1,300	208,000
Cable TV Systems, including IPTV	55,500,000	1	49,020,000	49,207,472	.887	.89	49,395,000
Direct Broadcast Satellite (DBS)	27,800,000	1	18,000,000	20,117,050	.724	.72	20,116,000
Interstate Telecommunication Service Providers.	30,700,000,000	1	102,708,000	98,504,384	0.003209	0.00321	98,547,000
Toll Free Numbers	33,000,000	1	3,960,000	3,975,316	0.1205	0.12	3,960,000
CMRS Mobile Services (Cellular/Public Mobile).	425,000,000	1	79,990,000	72,127,369	0.1697	0.17	72,250,000
CMRS Messaging Services	1,900,000	1	152,000	152,000	0.0800	0.080	152,000
BRS/ [3]	1,280	1	869,400	716,800	560	560	716,800
LMDS	340	1	96,600	190,400	560	560	190,400
Per Gbps circuit Int'l Bearer Circuits Terrestrial (Common & Non-Common) & Satellite (Common & Non-Common).	10,700	1	900,240	436,293	40.8	41	438,700
Submarine Cable Providers (See chart at bottom of Table 2) [4].	31.063	1	6,363,741	8,280,414	266,573	266,575	8,280,486
Earth Stations	3,000	1	1,402,500	1,678,050	559	560	1,680,000
Space Stations (Geostationary)	179	1	15,643,250	16,092,194	89,901	89,900	16,092,100
Space Stations (Non-Geostationary)	14	1	1,084,125	4,023,049	287,361	287,350	4,022,900
****** Total Estimated Revenue to be Collected.			340,929,616	338,686,759			338,911,046
****** Total Revenue Requirement			339,000,000	339,000,000			339,000,000
Difference			1,929,616	(313,241)			(88,954)

Notes on Table 1

[1] The fee amounts listed in the column entitled ''Rounded New FY 2020 Regulatory Fee'' constitute a weighted average broadcast regulatory fee by class of service. The actual FY 2020 regulatory fees for AM/FM radio station are listed on a grid located at the end of Table 2.

[2] The AM and FM Construction Permit revenues and the Digital (VHF/UHF) Construction Permit revenues were adjusted, respectively, to set the regulatory fee to an amount no higher than the lowest licensed fee for that class of service. Reductions in the Digital (VHF/UHF) Construction Permit revenues, and in the AM and FM Construction Permit revenues, were offset by increases in the revenue totals for Digital television stations by market size, and in the AM and FM radio stations by class size and population served, respectively.

[3] The MDS/MMDS category was renamed Broadband Radio Service (BRS). *See Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150–2162 and 2500–2690 MHz Bands,* Report & Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 14165, 14169, para. 6 (2004).

[4] The chart at the end of Table 2 lists the submarine cable bearer circuit regulatory fees (common and non-common carrier basis) that resulted from the adoption of the *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,* Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6388 (2008) and *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,* Second Report and Order, 24 FCC Rcd 4208 (2009). The Submarine Cable fee in Table 1 is a weighted average of the various fee payers in the chart at the end of Table 2.

[5] The actual digital television regulatory fees to be paid by call sign are identified in Table 4.

Table 2—Regulatory Fees FY 2020

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

Fee category	Annual regulatory fee (U.S. $s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	25.
Microwave (per license) (47 CFR part 101)	25.
Marine (Ship) (per station) (47 CFR part 80)	15.
Marine (Coast) (per license) (47 CFR part 80)	40.
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	10.
PLMRS (Shared Use) (per license) (47 CFR part 90)	10.
Aviation (Aircraft) (per station) (47 CFR part 87)	10.
Aviation (Ground) (per license) (47 CFR part 87)	20.
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.17.
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08.
Broadband Radio Service (formerly MMDS/MDS) (per license) (47 CFR part 27)	560.
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	560.
AM Radio Construction Permits	620.
FM Radio Construction Permits	1,075.
AM and FM Broadcast Radio Station Fees	See Table Below.
Digital TV (47 CFR part 73) VHF and UHF Commercial Fee Factor	.007837.
	See Table 4 for fee amounts due, also available at *https://www.fcc.gov/licensing-databases/fees/regulatory-fees*.
Digital TV Construction Permits	4,950.
Low Power TV, Class A TV, TV/FM Translators & Boosters (47 CFR part 74)	315.
CARS (47 CFR part 78)	1,300.
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV	.89.
Direct Broadcast Service (DBS) (per subscriber) (as defined by section 602(13) of the Act)	.72.
Interstate Telecommunication Service Providers (per revenue dollar)	.00321.
Toll Free (per toll free subscriber) (47 CFR section 52.101 (f) of the rules)	.12.
Earth Stations (47 CFR part 25)	560.
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100).	89,900.
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	287,350.
International Bearer Circuits—Terrestrial/Satellites (per Gbps circuit)	41.
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below.

FY 2020 RADIO STATION REGULATORY FEES

Population served	AM class A	AM class B	AM class C	AM class D	FM classes A, B1 & C3	FM classes B, C, C0, C1 & C2
<=25,000	$1,000	$715	$620	$680	$1,075	$1,250
25,001–75,000	1,500	1,000	930	1,000	1,625	1,875
75,001–150,000	2,250	1,600	1,400	1,525	2,425	2,825
150,001–500,000	3,375	2,425	2,100	2,300	3,625	4,225
500,001–1,200,000	5,050	3,625	3,125	3,450	5,450	6,325
1,200,001–3,000,000	7,600	5,425	4,700	5,175	8,175	9,500
3,000,001–6,000,000	11,400	8,150	7,050	7,750	12,250	14,250
>6,000,000	17,100	12,225	10,600	11,625	18,375	21,375

FY 2020 INTERNATIONAL BEARER CIRCUITS—SUBMARINE CABLE SYSTEMS

Submarine cable systems (capacity as of December 31, 2019)	FY 2020 regulatory fees
Less than 30 Gbps	$1,000
30 Gbps or greater, but less than 250 Gbps	18,450
250 Gbps or greater, but less than 1,000 Gbps	36,875
1,000 Gbps or greater, but less than 2,000 Gbps	73,750
2,000 Gbps or greater, but less than 3,500 Gbps	147,500
3,500 Gbps or greater, but less than 6,500 Gbps	295,000
6,500 Gbps or greater	590,000

Table 3—Space Station Satellite Charts for FY 2020 Regulatory Fees

GSO VS. NGSO IBFS APPLICATIONS (RECEIVED AND DISPOSED) 2017–2019

	2019	2018	2017
Received:			
GSO	124	77	* 128
NGSO	33	15	39
GSO/NGSO split	79%/21%	84%/16%	77%/23%
Disposed:			
GSO	108	88	122
NGSO	28	29	24
GSO/NGSO Split	79%/21%	75%/25%	84%/16%

* Includes 12 withdrawals pending for 3 days or less.

NON-U.S. LICENSED SPACE STATIONS—MARKET ACCESS THROUGH PETITION FOR DECLARATORY RULING (PDR)

Licensee	Call sign	Satellite common name	Satellite type
DBSD Services Ltd	S2651	ICO G1	GSO
Empresa Argentina De Soluciones Satelitales S.A	S2956	ARSAT–2	GSO
ES 172 LLC	S3021	EUTELSAT 172B	GSO
European Telecommunications Satellite Organization	S2595	Atlantic Bird 1	GSO
European Telecommunications Satellite Organization	S2596	Atlantic Bird 2	GSO
European Telecommunications Satellite Organization	S2702	Eutelsat II–F2	GSO
Gamma Acquisition L.L.C	S2633	TerreStar 1	GSO
Hispasati, S.A	S2969	HISPASAT 30W–6	GSO
Hispasati, S.A	S2476	HISPASAT–1D et al.	GSO
Horizons Satellite LLC	S2475	Galaxy 13	GSO
Horizons-1 Satellite LLC	S2970/S3049	HORIZONS–1	GSO
Horizons-3 License LLC	S2947	Horizons 3e	GSO
Hughes Network Systems, LLC	S2753	SPACEWAY 4	GSO
Hughes Network Systems, LLC	S2834	Jupiter 2/EchoStar 1	GSO
Inmarsat PLC	S2780	I2F1	GSO
Inmarsat PLC	S2783	Inmarsat 3F4	GSO
Inmarsat PLC	S2932	Inmarsat-4 F3	GSO
Inmarsat PLC	S2949	Inmarsat-3 F5	GSO
Intelsat License LLC	S2592/S2868	Galaxy 23	GSO
Intelsat North America LLC	S2592	Intelsat Americas 13	GSO
Jansky-Barmet Telecommunications Inc	S2793	AMAZONAS–2	GSO
New Skies Satellites B.V	S2756	NSS–9	GSO
New Skies Satellites B.V	S2870	SES–6	GSO
New Skies Satellites B.V	S3048	NSS–6	GSO
New Skies Satellites B.V	S2463	NSS–7	GSO
New Skies Satellites B.V	S2828	SES–4	GSO
New Skies Satellites B.V	S2950	SES–10	GSO
O3B Ltd	S2935	O3B	NGSO
Satelites Mexicanos, S.A. DE C.V	S2695	SATMEX 6	GSO
Satelites Mexicanos, S.A. DE C.V	S2926	E117WB	GSO
Satelites Mexicanos, S.A. DE C.V	S2938	EUTELSAT WEST 115 B	GSO
Satelites Mexicanos, S.A. DE C.V	S2873	Satmex 8 et al	GSO
SES Americom, INC	S2676	AMC 21	GSO
SES Americom, INC	S3037	NSS–11	GSO
SES Americom, INC	S2964	SES–11	GSO
SES DTH do Brasil Ltda	S2974	SES–14	GSO
SES Satellites (GIBRALTAR) Ltd	S2951	SES–15	GSO
Skynet Satellite Corp	S2462	Telstar 12	GSO

NON-U.S. LICENSED SPACE STATIONS—MARKET ACCESS THROUGH PETITION FOR DECLARATORY RULING (PDR)—Continued

Licensee	Call sign	Satellite common name	Satellite type
Space Communications Corp	S2685	Superbird-B2	GSO
Space Communications Corp	S2639	SUPERBIRD–C	GSO
Space Norway AS	S2978	ASBM	NGSO
Spectrum Five LLC	S2777	BSSNET119W	GSO
Star One S.A	S2677	STAR ONE C1	GSO
Star One S.A	S2678	STAR ONE C2	GSO
Star One S.A	S2845	STAR ONE C3	GSO
Telesat Brasil Capacidade De Satelites Ltda	S2821	ESTRELA DO SUL 2	GSO
Telesat Canada	S2597	Anik E2	GSO
Telesat Canada	S2674	ANIK F1R	GSO
Telesat Canada	S2745	ANIK F1	GSO
Telesat Canada	S2703	ANIK F3	GSO
Telesat Canada	S2646	ANIK F2	GSO
Telesat International Ltd	S2955	TELSTAR 19 VANTAGE	GSO
Viasat, INC	S2747	VIASAT–IOM	GSO
Viasat, INC	S2902	VIASAT–2	GSO
Viasat, INC	S2952	VIASAT–79W	GSO
Viasat, INC	S2953	VIASAT–109W	GSO
WorldVu Satellites Ltd	S2963	ONEWEB	NGSO

NON-U.S. SPACE STATIONS—MARKET ACCESS THROUGH EARTH STATIONS

ITU name	Common name	Call Ssign	GSO/NGSO
ANIK G1	ANIK G1	M090164	GSO
APSTAR 6C	APSTAR 6C(M161190)	M161190	GSO
APSTAR 6D	APSTAR 6D(M246190)	M246190	GSO
Apstar 7	Apstar 7	M090165	GSO
APSTAR VI	APSTAR 6(M292090)	M292090	GSO
AsiaSat 5	AsiaSat 5	M090163	GSO
AsiaSat 7	AsiaSat 7	M174161	GSO
AsiaSat-9	AsiaSat-9	M161191	GSO
AUSSAT B 152E	OPTUS D2	M221170	GSO
CAN–BSS3 and CAN–BSS	ECHOSTAR 23	SM1987	GSO
Chinasat 10	Chinasat 10(M246191)	M246191	GSO
Ciel Satellite Group	Ciel-2	E050029	GSO
ECHOSTAR 23	ECHOSTAR 23	SM2975	GSO
ECHOSTAR 8 (MEX)	ECHOSTAR 8	NUS1108	GSO
Eutelsat 10A	Eutelsat 10A (W2A)	M0311	GSO
Eutelsat 65 West A	Eutelsat 65 West A	E160081	GSO
Eutelsat 70B	Eutelsat 70B	M090167	GSO
exactEarth	exactEarth-7	E160028	NGSO
JCSAT–5A	JCSAT 5A	M063130	GSO
JCSAT–2B	JCSAT–2B	M174163	GSO
QUETZSAT–1(MEX)	QUETZSAT–1	NUS1101	GSO
Superbird C2	Superbird C2	M334100	GSO
TELSTAR 18	TELSTAR 18	None	GSO
Yamal 300K	Yamal 300K	M174162	GSO
Yamal 401	Yamal 401	M001166	GSO

Table 4—FY 2020 Full-Service Broadcast Television Stations by Call Sign

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
3246	KAAH–TV	955,391	879,906	$6,896
18285	KAAL	589,502	568,169	4,453
11912	KAAS–TV	220,262	219,922	1,724
56528	KABB	2,474,296	2,456,689	19,253
282	KABC–TV *	17,540,791	16,957,292	132,894
1236	KACV–TV	372,627	372,330	2,918
33261	KADN–TV	877,965	877,965	6,881
8263	KAEF–TV	138,085	122,808	962
2728	KAET	4,217,217	4,184,386	32,793

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
2767	KAFT	1,204,376	1,122,928	8,800
62442	KAID	711,035	702,721	5,507
4145	KAII–TV	188,810	165,396	1,296
67494	KAIL	1,967,744	1,948,341	15,269
13988	KAIT	861,149	845,812	6,629
40517	KAJB	383,886	383,195	3,003
65522	KAKE	803,937	799,254	6,264
804	KAKM	380,240	379,105	2,971
148	KAKW–DT	2,615,956	2,531,813	19,842
51598	KALB–TV	943,307	942,043	7,383
51241	KALO	948,683	844,503	6,618
40820	KAMC	391,526	391,502	3,068
8523	KAMR–TV	366,476	366,335	2,871
65301	KAMU–TV	346,892	342,455	2,684
2506	KAPP	319,797	283,944	2,225
3658	KARD	703,234	700,887	5,493
23079	KARE	3,924,944	3,907,483	30,623
33440	KARK–TV	1,212,038	1,196,196	9,375
37005	KARZ–TV	1,066,386	1,050,270	8,231
32311	KASA–TV	1,161,789	1,119,108	8,770
41212	KASN	1,175,627	1,159,721	9,089
7143	KASW	4,174,437	4,160,497	32,606
55049	KASY–TV	1,144,839	1,099,825	8,619
33471	KATC	1,348,897	1,348,897	10,571
13813	KATN	97,466	97,128	761
21649	KATU	2,978,043	2,845,632	22,301
33543	KATV	1,257,777	1,234,933	9,678
50182	KAUT–TV	1,637,333	1,636,330	12,824
6864	KAUZ–TV	381,671	379,435	2,974
73101	KAVU–TV	320,484	320,363	2,511
49579	KAWB	186,919	186,845	1,464
49578	KAWE	136,033	133,937	1,050
58684	KAYU–TV	809,464	750,766	5,884
29234	KAZA–TV	14,973,535	13,810,130	108,230
17433	KAZD	6,747,915	6,744,517	52,857
1151	KAZQ	1,097,010	1,084,327	8,498
35811	KAZT–TV	436,925	359,273	2,816
4148	KBAK–TV	1,510,400	1,263,910	9,905
16940	KBCA	479,260	479,219	3,756
53586	KBCB	1,256,193	1,223,883	9,592
69619	KBCW	8,020,424	6,962,363	54,564
22685	KBDI–TV *	4,042,177	3,683,394	28,867
56384	KBEH *	17,736,497	17,695,306	138,678
65395	KBFD–DT	953,207	834,341	6,539
169030	KBGS–TV	159,269	156,802	1,229
61068	KBHE–TV	140,860	133,082	1,043
48556	KBIM–TV	205,701	205,647	1,612
29108	KBIN–TV	912,921	911,725	7,145
33658	KBJR–TV	275,585	271,298	2,126
83306	KBLN–TV	297,384	134,927	1,057
63768	KBLR	1,964,979	1,915,859	15,015
53324	KBME–TV	123,571	123,485	968
10150	KBMT	743,009	742,369	5,818
22121	KBMY	119,993	119,908	940
49760	KBOI–TV *	715,191	708,374	5,552
55370	KBRR	149,869	149,868	1,175
66414	KBSD–DT	155,012	154,891	1,214
66415	KBSH–DT	102,781	100,433	787
19593	KBSI	752,366	751,025	5,886
66416	KBSL–DT	49,814	48,483	380
4939	KBSV	1,352,166	1,262,708	9,896
62469	KBTC–TV	3,697,981	3,621,965	28,385
61214	KBTV–TV	734,008	734,008	5,752
6669	KBTX–TV	4,048,516	4,047,275	31,718
35909	KBVO	1,498,015	1,312,360	10,285
58618	KBVU	135,249	120,827	947
6823	KBYU–TV	2,389,548	2,209,060	17,312
33756	KBZK	116,485	106,020	831
21422	KCAL–TV *	17,499,483	16,889,157	132,360
11265	KCAU–TV *	714,315	706,224	5,535
14867	KCBA	3,094,778	2,278,552	17,857
27507	KCBD	414,804	414,091	3,245

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
9628	KCBS–TV	17,853,152	16,656,778	130,539
49750	KCBY–TV	89,156	73,211	574
33710	KCCI	1,102,130	1,095,326	8,584
9640	KCCW–TV	284,280	276,935	2,170
63158	KCDO–TV	2,798,103	2,650,225	20,770
62424	KCDT	694,584	638,366	5,003
83913	KCEB	1,163,228	1,159,665	9,088
57219	KCEC	3,874,159	3,654,445	28,640
10245	KCEN–TV	1,795,767	1,757,018	13,770
13058	KCET	16,875,019	15,402,588	120,710
18079	KCFW–TV	148,162	129,122	1,012
132606	KCGE–DT	123,930	123,930	971
60793	KCHF	1,118,671	1,085,205	8,505
33722	KCIT	382,477	381,818	2,992
62468	KCKA	953,680	804,362	6,304
41969	KCLO–TV	138,413	132,157	1,036
47903	KCNC–TV	3,794,400	3,541,089	27,752
71586	KCNS	8,048,427	7,069,903	55,407
33742	KCOP–TV *	17,386,133	16,647,708	130,468
19117	KCOS	1,014,396	1,014,205	7,948
63165	KCOY–TV	664,655	459,468	3,601
86208	KCPM	90,266	90,266	707
33894	KCPQ	4,439,875	4,311,994	33,793
53843	KCPT	2,507,879	2,506,224	19,641
33875	KCRA–TV	10,612,483	6,500,774	50,947
9719	KCRG–TV *	1,136.762	1,107,130	8,677
60728	KCSD–TV	273,553	273,447	2,143
59494	KCSG	174,814	164,765	1,291
33749	KCTS–TV	4,177,824	4,115,603	32,254
41230	KCTV	2,547,456	2,545,645	19,950
58605	KCVU	630,068	616,068	4,828
10036	KCWC–DT	44,216	39,439	309
64444	KCWE	2,460,172	2,458,913	19,271
51502	KCWI–TV	1,043,811	1,042,642	8,171
42008	KCWO–TV	50,707	50,685	397
166511	KCWV	207,398	207,370	1,625
24316	KCWX *	3,961,268	3,954,787	30,994
68713	KCWY–DT	79,948	79,414	622
22201	KDAF	6,648,507	6,645,226	52,079
33764	KDBC–TV	1,015,564	1,015,162	7,956
79258	KDCK	43,088	43,067	338
166332	KDCU–DT	796,251	795,504	6,234
38375	KDEN–TV	3,376,799	3,351,182	26,263
17037	KDFI	6,684,439	6,682,487	52,371
33770	KDFW	6,658,976	6,656,502	52,167
29102	KDIN–TV	1,088,376	1,083,845	8,494
25454	KDKA–TV	3,611,796	3,450,690	27,043
60740	KDKF	71,413	64,567	506
4691	KDLH	263,422	260,394	2,041
41975	KDLO–TV	208,354	208,118	1,631
55379	KDLT–TV	639,284	628,281	4,924
55375	KDLV–TV	96,873	96,620	757
25221	KDMD	374,951	372,727	2,921
78915	KDMI	1,141,990	1,140,939	8,942
56524	KDNL–TV	2,987,219	2,982,311	23,372
24518	KDOC–TV *	17,503,793	16,701,233	130,888
1005	KDOR–TV	1,112,060	1,108,556	8,688
60736	KDRV	519,706	440,002	3,448
61064	KDSD–TV	64,314	59,635	467
53329	KDSE	42,896	41,432	325
56527	KDSM–TV	1,096,220	1,095,478	8,585
49326	KDTN	6,602,327	6,600,186	51,726
83491	KDTP	26,564	24,469	192
33778	KDTV–DT	7,921,124	6,576,672	51,541
67910	KDTX–TV	6,680,738	6,679,424	52,347
126	KDVR	3,430,717	3,394,796	26,605
18084	KECI–TV *	211,745	193,803	1,519
51208	KECY–TV	399,372	394,379	3,091
58408	KEDT	513,683	513,683	4,026
55435	KEET	177,313	159,960	1,254
41983	KELO–TV	705,364	646,126	5,064
34440	KEMO–TV	8,048,427	7,069,903	55,407

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
2777	KEMV	619,889	559,135	4,382
26304	KENS	2,544,094	2,529,382	19,823
63845	KENV–DT	47,220	40,677	319
18338	KENW	87,017	87,017	682
50591	KEPB–TV	576,964	523,655	4,104
56029	KEPR–TV	453,259	433,260	3,395
49324	KERA–TV	6,681,083	6,677,852	52,334
40878	KERO–TV	1,285,357	1,164,979	9,130
61067	KESD–TV	166,018	159,195	1,248
25577	KESQ–TV	1,334,172	572,057	4,483
50205	KETA–TV	1,702,441	1,688,227	13,231
62182	KETC	2,913,924	2,911,313	22,816
37101	KETD	3,098,889	3,058,327	23,968
2768	KETG	426,883	409,511	3,209
12895	KETH–TV	6,088,821	6,088,677	47,717
55643	KETK–TV	1,031,567	1,030,122	8,073
2770	KETS	1,185,111	1,166,796	9,144
53903	KETV	1,355,714	1,350,740	10,586
92872	KETZ	526,890	523,877	4,106
68853	KEYC–TV	544,900	531,079	4,162
33691	KEYE–TV	2,732,257	2,652,529	20,788
60637	KEYT–TV	1,419,564	1,239,577	9,715
83715	KEYU	339,348	339,302	2,659
34406	KEZI	1,113,171	1,065,880	8,353
34412	KFBB–TV	93,519	91,964	721
125	KFCT	795,114	788,747	6,181
51466	KFDA–TV	385,064	383,977	3,009
22589	KFDM	732,665	732,588	5,741
65370	KFDX–TV	381,703	381,318	2,988
49264	KFFV	3,783,380	3,717,323	29,133
12729	KFFX–TV	409,952	403,692	3,164
83992	KFJX	515,708	505,647	3,963
42122	KFMB–TV	3,947,735	3,699,981	28,997
53321	KFME	393,045	392,472	3,076
74256	KFNB	80,382	79,842	626
21613	KFNE	54,988	54,420	426
21612	KFNR	10,988	10,965	86
66222	KFOR–TV	1,616,459	1,615,614	12,662
33716	KFOX–TV	1,023,999	1,018,549	7,982
41517	KFPH–DT	347,579	282,838	2,217
81509	KFPX–TV	963,969	963,846	7,554
31597	KFQX	186,473	163,637	1,282
59013	KFRE–TV	1,721,275	1,705,484	13,366
51429	KFSF–DT	7,348,828	6,528,430	51,163
66469	KFSM–TV	906,728	884,919	6,935
8620	KFSN–TV	1,836,607	1,819,585	14,260
29560	KFTA–TV	818,859	809,173	6,341
83714	KFTC	61,990	61,953	486
60537	KFTH–DT	6,080,688	6,080,373	47,652
60549	KFTR–DT	17,560,679	16,305,726	127,788
61335	KFTS	74,936	65,126	510
81441	KFTU–DT	113,876	109,731	860
34439	KFTV–DT	1,807,731	1,793,418	14,055
36917	KFVE	953,895	851,585	6,674
592	KFVS–TV	810,574	782,713	6,134
29015	KFWD	6,610,836	6,598,496	51,712
35336	KFXA	875,538	874,070	6,850
17625	KFXB–TV	373,280	368,466	2,888
70917	KFXK–TV	934,043	931,791	7,302
84453	KFXL–TV	361,632	361,097	2,830
41427	KFYR–TV	130,881	128,301	1,005
25685	KGAN	1,083,213	1,057,597	8,288
34457	KGBT–TV	1,230,798	1,230,791	9,646
52593	KGBY	270,089	218,544	1,713
7841	KGCW	888,054	886,499	6,947
24485	KGEB	1,186,225	1,150,201	9,014
34459	KGET–TV	917,927	874,332	6,852
53320	KGFE	114,564	114,564	898
7894	KGIN	230,535	228,338	1,789
83945	KGLA–DT	1,645,641	1,645,641	12,897
34445	KGMB	953,398	851,088	6,670
23302	KGMC	1,824,786	1,803,796	14,136

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
36914	KGMD–TV	94,323	93,879	736
36920	KGMV	193,564	162,230	1,271
10061	KGNS–TV	267,236	259,548	2,034
34470	KGO–TV	8,283,429	7,623,657	59,747
56034	KGPE	1,699,131	1,682,082	13,182
81694	KGPX–TV	685,626	624,955	4,898
25511	KGTF	161,885	160,568	1,258
40876	KGTV	3,960,667	3,682,219	28,858
36918	KGUN–TV *	1,398,527	1,212,484	9,502
34874	KGW	3,058,216	2,881,387	22,581
63177	KGWC–TV	80,475	80,009	627
63162	KGWL–TV	38,125	38,028	298
63166	KGWN–TV	469,467	440,388	3,451
63170	KGWR–TV	51,315	50,957	399
4146	KHAW–TV	95,204	94,851	743
34846	KHBC–TV	74,884	74,884	587
60353	KHBS	631,770	608,052	4,765
27300	KHCE–TV	2,353,883	2,348,391	18,404
26431	KHET	959,060	944,568	7,403
21160	KHGI–TV	233,973	229,173	1,796
29085	KHIN	1,041,244	1,039,383	8,146
17688	KHME	181,345	179,706	1,408
47670	KHMT	175,601	170,957	1,340
47987	KHNE–TV	203,931	202,944	1,590
34867	KHNL	953,398	851,088	6,670
60354	KHOG–TV	765,360	702,984	5,509
4144	KHON–TV	953,207	886,431	6,947
34529	KHOU *	6,083,336	6,081,785	47,663
4690	KHQA–TV	318,469	316,134	2,478
34537	KHQ–TV	822,371	774,821	6,072
30601	KHRR	1,227,847	1,166,890	9,145
34348	KHSD–TV	188,735	185,202	1,451
24508	KHSL–TV	625,904	608,850	4,772
69677	KHSV *	2,059,794	2,020,045	15,831
64544	KHVO	94,226	93,657	734
23394	KIAH	6,099,694	6,099,297	47,800
34564	KICU–TV	8,233,041	7,174,316	56,225
56028	KIDK	305,509	302,535	2,371
58560	KIDY	116,614	116,596	914
53382	KIEM–TV	174,390	160,801	1,260
66258	KIFI–TV *	324,422	320,118	2,509
10188	KIII	569,864	566,796	4,442
29095	KIIN	1,365,215	1,335,707	10,468
34527	KIKU	953,896	850,963	6,669
63865	KILM	17,256,205	15,804,489	123,860
56033	KIMA–TV	308,604	260,593	2,042
66402	KIMT	654,083	643,384	5,042
67089	KINC	2,002,066	1,920,903	15,054
34847	KING–TV	4,063,674	4,018,832	31,496
51708	KINT–TV	1,015,582	1,015,274	7,957
26249	KION–TV	2,400,317	855,808	6,707
62427	KIPT	171,405	170,455	1,336
66781	KIRO–TV	4,058,846	4,027,262	31,562
62430	KISU–TV	311,827	307,651	2,411
12896	KITU–TV	712,362	712,362	5,583
64548	KITV	953,207	839,906	6,582
59255	KIVI–TV	710,819	702,619	5,506
47285	KIXE–TV *	467,518	428,118	3,355
13792	KJJC–TV	82,749	81,865	642
14000	KJLA	17,929,100	16,794,896	131,622
20015	KJNP–TV	98,403	98,097	769
53315	KJRE	16,187	16,170	127
59439	KJRH–TV	1,416,108	1,397,311	10,951
55364	KJRR	45,515	44,098	346
42640	KJRW	137,375	126,743	993
7675	KJTL	379,594	379,263	2,972
55031	KJTV–TV	406,283	406,260	3,184
13814	KJUD	31,229	30,106	236
36607	KJZZ–TV	2,388,054	2,204,525	17,277
83180	KKAI	955,203	941,214	7,376
58267	KKAP	957,786	923,172	7,235
24766	KKCO	206,018	172,628	1,353

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
35097	KKJB	629,939	624,784	4,896
22644	KKPX–TV	7,902,064	6,849,907	53,683
35037	KKTV	2,795,275	2,293,502	17,974
35042	KLAS–TV	2,094,297	1,940,030	15,204
52907	KLAX–TV	367,212	366,839	2,875
3660	KLBK–TV	387,783	387,743	3,039
65523	KLBY	34,288	34,279	269
38430	KLCS	16,875,019	15,402,588	120,710
77719	KLCW–TV	381,889	381,816	2,992
51479	KLDO–TV	250,832	250,832	1,966
37105	KLEI	175,045	138,087	1,082
56032	KLEW–TV	164,908	148,256	1,162
35059	KLFY–TV	1,355,890	1,355,409	10,622
54011	KLJB	960,055	947,716	7,427
11264	KLKN	932,757	895,101	7,015
47975	KLNE–TV	120,338	120,277	943
38590	KLPA–TV	414,699	414,447	3,248
38588	KLPB–TV	749,053	749,053	5,870
749	KLRN	2,374,472	2,353,440	18,444
11951	KLRT–TV	1,171,678	1,152,541	9,032
8564	KLRU	2,614,658	2,575,518	20,184
8322	KLSR–TV	564,415	508,157	3,982
31114	KLST	199,067	169,551	1,329
24436	KLTJ	6,034,131	6,033,867	47,287
38587	KLTL–TV	423,574	423,574	3,320
38589	KLTM–TV	694,280	688,915	5,399
38591	KLTS–TV	883,661	882,589	6,917
68540	KLTV	1,069,690	1,051,361	8,240
12913	KLUJ–TV	1,195,751	1,195,751	9,371
57220	KLUZ–TV	1,079,718	1,019,302	7,988
11683	KLVX	2,044,150	1,936,083	15,173
82476	KLWB	1,065,748	1,065,748	8,352
40250	KLWY	541,043	538,231	4,218
64551	KMAU	213,060	188,953	1,481
51499	KMAX–TV	10,644,556	6,974,200	54,657
65686	KMBC–TV	2,507,895	2,506,661	19,645
56079	KMBH	1,225,732	1,225,732	9,606
35183	KMCB	69,357	66,203	519
41237	KMCC	2,064,592	2,010,262	15,754
42636	KMCI–TV	2,429,392	2,428,626	19,033
38584	KMCT–TV	267,004	266,880	2,092
22127	KMCY	71,797	71,793	563
162016	KMDE	35,409	35,401	277
26428	KMEB	221,810	203,470	1,595
39665	KMEG	708,748	704,130	5,518
35123	KMEX–DT	17,628,354	16,318,720	127,890
40875	KMGH–TV	3,815,253	3,574,365	28,012
35131	KMID	383,449	383,439	3,005
16749	KMIR–TV	2,760,914	730,764	5,727
63164	KMIZ	550,860	548,402	4,298
53541	KMLM–DT	293,290	293,290	2,299
52046	KMLU	711,951	708,107	5,549
47981	KMNE–TV	47,232	44,189	346
24753	KMOH–TV	199,885	184,283	1,444
4326	KMOS–TV	804,745	803,129	6,294
41425	KMOT	81,517	79,504	623
70034	KMOV	3,035,077	3,029,405	23,741
51488	KMPH–TV	1,725,397	1,697,871	13,306
73701	KMPX	6,678,829	6,674,706	52,310
44052	KMSB	1,321,614	1,039,442	8,146
68883	KMSP–TV	3,832,040	3,805,141	29,821
12525	KMSS–TV	1,068,120	1,066,388	8,357
43095	KMTP–TV	5,097,701	4,378,276	34,313
35189	KMTR	589,948	520,666	4,080
35190	KMTV–TV	1,346,549	1,344,796	10,539
77063	KMTW	761,521	761,516	5,968
35200	KMVT	184,647	176,351	1,382
32958	KMVU–DT	308,150	231,506	1,814
86534	KMYA–DT	200,764	200,719	1,573
51518	KMYS	2,273,888	2,267,913	17,774
54420	KMYT–TV	1,314,197	1,302,378	10,207
35822	KMYU	133,563	130,198	1,020

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
993	KNAT–TV	1,157,630	1,124,619	8,814
24749	KNAZ–TV	332,321	227,658	1,784
47906	KNBC	17,859,647	16,555,232	129,743
81464	KNBN	145,493	136,995	1,074
9754	KNCT	2,247,724	2,233,513	17,504
82611	KNDB	118,154	118,122	926
82615	KNDM	72,216	72,209	566
12395	KNDO	314,875	270,892	2,123
12427	KNDU	475,612	462,556	3,625
17683	KNEP	101,389	95,890	751
48003	KNHL	277,777	277,308	2,173
125710	KNIC–DT	2,398,296	2,383,294	18,678
59363	KNIN–TV *	708,289	703,838	5,516
48525	KNLC	2,944,530	2,939,956	23,040
48521	KNLJ	655,000	642,705	5,037
84215	KNMD–TV	1,120,286	1,100,869	8,628
55528	KNME–TV	1,149,036	1,103,695	8,650
47707	KNMT	2,887,142	2,794,995	21,904
48975	KNOE–TV	733,097	729,703	5,719
49273	KNOP–TV	87,904	85,423	669
10228	KNPB	604,614	462,732	3,626
55362	KNRR	25,957	25,931	203
35277	KNSD	3,861,660	3,618,321	28,357
19191	KNSN–TV	611,981	459,485	3,601
58608	KNSO *	1,976,317	1,931,825	15,140
35280	KNTV	8,022,662	7,168,995	56,183
144	KNVA	2,550,225	2,529,184	19,821
33745	KNVN	495,403	464,031	3,637
69692	KNVO	1,241,165	1,241,165	9,727
29557	KNWA–TV	815,678	796,488	6,242
16950	KNXT	2,166,688	2,116,003	16,583
59440	KNXV–TV	4,183,943	4,173,022	32,704
59014	KOAA–TV	1,391,946	1,087,809	8,525
50588	KOAB–TV	207,070	203,371	1,594
50590	KOAC–TV	1,957,282	1,543,401	12,096
58552	KOAM–TV	595,307	584,921	4,584
53928	KOAT–TV *	1,132,372	1,105,116	8,661
35313	KOB	1,152,841	1,113,162	8,724
35321	KOBF	201,911	166,177	1,302
8260	KOBI *	562,463	519,063	4,068
62272	KOBR	211,709	211,551	1,658
50170	KOCB	1,629,783	1,629,152	12,768
4328	KOCE–TV	17,447,903	16,331,792	127,992
84225	KOCM	1,434,325	1,433,605	11,235
12508	KOCO–TV	1,716,569	1,708,085	13,386
83181	KOCW	83,807	83,789	657
18283	KODE–TV	740,156	731,512	5,733
66195	KOED–TV *	1,497,297	1,459,833	11,441
50198	KOET	658,606	637,640	4,997
51189	KOFY–TV	5,097,701	4,378,276	34,313
34859	KOGG	190,829	161,310	1,264
166534	KOHD	201,310	197,662	1,549
35380	KOIN	2,983,136	2,851,968	22,351
35388	KOKH–TV	1,627,116	1,625,246	12,737
11910	KOKI–TV	1,366,220	1,352,227	10,597
48663	KOLD–TV	1,216,228	887,754	6,957
7890	KOLN	1,225,400	1,190,178	9,327
63331	KOLO–TV	959,178	826,985	6,481
28496	KOLR	1,076,144	1,038,613	8,140
21656	KOMO–TV	4,123,984	4,078,485	31,963
65583	KOMU–TV	551,658	542,544	4,252
35396	KONG	4,006,008	3,985,271	31,233
60675	KOOD	113,416	113,285	888
50589	KOPB–TV	3,059,231	2,875,815	22,538
2566	KOPX–TV	1,501,110	1,500,883	11,762
64877	KORO	560,983	560,983	4,396
6865	KOSA–TV	340,978	338,070	2,649
34347	KOTA–TV	174,876	152,861	1,198
8284	KOTI	298,175	97,132	761
35434	KOTV–DT	1,417,675	1,403,021	10,995
56550	KOVR	10,759,811	7,100,710	55,648
51101	KOZJ	429,982	427,991	3,354

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
51102	KOZK	836,532	825,077	6,466
3659	KOZL–TV	992,495	963,281	7,549
35455	KPAX–TV	206,895	193,201	1,514
67868	KPAZ–TV	4,190,080	4,176,323	32,730
6124	KPBS	3,584,237	3,463,189	27,141
50044	KPBT–TV	340,080	340,080	2,665
77452	KPCB–DT	30,861	30,835	242
35460	KPDX	2,970,703	2,848,423	22,323
12524	KPEJ–TV	368,212	368,208	2,886
41223	KPHO–TV	4,195,073	4,175,139	32,721
61551	KPIC	156,687	105,807	829
86205	KPIF	255,766	250,517	1,963
25452	KPIX–TV	8,340,753	7,480,594	58,625
58912	KPJK	7,672,473	6,652,674	52,137
166510	KPJR–TV	3,402,088	3,372,831	26,433
13994	KPLC	1,406,085	1,403,853	11,002
41964	KPLO–TV	55,827	52,765	414
35417	KPLR–TV	2,968,619	2,965,673	23,242
12144	KPMR	1,731,370	1,473,251	11,546
47973	KPNE–TV	92,675	89,021	698
35486	KPNX	4,215,834	4,184,428	32,793
77512	KPNZ	2,394,311	2,208,707	17,310
73998	KPOB–TV	144,525	143,656	1,126
26655	KPPX–TV	4,186,998	4,171,450	32,692
53117	KPRC–TV	6,099,422	6,099,076	47,798
48660	KPRY–TV	42,521	42,426	332
61071	KPSD–TV	19,886	18,799	147
53544	KPTB–DT	322,780	320,646	2,513
81445	KPTF–DT	84,512	84,512	662
77451	KPTH	660,556	655,373	5,136
51491	KPTM	1,414,998	1,414,014	11,082
33345	KPTS	832,000	827,866	6,488
50633	KPTV	2,998,460	2,847,263	22,314
82575	KPTW	80,374	80,012	627
1270	KPVI–DT	271,379	264,204	2,071
58835	KPXB–TV	6,062,472	6,062,271	47,510
68695	KPXC–TV	3,362,518	3,341,951	26,191
68834	KPXD–TV	6,555,157	6,553,373	51,359
33337	KPXE–TV	2,437,178	2,436,024	19,091
5801	KPXG–TV	3,026,219	2,882,598	22,591
81507	KPXJ	1,138,632	1,135,626	8,900
61173	KPXL–TV	2,257,007	2,243,520	17,582
35907	KPXM–TV	3,507,312	3,506,503	27,480
58978	KPXN–TV	17,256,205	15,804,489	123,860
77483	KPXO–TV	953,329	913,341	7,158
21156	KPXR–TV	828,915	821,250	6,436
10242	KQCA	9,931,378	5,931,341	46,484
41430	KQCD–TV	35,623	33,415	262
18287	KQCK	3,220,160	3,162,711	24,786
78322	KQCW–DT	1,128,198	1,123,324	8,803
35525	KQDS–TV	305,747	302,246	2,369
35500	KQED	8,195,398	7,283,828	57,083
35663	KQEH	8,195,398	7,283,828	57,083
8214	KQET	2,981,040	2,076,157	16,271
5471	KQIN	596,371	596,277	4,673
17686	KQME	188,783	184,719	1,448
61063	KQSD–TV	32,526	31,328	246
8378	KQSL *	196,316	133,564	1,047
20427	KQTV	1,494,987	1,401,160	10,981
78921	KQUP	697,016	551,824	4,325
306	KRBC–TV	229,395	229,277	1,797
166319	KRBK	983,888	966,187	7,572
22161	KRCA *	17,540,791	16,957,292	132,894
57945	KRCB	5,320,127	4,552,911	35,681
41110	KRCG	684,989	662,418	5,191
8291	KRCR–TV *	423,000	402,594	3,155
10192	KRCW–TV	2,966,577	2,842,523	22,277
49134	KRDK–TV	349,941	349,915	2,742
52579	KRDO–TV	2,622,603	2,272,383	17,809
70578	KREG–TV	149,306	95,141	746
34868	KREM	817,619	752,113	5,894
51493	KREN–TV	810,039	681,212	5,339

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70596	KREX–TV	145,700	145,606	1,141
70579	KREY–TV	74,963	65,700	515
48589	KREZ–TV	148,079	105,121	824
43328	KRGV–TV	1,247,057	1,247,029	9,773
82698	KRII	133,840	132,912	1,042
29114	KRIN	949,313	923,735	7,239
25559	KRIS–TV	561,825	561,718	4,402
22204	KRIV	6,078,936	6,078,846	47,640
14040	KRMA–TV	3,722,512	3,564,949	27,939
14042	KRMJ	174,094	159,511	1,250
20476	KRMT	2,956,144	2,864,236	22,447
84224	KRMU	85,274	72,499	568
20373	KRMZ	36,293	33,620	263
47971	KRNE–TV	47,473	38,273	300
60307	KRNV–DT	981,687	825,465	6,469
65526	KRON–TV	8,050,508	7,087,419	55,544
53539	KRPV–DT	65,943	65,943	517
48575	KRQE *	1,135,461	1,105,093	8,661
57431	KRSU–TV	1,000,289	998,310	7,824
82613	KRTN–TV	96,062	74,452	583
35567	KRTV	92,687	90,846	712
84157	KRWB–TV	111,538	110,979	870
35585	KRWF	85,596	85,596	671
55516	KRWG–TV	894,492	661,703	5,186
48360	KRXI–TV	725,391	548,865	4,301
307	KSAN–TV	135,063	135,051	1,058
11911	KSAS–TV	752,513	752,504	5,897
53118	KSAT–TV	2,530,706	2,495,317	19,556
35584	KSAX	365,209	365,209	2,862
35587	KSAZ–TV *	4,203,126	4,178,448	32,746
38214	KSBI	1,577,231	1,575,865	12,350
19653	KSBW	5,083,461	4,429,165	34,711
19654	KSBY	535,029	495,562	3,884
82910	KSCC	502,915	502,915	3,941
10202	KSCE	1,015,148	1,010,581	7,920
35608	KSCI	17,447,903	16,331,792	127,992
72348	KSCW–DT	915,691	910,511	7,136
46981	KSDK	2,986,764	2,979,035	23,347
35594	KSEE	1,749,448	1,732,516	13,578
48658	KSFY–TV	670,536	607,844	4,764
17680	KSGW–TV	62,178	57,629	452
59444	KSHB–TV	2,432,205	2,431,273	19,054
73706	KSHV–TV	943,947	942,978	7,390
29096	KSIN–TV	340,143	338,811	2,655
664	KSIX–TV	82,902	73,553	576
35606	KSKN	731,818	643,590	5,044
70482	KSLA	1,009,108	1,008,281	7,902
6359	KSL–TV	2,390,742	2,206,920	17,296
71558	KSMN	320,813	320,808	2,514
33336	KSMO–TV	2,401,201	2,398,686	18,799
28510	KSMQ–TV	524,391	507,983	3,981
35611	KSMS–TV	1,589,263	882,948	6,920
21161	KSNB–TV	658,560	656,650	5,146
72359	KSNC	174,135	173,744	1,362
67766	KSNF	621,919	617,868	4,842
72361	KSNG	145,058	144,822	1,135
72362	KSNK	48,715	45,414	356
67335	KSNT	622,818	594,604	4,660
10179	KSNV	1,967,781	1,919,296	15,042
72358	KSNW	789,136	788,882	6,182
61956	KSPS–TV *	819,101	769,852	6,033
52953	KSPX–TV	6,745,180	4,966,590	38,923
166546	KSQA	382,328	374,290	2,933
53313	KSRE	75,181	75,181	589
35843	KSTC–TV	3,843,788	3,835,674	30,060
63182	KSTF	51,317	51,122	401
28010	KSTP–TV	3,788,898	3,782,053	29,640
60534	KSTR–DT	6,617,736	6,615,573	51,846
64987	KSTS	7,645,340	6,333,303	49,634
22215	KSTU	2,384,996	2,201,716	17,255
23428	KSTW	4,265,956	4,186,266	32,808
5243	KSVI	175,390	173,667	1,361

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
58827	KSWB–TV	3,677,190	3,488,655	27,341
60683	KSWK	79,012	78,784	617
35645	KSWO–TV	483,132	458,057	3,590
74449	KSWT	398,681	393,135	3,081
61350	KSYS	519,209	443,204	3,473
59988	KTAB–TV	270,967	268,579	2,105
999	KTAJ–TV	2,343,843	2,343,227	18,364
35648	KTAL–TV	1,094,332	1,092,958	8,566
12930	KTAS	471,882	464,149	3,638
81458	KTAZ	4,182,503	4,160,481	32,606
35649	KTBC	3,242,215	2,956,614	23,171
67884	KTBN–TV	17,795,677	16,510,302	129,391
67999	KTBO–TV	1,585,283	1,583,664	12,411
35652	KTBS–TV	1,163,228	1,159,665	9,088
28324	KTBU	6,035,927	6,035,725	47,302
67950	KTBW–TV	4,202,104	4,113,420	32,237
35655	KTBY	348,080	346,562	2,716
68594	KTCA–TV	3,693,877	3,684,081	28,872
68597	KTCI–TV	3,606,606	3,597,183	28,191
35187	KTCW	100,392	83,777	657
36916	KTDO	1,015,336	1,010,771	7,921
2769	KTEJ	419,750	417,368	3,271
83707	KTEL–TV	53,423	53,414	419
35666	KTEN	566,422	564,096	4,421
24514	KTFD–TV	3,210,669	3,172,543	24,863
35512	KTFF–DT	2,225,169	2,203,398	17,268
20871	KTFK–DT	6,969,307	5,211,719	40,844
68753	KTFN	1,017,335	1,013,157	7,940
35084	KTFQ–TV	1,151,433	1,117,061	8,754
29232	KTGM	159,358	159,091	1,247
2787	KTHV*	1,275,062	1,246,348	9,768
29100	KTIN	281,096	279,385	2,190
66170	KTIV	751,089	746,274	5,849
49397	KTKA–TV	567,958	566,406	4,439
35670	KTLA	18,156,910	16,870,262	132,212
62354	KTLM	1,014,202	1,014,186	7,948
49153	KTLN–TV	5,209,087	4,490,249	35,190
64984	KTMD	6,095,741	6,095,606	47,771
14675	KTMF	187,251	168,526	1,321
10177	KTMW	2,261,671	2,144,791	16,809
21533	KTNC–TV	8,048,427	7,069,903	55,407
47996	KTNE–TV	100,341	95,324	747
60519	KTNL–TV	8,642	8,642	68
74100	KTNV–TV	2,094,506	1,936,752	15,178
71023	KTNW	450,926	432,398	3,389
8651	KTOO–TV	31,269	31,176	244
7078	KTPX–TV	1,066,196	1,063,754	8,337
68541	KTRE	441,879	421,406	3,303
35675	KTRK–TV	6,114,259	6,112,870	47,907
28230	KTRV–TV	714,833	707,557	5,545
69170	KTSC	3,124,536	2,949,795	23,118
61066	KTSD–TV	83,645	82,828	649
37511	KTSF	7,921,124	6,576,672	51,541
67760	KTSM–TV	1,015,348	1,011,264	7,925
35678	KTTC	815,213	731,919	5,736
28501	KTTM	76,133	73,664	577
11908	KTTU	1,324,801	1,060,613	8,312
22208	KTTV*	17,380,551	16,693,085	130,824
28521	KTTW	329,557	326,309	2,557
65355	KTTZ–TV	380,240	380,225	2,980
35685	KTUL	1,416,959	1,388,183	10,879
10173	KTUU–TV	380,240	379,047	2,971
77480	KTUZ–TV	1,668,531	1,666,026	13,057
49632	KTVA	342,517	342,300	2,683
34858	KTVB*	714,865	707,882	5,548
31437	KTVC	137,239	100,204	785
68581	KTVD	3,800,970	3,547,607	27,803
35692	KTVE	641,139	640,201	5,017
49621	KTVF	98,068	97,929	767
5290	KTVH–DT	228,832	184,264	1,444
35693	KTVI	2,979,889	2,976,494	23,327
40993	KTVK	4,184,825	4,173,024	32,704

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
22570	KTVL	415,327	358,979	2,813
18066	KTVM–TV *	260,105	217,694	1,706
59139	KTVN *	955,490	800,420	6,273
21251	KTVO	148,780	148,647	1,165
35694	KTVQ	179,797	173,271	1,358
50592	KTVR	147,808	54,480	427
23422	KTVT	6,912,366	6,908,715	54,144
35703	KTVU	7,913,996	6,825,643	53,493
35705	KTVW–DT	4,173,111	4,159,807	32,600
68889	KTVX	2,389,392	2,200,520	17,245
55907	KTVZ	201,828	198,558	1,556
18286	KTWO–TV	80,426	79,905	626
70938	KTWU	1,703,798	1,562,305	12,244
51517	KTXA	6,876,811	6,873,221	53,865
42359	KTXD–TV	6,706,651	6,704,781	52,545
51569	KTXH	6,092,710	6,092,525	47,747
10205	KTXL	7,355,088	5,411,484	42,410
308	KTXS–TV	247,603	246,760	1,934
69315	KUAC–TV	98,717	98,189	770
51233	KUAM–TV	159,358	159,358	1,249
2722	KUAS–TV	994,802	977,391	7,660
2731	KUAT–TV	1,485,024	1,253,342	9,822
60520	KUBD	14,817	13,363	105
70492	KUBE–TV	6,090,970	6,090,817	47,734
1136	KUCW	2,388,889	2,199,787	17,240
69396	KUED	2,388,995	2,203,093	17,266
69582	KUEN	2,364,481	2,184,483	17,120
82576	KUES	30,925	25,978	204
82585	KUEW	132,168	120,411	944
66611	KUFM–TV	187,680	166,697	1,306
169028	KUGF–TV	86,622	85,986	674
68717	KUHM–TV	154,836	145,241	1,138
69269	KUHT *	6,090,213	6,089,665	47,725
62382	KUID–TV	432,855	284,023	2,226
169027	KUKL–TV	124,505	115,844	908
35724	KULR–TV	177,242	170,142	1,333
41429	KUMV–TV	41,607	41,224	323
81447	KUNP	130,559	43,472	341
4624	KUNS–TV	4,023,436	4,002,433	31,367
86532	KUOK	28,974	28,945	227
66589	KUON–TV	1,375,257	1,360,005	10,658
86263	KUPB	318,914	318,914	2,499
65535	KUPK	149,642	148,180	1,161
27431	KUPT	87,602	87,602	687
89714	KUPU	956,178	948,005	7,430
57884	KUPX–TV	2,374,672	2,191,229	17,173
23074	KUSA	3,803,461	3,561,587	27,912
61072	KUSD–TV	460,480	460,277	3,607
10238	KUSI–TV	3,572,818	3,435,670	26,925
43567	KUSM–TV	115,864	106,398	834
69694	KUTF	1,210,774	1,031,870	8,087
81451	KUTH–DT	2,219,788	2,027,174	15,887
68886	KUTP	4,191,015	4,176,014	32,727
35823	KUTV	2,388,211	2,192,182	17,180
63927	KUVE–DT	1,294,971	964,396	7,558
7700	KUVI–DT	1,204,490	1,009,943	7,915
35841	KUVN–DT	6,680,126	6,678,157	52,337
58609	KUVS–DT	4,043,413	4,005,657	31,392
49766	KVAL–TV	1,016,673	866,173	6,788
32621	KVAW	76,153	76,153	597
58795	KVCR–DT *	18,215,524	17,467,140	136,890
35846	KVCT	288,221	287,446	2,253
10195	KVCW	1,967,550	1,918,811	15,038
64969	KVDA	2,400,582	2,391,810	18,745
19783	KVEA	17,423,429	16,146,250	126,538
12523	KVEO–TV	1,244,504	1,244,504	9,753
2495	KVEW	476,720	464,347	3,639
35852	KVHP	747,917	747,837	5,861
49832	KVIA–TV	1,015,350	1,011,266	7,925
35855	KVIE *	10,759,440	7,467,369	58,522
40450	KVIH–TV	91,912	91,564	718
40446	KVII–TV	379,042	378,218	2,964

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
61961	KVLY–TV	350,732	350,449	2,746
16729	KVMD	6,145,526	4,116,524	32,261
83825	KVME–TV	26,711	22,802	179
25735	KVOA	1,317,956	1,030,404	8,075
35862	KVOS–TV	2,019,168	1,954,667	15,319
69733	KVPT	1,744,349	1,719,318	13,474
55372	KVRR	356,645	356,645	2,795
166331	KVSN–DT	2,706,244	2,283,409	17,895
608	KVTH–DT	303,755	299,230	2,345
2784	KVTJ–DT	1,466,426	1,465,802	11,487
607	KVTN–DT	936,328	925,884	7,256
35867	KVUE	2,661,290	2,611,314	20,465
78910	KVUI	257,964	251,872	1,974
35870	KVVU–TV	2,042,029	1,935,466	15,168
36170	KVYE	396,495	392,498	3,076
35095	KWBA–TV	1,129,524	1,073,029	8,409
78314	KWBM	657,822	639,560	5,012
27425	KWBN	953,207	840,455	6,587
76268	KWBQ	1,148,810	1,105,600	8,665
66413	KWCH–DT	883,647	881,674	6,910
71549	KWCM–TV	252,284	244,033	1,912
35419	KWDK	4,196,263	4,118,699	32,278
42007	KWES–TV	424,862	423,544	3,319
50194	KWET	127,976	112,750	884
35881	KWEX–DT	2,376,463	2,370,469	18,577
35883	KWGN–TV	3,706,495	3,513,577	27,536
37099	KWHB	979,393	978,719	7,670
37103	KWHD	97,959	94,560	741
36846	KWHE	952,966	834,341	6,539
26231	KWHY–TV *	17,736,497	17,695,306	138,678
35096	KWKB	1,121,676	1,111,629	8,712
162115	KWKS	39,708	39,323	308
12522	KWKT–TV	1,010,550	1,010,236	7,917
21162	KWNB–TV	91,093	89,332	700
67347	KWOG	512,412	505,049	3,958
56852	KWPX–TV	4,220,008	4,148,577	32,512
6885	KWQC–TV	1,080,156	1,067,249	8,364
29121	KWSD	280,675	280,672	2,200
53318	KWSE	54,471	53,400	418
71024	KWSU–TV	725,554	468,295	3,670
25382	KWTV–DT	1,628,106	1,627,198	12,752
35903	KWTX–TV	2,071,023	1,972,365	15,457
593	KWWL *	1,089,498	1,078,458	8,452
84410	KWWT	293,291	293,291	2,299
14674	KWYB	86,495	69,598	545
10032	KWYP–DT	128,874	126,992	995
35920	KXAN–TV	2,678,666	2,624,648	20,569
49330	KXAS–TV	6,774,295	6,771,827	53,071
24287	KXGN–TV	14,217	13,883	109
35954	KXII	2,323,974	2,264,951	17,750
55083	KXLA	17,929,100	16,794,896	131,622
35959	KXLF–TV	258,100	217,808	1,707
53847	KXLN–DT	6,085,891	6,085,712	47,694
35906	KXLT–TV	348,025	347,296	2,722
61978	KXLY–TV *	772,116	740,960	5,807
55684	KXMA–TV	32,005	31,909	250
55686	KXMB–TV	142,755	138,506	1,085
55685	KXMC–TV	97,569	89,483	701
55683	KXMD–TV	37,962	37,917	297
47995	KXNE–TV	300,021	298,839	2,342
81593	KXNW	602,168	597,747	4,685
35991	KXRM–TV	1,843,363	1,500,689	11,761
1255	KXTF	121,558	121,383	951
25048	KXTV	10,759,864	7,477,140	58,598
35994	KXTX–TV	6,721,578	6,718,616	52,654
62293	KXVA	185,478	185,276	1,452
23277	KXVO	1,404,703	1,403,380	10,998
9781	KXXV	1,771,620	1,748,287	13,701
31870	KYAZ	6,038,257	6,038,071	47,320
21488	KYES–TV	381,413	380,355	2,981
29086	KYIN	581,748	574,691	4,504
60384	KYLE–TV	324,032	324,025	2,539

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33639	KYMA–DT	396,278	391,619	3,069
47974	KYNE–TV	929,406	929,242	7,282
53820	KYOU–TV	651,334	640,935	5,023
36003	KYTV	1,095,904	1,083,524	8,492
55644	KYTX	927,327	925,550	7,254
13815	KYUR	379,943	379,027	2,970
5237	KYUS–TV	12,496	12,356	97
33752	KYVE	301,951	259,559	2,034
55762	KYVV–TV	67,201	67,201	527
25453	KYW–TV	11,061,941	10,876,511	85,239
69531	KZJL	6,037,458	6,037,272	47,314
69571	KZJO	4,179,154	4,124,424	32,323
61062	KZSD–TV	41,207	35,825	281
33079	KZTV	567,635	564,464	4,424
57292	WAAY–TV	1,498,006	1,428,197	11,193
1328	WABC–TV *	20,948,273	20,560,001	161,129
43203	WABG–TV	393,020	392,348	3,075
17005	WABI–TV	530,773	510,729	4,003
16820	WABM	1,703,202	1,675,700	13,132
23917	WABW–TV	1,097,560	1,096,376	8,592
19199	WACH	1,317,429	1,316,792	10,320
189358	WACP	9,415,263	9,301,049	72,892
23930	WACS–TV	621,686	616,443	4,831
60018	WACX	3,967,118	3,966,535	31,086
361	WACY–TV	946,580	946,071	7,414
455	WADL	4,610,514	4,602,962	36,073
589	WAFB	1,857,882	1,857,418	14,557
591	WAFF	1,197,068	1,110,122	8,700
70689	WAGA–TV	6,000,355	5,923,191	46,420
48305	WAGM–TV	64,721	63,331	496
37809	WAGV	1,193,158	1,060,935	8,315
706	WAIQ	611,733	609,794	4,779
701	WAKA	799,637	793,645	6,220
4143	WALA–TV	1,320,419	1,318,127	10,330
70713	WALB	773,899	772,467	6,054
60536	WAMI–DT	5,449,193	5,449,193	42,705
70852	WAND	1,400,271	1,398,521	10,960
39270	WANE–TV	1,108,844	1,108,844	8,690
52280	WAOE	613,812	613,784	4,810
64546	WAOW	636,957	629,068	4,930
52073	WAPA–TV	3,764,742	3,363,102	21,902
49712	WAPT	793,621	791,620	6,204
67792	WAQP	1,992,340	1,983,143	15,542
13206	WATC–DT	5,637,070	5,616,513	44,017
71082	WATE–TV	1,874,433	1,638,059	12,837
22819	WATL	5,882,837	5,819,099	45,604
20287	WATM–TV	937,438	785,510	6,156
11907	WATN–TV	1,787,595	1,784,560	13,986
13989	WAVE	1,846,212	1,836,231	14,391
71127	WAVY–TV	2,039,358	2,039,341	15,982
54938	WAWD	553,676	553,591	4,338
65247	WAWV–TV	705,549	699,377	5,481
12793	WAXN–TV	2,677,951	2,669,224	20,919
65696	WBAL–TV	9,596,587	9,190,139	72,023
74417	WBAY–TV	1,225,928	1,225,335	9,603
71085	WBBH–TV	2,046,391	2,046,391	16,038
65204	WBBJ–TV	662,148	658,016	5,157
9617	WBBM–TV *	9,914,233	9,907,806	77,647
9088	WBBZ–TV	1,269,256	1,260,686	9,880
70138	WBDT	3,660,544	3,646,874	28,581
51349	WBEC–TV	5,421,355	5,421,355	42,487
10758	WBFF	8,509,757	8,339,882	65,360
12497	WBFS–TV	5,349,613	5,349,613	41,925
6568	WBGU–TV	1,343,816	1,343,816	10,531
81594	WBIF	309,707	309,707	2,427
84802	WBIH	736,501	724,345	5,677
717	WBIQ	1,563,080	1,532,266	12,008
46984	WBIR–TV	1,978,347	1,701,857	13,337
67048	WBKB–TV	136,823	130,625	1,024
34167	WBKI	1,983,992	1,968,048	15,424
4692	WBKO	963,413	862,651	6,761
76001	WBKP	55,655	55,305	433

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68427	WBMM	562,284	562,123	4,405
73692	WBNA	1,699,683	1,666,248	13,058
23337	WBNG–TV *	1,442,745	1,060,329	8,310
71217	WBNS–TV	2,847,721	2,784,795	21,824
72958	WBNX–TV	3,642,304	3,629,347	28,443
71218	WBOC–TV	813,888	813,888	6,378
71220	WBOY–TV	711,302	621,367	4,870
60850	WBPH–TV *	10,613,847	9,474,797	74,254
7692	WBPX–TV	6,833,712	6,761,949	52,993
5981	WBRA–TV	1,726,408	1,677,204	13,144
71221	WBRC	1,884,007	1,849,135	14,492
71225	WBRE–TV *	2,879,196	2,244,735	17,592
38616	WBRZ–TV	2,223,336	2,222,309	17,416
82627	WBSF	1,836,543	1,832,446	14,361
30826	WBTV	4,433,020	4,295,962	33,667
66407	WBTW	1,975,457	1,959,172	15,354
16363	WBUI	981,884	981,868	7,695
59281	WBUP	126,472	112,603	882
60830	WBUY–TV	1,569,254	1,567,815	12,287
72971	WBXX–TV	2,142,759	1,984,544	15,553
25456	WBZ–TV	7,764,394	7,616,633	59,692
63153	WCAU	11,269,831	11,098,540	86,979
363	WCAV	949,729	727,455	5,701
46728	WCAX–TV	784,748	661,547	5,185
39659	WCBB	964,079	910,222	7,133
10587	WCBD–TV	1,149,489	1,149,489	9,009
12477	WCBI–TV	680,511	678,424	5,317
9610	WCBS–TV	21,713,751	21,187,849	166,049
49157	WCCB	3,542,464	3,489,260	27,345
9629	WCCO–TV	3,837,442	3,829,714	30,013
14050	WCCT–TV	5,818,471	5,307,612	41,596
69544	WCCU	395,106	395,102	3,096
3001	WCCV–TV	3,391,703	2,482,544	16,168
23937	WCES–TV	1,098,868	1,097,706	8,603
65666	WCET	3,122,924	3,108,328	24,360
46755	WCFE–TV	445,131	411,198	3,223
71280	WCHS–TV	1,352,824	1,274,766	9,990
42124	WCIA	796,609	795,428	6,234
711	WCIQ *	3,181,068	3,033,573	23,774
71428	WCIU–TV	9,891,328	9,888,390	77,495
9015	WCIV	1,152,800	1,152,800	9,034
42116	WCIX	554,002	549,682	4,308
16993	WCJB–TV	977,492	977,492	7,661
11125	WCLF	4,097,389	4,096,624	32,105
68007	WCLJ–TV	2,258,426	2,256,937	17,688
50781	WCMH–TV	2,756,260	2,712,989	21,262
9917	WCML	233,439	224,255	1,757
9908	WCMU–TV	707,702	699,551	5,482
9922	WCMV	418,707	407,222	3,191
9913	WCMW	106,975	104,859	822
32326	WCNC–TV	3,822,849	3,747,880	29,372
53734	WCNY–TV	1,358,685	1,290,632	10,115
73642	WCOV–TV	862,899	859,333	6,735
40618	WCPB	560,426	560,426	4,392
59438	WCPO–TV	3,328,920	3,311,833	25,955
10981	WCPX–TV	9,674,477	9,673,859	75,814
71297	WCSC–TV	1,028,018	1,028,018	8,057
39664	WCSH	1,682,955	1,457,618	11,423
69479	WCTE	612,760	541,314	4,242
18334	WCTI–TV	1,680,664	1,678,237	13,152
31590	WCTV	1,049,825	1,049,779	8,227
33081	WCTX	7,844,936	7,332,431	57,464
65684	WCVB–TV	7,741,540	7,606,326	59,611
9987	WCVE–TV	1,582,094	1,581,725	12,396
83304	WCVI–TV	50,601	50,495	396
34204	WCVN–TV	2,108,475	2,100,226	16,459
9989	WCVW	1,461,748	1,461,643	11,455
73042	WCWF	1,040,984	1,040,525	8,155
35385	WCWG	3,630,551	3,299,114	25,855
29712	WCWJ	1,582,959	1,582,959	12,406
73264	WCWN	1,698,469	1,512,848	11,856
2455	WCYB–TV *	2,363,002	2,057,404	16,124

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
11291	WDAF–TV	2,539,581	2,537,411	19,886
21250	WDAM–TV	512,594	500,343	3,921
22129	WDAY–TV	339,239	338,856	2,656
22124	WDAZ–TV	151,720	151,659	1,189
71325	WDBB	1,669,214	1,646,336	12,902
71326	WDBD	940,665	939,489	7,363
71329	WDBJ	1,606,844	1,439,716	11,283
51567	WDCA	8,070,491	8,015,328	62,816
16530	WDCQ–TV	1,269,199	1,269,199	9,947
30576	WDCW	8,155,998	8,114,847	63,596
54385	WDEF–TV	1,731,483	1,508,250	11,820
32851	WDFX–TV	271,499	270,942	2,123
43846	WDHN	452,377	451,978	3,542
71338	WDIO–DT	341,506	327,469	2,566
714	WDIQ	663,062	620,124	4,860
53114	WDIV–TV	5,425,162	5,424,963	42,515
71427	WDJT–TV	3,085,540	3,081,475	24,150
39561	WDKA	621,903	620,169	4,860
64017	WDKY–TV	1,204,817	1,173,579	9,197
67893	WDLI–TV	4,147,298	4,114,920	32,249
72335	WDPB	596,888	596,888	4,678
83740	WDPM–DT	1,365,977	1,364,744	10,695
1283	WDPN–TV *	11,594,463	11,467,616	89,872
6476	WDPX–TV	6,833,712	6,761,949	52,993
28476	WDRB	1,987,708	1,971,926	15,454
12171	WDSC–TV	3,376,247	3,376,247	26,460
17726	WDSE	330,994	316,643	2,482
71353	WDSI–TV	1,100,302	1,042,191	8,168
71357	WDSU	1,613,076	1,613,076	12,642
7908	WDTI	2,095,312	2,094,395	16,414
65690	WDTN	3,660,544	3,646,874	28,581
70592	WDTV	962,532	850,394	6,665
25045	WDVM–TV	3,074,837	2,646,508	20,741
4110	WDWL	2,638,361	2,379,555	15,497
49421	WEAO	3,919,602	3,892,146	30,503
71363	WEAR–TV	1,524,131	1,523,479	11,940
7893	WEAU	991,019	952,513	7,465
61003	WEBA–TV	645,039	635,967	4,984
19561	WECN	2,886,669	2,596,015	16,907
48666	WECT	1,134,918	1,134,918	8,894
13602	WEDH	5,328,800	4,724,167	37,023
13607	WEDN	3,451,170	2,643,344	20,716
69338	WEDQ	4,882,446	4,881,322	38,255
21808	WEDU	5,379,887	5,365,612	42,050
13594	WEDW	5,996,408	5,544,708	43,454
13595	WEDY	5,328,800	4,724,167	37,023
24801	WEEK–TV	698,238	698,220	5,472
6744	WEFS	3,380,743	3,380,743	26,495
24215	WEHT	847,299	835,128	6,545
721	WEIQ	1,046,465	1,046,116	8,198
18301	WEIU–TV	462,775	462,711	3,626
69271	WEKW–TV	1,072,240	546,881	4,286
60825	WELF–TV	1,491,382	1,414,528	11,086
26602	WELU	2,248,146	2,020,075	13,156
40761	WEMT	1,726,085	1,186,706	9,300
69237	WENH–TV	4,500,498	4,328,222	33,920
71508	WENY–TV	543,162	413,668	3,242
83946	WEPH	604,105	602,833	4,724
81508	WEPX–TV	859,535	859,535	6,736
25738	WESH *	4,059,180	4,048,459	31,728
65670	WETA–TV	7,607,834	7,576,217	59,375
69944	WETK	670,087	558,842	4,380
60653	WETM–TV	721,800	620,074	4,860
18252	WETP–TV	2,087,588	1,791,130	14,037
2709	WEUX	380,569	373,680	2,929
72041	WEVV–TV	752,417	750,555	5,882
59441	WEWS–TV	4,112,984	4,078,299	31,962
72052	WEYI–TV	3,715,686	3,652,991	28,628
72054	WFAA *	6,927,782	6,918,595	54,221
81669	WFBD	814,185	813,564	6,376
69532	WFDC–DT	8,155,998	8,114,847	63,596
10132	WFFF–TV	592,012	506,744	3,971

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
25040	WFFT–TV	1,088,489	1,088,354	8,529
11123	WFGC	2,759,457	2,759,457	21,626
6554	WFGX	1,440,245	1,437,744	11,268
13991	WFIE	731,856	729,985	5,721
715	WFIQ	546,563	544,258	4,265
64592	WFLA–TV	5,450,176	5,446,917	42,687
22211	WFLD	9,957,301	9,954,828	78,016
72060	WFLI–TV	1,272,913	1,125,349	8,819
39736	WFLX	5,740,086	5,740,086	44,985
72062	WFMJ–TV	3,504,955	3,262,270	25,566
72064	WFMY–TV	4,772,783	4,740,684	37,153
39884	WFMZ–TV *	10,613,847	9,474,797	74,254
83943	WFNA	1,391,519	1,390,447	10,897
47902	WFOR–TV	5,398,266	5,398,266	42,306
11909	WFOX–TV	1,602,888	1,602,888	12,562
40626	WFPT	5,829,226	5,442,352	42,652
21245	WFPX–TV	2,637,949	2,634,141	20,644
25396	WFQX–TV	537,340	534,314	4,187
9635	WFRV–TV	1,201,204	1,200,502	9,408
53115	WFSB	4,752,788	4,370,519	34,252
6093	WFSG	364,961	364,796	2,859
21801	WFSU–TV	576,105	576,093	4,515
11913	WFTC	3,787,177	3,770,207	29,547
64588	WFTS–TV	5,077,970	5,077,719	39,794
16788	WFTT–TV	4,523,828	4,521,879	35,438
72076	WFTV	3,849,576	3,849,576	30,169
70649	WFTX–TV	1,775,097	1,775,097	13,911
60553	WFTY–DT	5,678,755	5,560,460	43,577
25395	WFUP	217,655	216,861	1,700
60555	WFUT–DT	19,992,096	19,643,518	153,946
22108	WFWA	1,035,114	1,034,862	8,110
9054	WFXB	1,393,865	1,393,510	10,921
3228	WFXG	1,070,032	1,057,760	8,290
70815	WFXL	793,637	785,106	6,153
19707	WFXP	583,315	562,500	4,408
24813	WFXR	1,426,061	1,286,450	10,082
6463	WFXT	7,494,070	7,400,830	58,000
22245	WFXU	211,721	211,721	1,659
43424	WFXV	633,597	558,968	4,381
25236	WFXW	274,078	270,967	2,124
41397	WFYI	2,389,627	2,388,970	18,722
53930	WGAL *	6,287,688	5,610,833	43,972
2708	WGBA–TV	1,170,375	1,170,127	9,170
24314	WGBC	249,415	249,235	1,953
72099	WGBH–TV *	7,711,842	7,601,732	59,575
12498	WGBO–DT	9,771,815	9,769,552	76,564
72098	WGBX–TV	7,476,751	7,378,958	57,829
72096	WGBY–TV	4,470,009	3,739,675	29,308
72120	WGCL–TV	6,027,276	5,961,471	46,720
62388	WGCU	1,403,602	1,403,602	11,000
54275	WGEM–TV *	361,598	356,682	2,795
27387	WGEN–TV	43,037	43,037	337
7727	WGFL	759,234	759,234	5,950
25682	WGGB–TV	3,443,447	3,005,875	23,557
11027	WGGN–TV	1,991,462	1,969,331	15,434
9064	WGGS–TV	2,759,326	2,705,067	21,200
72106	WGHP	3,774,522	3,734,200	29,265
710	WGIQ	363,849	363,806	2,851
12520	WGMB–TV	1,739,804	1,739,640	13,634
25683	WGME–TV	1,495,724	1,325,465	10,388
24618	WGNM	742,533	741,501	5,811
72119	WGNO	1,641,765	1,641,765	12,867
9762	WGNT	1,875,612	1,875,578	14,699
72115	WGN–TV	9,942,959	9,941,552	77,912
40619	WGPT	578,294	344,300	2,698
65074	WGPX–TV	2,765,350	2,754,743	21,589
64547	WGRZ	1,878,725	1,812,309	14,203
63329	WGTA	1,061,654	1,030,538	8,076
66285	WGTE–TV	2,210,496	2,208,927	17,311
59279	WGTQ	95,618	92,019	721
59280	WGTU	358,543	353,477	2,770
23948	WGTV	5,880,594	5,832,714	45,711

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7623	WGTW–TV	807,797	807,797	6,331
24783	WGVK	2,439,225	2,437,526	19,103
24784	WGVU–TV *	1,825,744	1,784,264	13,983
21536	WGWG	986,963	986,963	7,735
56642	WGWW	1,677,166	1,647,976	12,915
58262	WGXA	779,955	779,087	6,106
73371	WHAM–TV	1,323,785	1,275,674	9,997
32327	WHAS–TV *	1,955,983	1,925,901	15,093
6096	WHA–TV	1,636,473	1,629,171	12,768
13950	WHBF–TV *	1,712,339	1,704,072	13,355
12521	WHBQ–TV	1,736,335	1,708,345	13,388
10894	WHBR	1,302,764	1,302,041	10,204
65128	WHDF	1,553,469	1,502,852	11,778
72145	WHDH	7,319,659	7,236,210	56,710
83929	WHDT	5,640,324	5,640,324	44,203
70041	WHEC–TV	1,322,243	1,279,606	10,028
67971	WHFT–TV	5,417,409	5,417,409	42,456
41458	WHIO–TV	3,896,757	3,879,363	30,403
713	WHIQ	1,278,174	1,225,940	9,608
61216	WHIZ–TV	910,864	831,894	6,520
65919	WHKY–TV	3,038,732	2,974,919	23,314
18780	WHLA–TV	467,264	443,002	3,472
48668	WHLT	484,432	483,532	3,789
24582	WHLV–TV	3,825,468	3,825,468	29,980
37102	WHMB–TV	2,847,719	2,828,250	22,165
61004	WHMC	943,543	942,807	7,389
36117	WHME–TV	1,271,796	1,271,715	9,966
37106	WHNO	1,499,653	1,499,653	11,753
72300	WHNS	2,549,397	2,266,911	17,766
48693	WHNT–TV	1,569,885	1,487,578	11,658
66221	WHO–DT *	1,120,480	1,099,818	8,619
6866	WHOI	679,446	679,434	5,325
72313	WHP–TV	4,030,693	3,538,096	27,728
51980	WHPX–TV	5,579,464	5,114,336	40,081
73036	WHRM–TV	495,398	495,174	3,881
25932	WHRO–TV	2,149,481	2,149,410	16,845
68058	WHSG–TV	5,870,314	5,808,605	45,522
4688	WHSV–TV	845,013	711,912	5,579
9990	WHTJ	723,698	490,045	3,840
72326	WHTM–TV	2,829,585	2,367,000	18,550
11117	WHTN	1,872,713	1,856,716	14,551
27772	WHUT–TV	7,649,763	7,617,337	59,697
18793	WHWC–TV	994,710	946,335	7,416
72338	WHYY–TV	10,379,045	9,982,651	78,234
5360	WIAT	1,837,072	1,802,810	14,129
63160	WIBW–TV	1,089,708	1,050,918	8,236
25684	WICD	1,238,332	1,237,046	9,695
25686	WICS	1,011,833	1,007,132	7,893
24970	WICU–TV	740,115	683,435	5,356
62210	WICZ–TV	976,771	780,174	6,114
18410	WIDP	2,559,306	2,286,123	14,888
26025	WIFS	1,400,358	1,397,144	10,949
720	WIIQ	353,241	347,685	2,725
68939	WILL–TV	1,178,545	1,158,147	9,076
6863	WILX–TV	3,378,644	3,218,221	25,221
22093	WINK–TV	1,851,105	1,851,105	14,507
67787	WINM	1,001,485	971,031	7,610
41314	WINP–TV	2,804,646	2,748,454	21,540
3646	WIPB	1,962,078	1,961,899	15,375
48408	WIPL	850,656	799,165	6,263
53863	WIPM–TV	2,196,157	1,870,057	2,269
53859	WIPR–TV	3,596,802	3,382,849	22,031
10253	WIPX–TV	2,258,426	2,256,937	17,688
39887	WIRS	1,153,382	916,310	4,706
71336	WIRT–DT	127,001	126,300	990
13990	WIS	2,644,715	2,600,887	20,383
65143	WISC–TV	1,830,642	1,811,579	14,197
13960	WISE–TV	1,070,155	1,070,155	8,387
39269	WISH–TV	2,912,963	2,855,253	22,377
65680	WISN–TV	2,938,180	2,926,133	22,932
73083	WITF–TV	2,412,561	2,191,501	17,175
73107	WITI	3,117,342	3,107,791	24,356

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594	WITN–TV	1,768,040	1,754,388	13,749
61005	WITV	1,081,393	1,081,393	8,475
7780	WIVB–TV	1,538,108	1,502,969	11,779
11260	WIVT	856,453	607,256	4,759
60571	WIWN *	3,338,845	3,323,941	26,050
62207	WIYC	526,556	525,826	4,121
73120	WJAC–TV	2,219,529	1,897,986	14,875
10259	WJAL *	8,750,706	8,446,074	66,192
50780	WJAR	6,537,858	6,428,263	50,378
35576	WJAX–TV	1,630,782	1,630,782	12,780
27140	WJBF	1,601,531	1,585,550	12,426
73123	WJBK	5,748,623	5,711,224	44,759
37174	WJCL	938,086	938,086	7,352
73130	WJCT	1,624,624	1,624,033	12,728
29719	WJEB–TV	1,607,510	1,607,510	12,598
65749	WJET–TV	747,431	717,721	5,625
7651	WJFB	1,744,291	1,736,932	13,612
49699	WJFW–TV	277,530	268,295	2,103
73136	WJHG–TV	864,121	859,823	6,738
57826	WJHL–TV *	2,037,793	1,428,213	11,193
68519	WJKT	654,460	653,378	5,121
1051	WJLA–TV *	8,750,706	8,447,643	66,204
86537	WJLP	21,384,863	21,119,366	165,512
9630	WJMN–TV	160,991	154,424	1,210
61008	WJPM–TV	623,965	623,813	4,889
58340	WJPX	3,254,481	3,008,658	19,594
21735	WJRT–TV	2,788,684	2,543,446	19,933
23918	WJSP–TV	4,225,860	4,188,428	32,825
41210	WJTC	1,347,474	1,346,205	10,550
48667	WJTV	987,206	980,717	7,686
73150	WJW	3,977,148	3,905,325	30,606
61007	WJWJ–TV	1,008,890	1,008,890	7,907
58342	WJWN–TV	1,962,885	1,690,961	4,706
53116	WJXT	1,608,682	1,608,682	12,607
11893	WJXX	1,618,191	1,617,272	12,675
32334	WJYS	9,647,321	9,647,299	75,606
25455	WJZ–TV *	9,253,891	8,902,229	69,767
73152	WJZY	4,432,745	4,301,117	33,708
64983	WKAQ–TV	3,697,088	3,287,110	21,407
6104	WKAR–TV	1,693,373	1,689,830	13,243
34171	WKAS	503,790	476,158	3,732
51570	WKBD–TV	5,065,617	5,065,350	39,697
73153	WKBN–TV	4,898,622	4,535,576	35,545
13929	WKBS–TV	831,411	682,182	5,346
74424	WKBT–DT	866,325	824,795	6,464
54176	WKBW–TV	2,033,929	1,942,743	15,225
53465	WKCF	4,032,154	4,031,823	31,597
73155	WKEF	3,623,762	3,619,081	28,363
34177	WKGB–TV	384,474	382,825	3,000
34196	WKHA	511,281	400,721	3,140
34207	WKLE	837,269	825,691	6,471
34212	WKMA–TV	454,447	453,482	3,554
71293	WKMG–TV	3,803,492	3,803,492	29,808
34195	WKMJ–TV	1,426,739	1,417,865	11,112
34202	WKMR	463,316	428,462	3,358
34174	WKMU	329,306	328,918	2,578
42061	WKNO	1,645,867	1,642,092	12,869
83931	WKNX–TV	1,684,178	1,459,493	11,438
34205	WKOH	550,854	547,801	4,293
67869	WKOI–TV	3,660,544	3,646,874	28,581
34211	WKON	905,003	895,953	7,022
18267	WKOP–TV	1,555,654	1,382,098	10,832
64545	WKOW	1,918,224	1,899,746	14,888
21432	WKPC–TV	1,489,989	1,481,948	11,614
65758	WKPD	242,844	241,796	1,895
34200	WKPI–TV	469,081	408,968	3,205
27504	WKPT–TV	1,131,213	887,806	6,958
58341	WKPV	1,132,932	879,902	4,706
11289	WKRC–TV	3,281,914	3,229,223	25,307
73187	WKRG–TV	1,526,600	1,526,075	11,960
73188	WKRN–TV	2,410,573	2,388,802	18,721
34222	WKSO–TV	586,871	573,741	4,496

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40902	WKTC	1,386,422	1,385,850	10,861
60654	WKTV	1,573,503	1,342,387	10,520
73195	WKYC	4,154,903	4,099,508	32,128
24914	WKYT–TV	1,174,615	1,156,978	9,067
71861	WKYU–TV	411,448	409,310	3,208
34181	WKZT–TV	957,158	927,375	7,268
18819	WLAE–TV	1,397,967	1,397,967	10,956
36533	WLAJ	1,865,669	1,858,982	14,569
2710	WLAX	513,319	488,216	3,826
68542	WLBT	948,671	947,857	7,428
39644	WLBZ	373,129	364,346	2,855
69328	WLED–TV	338,110	159,958	1,254
63046	WLEF–TV	192,283	191,149	1,498
73203	WLEX–TV	969,543	964,107	7,556
37806	WLFB	808,036	680,534	5,333
37808	WLFG	1,614,321	1,282,063	10,048
73204	WLFI–TV	2,243,009	2,221,313	17,408
73205	WLFL	3,640,360	3,636,542	28,500
11113	WLGA	950,018	943,236	7,392
19777	WLII–DT	2,801,102	2,591,533	16,877
37503	WLIO *	1,067,232	1,050,170	8,230
38336	WLIW	14,117,756	13,993,724	109,669
27696	WLJC–TV *	1,401,072	1,281,256	10,041
71645	WLJT–DT	385,493	385,380	3,020
53939	WLKY	1,854,829	1,847,195	14,476
11033	WLLA	2,041,934	2,041,852	16,002
17076	WLMB	2,754,484	2,747,490	21,532
68518	WLMT	1,736,552	1,733,496	13,585
22591	WLNE–TV	5,705,441	5,630,394	44,125
74420	WLNS–TV	1,865,669	1,858,982	14,569
73206	WLNY–TV	7,501,199	7,415,578	58,116
84253	WLOO	913,960	912,674	7,153
56537	WLOS *	3,086,751	2,544,360	19,940
37732	WLOV–TV	609,526	607,780	4,763
13995	WLOX	1,182,149	1,170,659	9,174
38586	WLPB–TV	1,219,624	1,219,407	9,556
73189	WLPX–TV	1,021,171	921,974	7,226
66358	WLRN–TV	5,447,399	5,447,399	42,691
73226	WLS–TV	10,174,464	10,170,757	79,708
73230	WLTV–DT	5,427,398	5,427,398	42,535
37176	WLTX	1,580,677	1,578,645	12,372
37179	WLTZ	689,521	685,358	5,371
21259	WLUC–TV	92,246	85,393	669
4150	WLUK–TV	1,251,563	1,247,463	9,776
73238	WLVI	7,319,659	7,236,210	56,710
36989	WLVT–TV *	10,613,847	9,474,797	74,254
3978	WLWC	3,281,532	3,150,875	24,693
46979	WLWT	3,319,556	3,302,292	25,880
54452	WLXI	4,021,948	4,004,902	31,386
55350	WLYH	2,829,585	2,367,000	18,550
43192	WMAB–TV	407,794	401,487	3,146
43170	WMAE–TV	653,542	625,084	4,899
43197	WMAH–TV	1,257,393	1,256,995	9,851
43176	WMAO–TV	369,696	369,343	2,895
47905	WMAQ–TV	9,914,395	9,913,272	77,690
59442	WMAR–TV	9,203,498	9,065,260	71,044
43184	WMAU–TV	642,328	636,504	4,988
43193	WMAV–TV	1,008,339	1,008,208	7,901
43169	WMAW–TV	732,079	718,446	5,630
46991	WMAZ–TV	1,185,678	1,136,616	8,908
66398	WMBB	935,027	914,607	7,168
43952	WMBC–TV	18,706,132	18,458,331	144,658
42121	WMBD–TV	733,039	732,987	5,744
83969	WMBF–TV	445,363	445,363	3,490
60829	WMCF–TV	593,205	589,513	4,620
9739	WMCN–TV	10,379,045	9,982,651	78,234
19184	WMC–TV	2,047,403	2,043,125	16,012
189357	WMDE	6,384,827	6,257,910	49,043
73255	WMDN	278,227	278,018	2,179
16455	WMDT	731,931	731,931	5,736
39656	WMEA–TV	774,785	746,033	5,847
39648	WMEB–TV	511,761	494,574	3,876

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
70537	WMEC	217,940	217,671	1,706
39649	WMED–TV	30,488	29,577	232
39662	WMEM–TV	71,700	69,981	548
41893	WMFD–TV	1,561,367	1,324,244	10,378
41436	WMFP	5,792,048	5,564,295	43,607
61111	WMGM–TV	807,797	807,797	6,331
43847	WMGT–TV	601,894	601,309	4,712
73263	WMHT	1,622,458	1,472,559	11,540
68545	WMLW–TV	1,822,297	1,822,217	14,281
53819	WMOR–TV	5,386,517	5,386,358	42,213
81503	WMOW	121,150	106,115	832
65944	WMPB	6,489,215	6,375,063	49,961
43168	WMPN–TV	856,237	854,089	6,693
65942	WMPT	7,945,122	7,905,666	61,957
60827	WMPV–TV	1,395,611	1,395,036	10,933
10221	WMSN–TV	1,579,847	1,567,031	12,281
2174	WMTJ	3,143,148	2,846,339	18,537
6870	WMTV	1,548,616	1,545,459	12,112
73288	WMTW	1,940,292	1,658,816	13,000
23935	WMUM–TV	862,740	859,204	6,734
73292	WMUR–TV	5,192,179	5,003,980	39,216
42663	WMVS *	3,172,534	3,112,231	24,391
42665	WMVT *	3,172,534	3,112,231	24,391
81946	WMWC–TV	946,858	916,989	7,186
56548	WMYA–TV	1,577,439	1,516,026	11,881
74211	WMYD	5,750,989	5,750,873	45,070
20624	WMYT–TV	4,432,745	4,301,117	33,708
25544	WMYV	3,808,852	3,786,057	29,671
73310	WNAB	2,072,197	2,059,474	16,140
73311	WNAC–TV	7,310,183	6,959,064	54,538
47535	WNBC	20,072,714	19,699,252	154,383
83965	WNBW–DT	633,243	631,197	4,947
72307	WNCF	667,683	665,950	5,219
50782	WNCN *	3,795,494	3,783,131	29,648
57838	WNCT–TV	1,933,527	1,879,655	14,731
41674	WNDU–TV	1,807,909	1,783,617	13,978
28462	WNDY–TV	2,912,963	2,855,253	22,377
71928	WNED–TV	1,364,333	1,349,085	10,573
60931	WNEH	1,261,482	1,255,218	9,837
41221	WNEM–TV	1,617,082	1,612,561	12,638
49439	WNEO	3,151,964	3,105,545	24,338
73318	WNEP–TV	3,131,848	2,484,949	19,475
18795	WNET	20,826,756	20,387,649	159,778
51864	WNEU	3,471,700	3,354,177	26,287
23942	WNGH–TV	3,715,479	3,482,438	27,292
67802	WNIN	883,322	865,128	6,780
41671	WNIT	1,298,159	1,298,159	10,174
48457	WNJB *	20,787,272	20,036,393	157,025
48477	WNJN *	20,787,272	20,036,393	157,025
48481	WNJS	7,211,292	7,176,711	56,244
48465	WNJT	7,211,292	7,176,711	56,244
73333	WNJU	21,952,082	21,399,204	167,706
73336	WNJX–TV	1,585,248	1,383,235	2,398
61217	WNKY	385,619	383,911	3,009
71905	WNLO	1,538,108	1,502,969	11,779
4318	WNMU	181,730	177,763	1,393
73344	WNNE	792,551	676,539	5,302
54280	WNOL–TV	1,632,389	1,632,389	12,793
71676	WNPB–TV	1,578,317	1,446,630	11,337
62137	WNPI–DT	167,931	161,748	1,268
41398	WNPT	2,260,463	2,227,570	17,457
28468	WNPX–TV	2,216,131	2,209,662	17,317
61009	WNSC–TV	2,072,821	2,067,933	16,206
61010	WNTV	2,419,841	2,211,019	17,328
16539	WNTZ–TV	344,704	343,849	2,695
7933	WNUV	9,098,694	8,906,508	69,800
9999	WNVC	723,698	490,045	3,840
10019	WNVT	1,582,094	1,581,725	12,396
73354	WNWO–TV	2,232,660	2,232,660	17,497
136751	WNYA	1,540,430	1,406,032	11,019
30303	WNYB *	1,785,269	1,756,096	13,763
6048	WNYE–TV	19,185,983	19,015,910	149,028

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34329	WNYI	1,627,542	1,338,811	10,492
67784	WNYO–TV	1,539,525	1,499,591	11,752
58725	WNYS–TV	1,690,696	1,445,505	11,328
73363	WNYT *	1,679,494	1,516,775	11,887
22206	WNYW	20,075,874	19,753,060	154,805
69618	WOAI–TV	2,525,811	2,513,887	19,701
66804	WOAY–TV	569,330	416,995	3,268
41225	WOFL	3,941,895	3,938,046	30,862
70651	WOGX	1,112,408	1,112,408	8,718
8661	WOI–DT *	1,173,757	1,170,432	9,173
39746	WOIO	3,821,233	3,745,335	29,352
71725	WOLE–DT *[1]	2,503,603	947,174	7,423
73375	WOLF–TV	3,006,606	2,425,396	19,008
60963	WOLO–TV	2,635,115	2,590,158	20,299
36838	WOOD–TV	2,507,053	2,501,084	19,601
67602	WOPX–TV	3,826,498	3,826,259	29,986
64865	WORA–TV	2,733,629	2,586,149	2,893
73901	WORO–DT *	3,243,301	3,022,553	20,711
60357	WOST	1,193,381	1,027,391	6,691
66185	WOSU–TV	2,649,515	2,617,817	20,516
131	WOTF–TV	3,288,537	3,288,535	25,772
10212	WOTV	2,277,566	2,277,258	17,847
50147	WOUB–TV	756,762	734,988	5,760
50141	WOUC–TV	1,713,515	1,649,853	12,930
23342	WOWK–TV *	1,159,175	1,082,354	8,482
65528	WOWT	1,380,979	1,377,287	10,794
31570	WPAN	637,347	637,347	4,995
4190	WPBA	5,217,180	5,200,958	40,760
51988	WPBF	3,190,307	3,186,405	24,972
21253	WPBN–TV	411,213	394,778	3,094
62136	WPBS–DT	338,448	301,692	2,364
13456	WPBT	5,416,604	5,416,604	42,450
13924	WPCB–TV	2,934,614	2,800,516	21,948
64033	WPCH–TV	5,948,778	5,874,163	46,036
4354	WPCT	195,270	194,869	1,527
69880	WPCW	3,393,365	3,188,441	24,988
17012	WPDE–TV	1,764,645	1,762,758	13,815
52527	WPEC	5,788,448	5,788,448	45,364
84088	WPFO	1,329,690	1,209,873	9,482
54728	WPGA–TV	559,495	559,004	4,381
60820	WPGD–TV	2,355,629	2,343,715	18,368
73875	WPGH–TV	3,132,507	3,007,511	23,570
2942	WPGX	425,098	422,872	3,314
73879	WPHL–TV	10,421,216	10,246,856	80,305
73881	WPIX	20,638,932	20,213,158	158,411
53113	WPLG	5,587,129	5,587,129	43,786
11906	WPMI–TV	1,467,869	1,467,462	11,500
10213	WPMT	2,412,561	2,191,501	17,175
18798	WPNE–TV	1,132,868	1,132,699	8,877
73907	WPNT	3,130,920	3,010,828	23,596
28480	WPPT *	10,613,847	9,474,797	74,254
51984	WPPX–TV	8,206,117	7,995,941	62,664
47404	WPRI–TV	7,254,721	6,990,606	54,785
51991	WPSD–TV	883,812	878,287	6,883
12499	WPSG	10,232,988	9,925,334	77,785
66219	WPSU–TV	1,055,133	868,013	6,803
73905	WPTA	1,099,180	1,099,180	8,614
25067	WPTD	3,423,417	3,415,232	26,765
25065	WPTO	2,912,159	2,893,581	22,677
59443	WPTV–TV	5,840,102	5,840,102	45,769
57476	WPTZ	792,551	676,539	5,302
8616	WPVI–TV *	11,491,587	11,302,701	88,579
48772	WPWR–TV	9,957,301	9,954,828	78,016
51969	WPXA–TV	6,587,205	6,458,510	50,615
71236	WPXC–TV	1,561,014	1,561,014	12,234
5800	WPXD–TV	5,133,364	5,133,257	40,229
37104	WPXE–TV	3,163,550	3,160,601	24,770
48406	WPXG–TV	2,577,848	2,512,150	19,688
73312	WPXH–TV	1,495,968	1,423,805	11,158
73910	WPXI	3,300,896	3,197,864	25,062
2325	WPXJ–TV	2,358,750	2,294,833	17,985
52628	WPXK–TV	1,801,997	1,577,806	12,365

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21729	WPXL–TV	1,566,829	1,566,829	12,279
48608	WPXM–TV	5,153,621	5,153,621	40,389
73356	WPXN–TV	20,465,198	20,092,448	157,465
27290	WPXP–TV	5,565,072	5,565,072	43,613
50063	WPXQ–TV	3,281,532	3,150,875	24,693
70251	WPXR–TV	1,375,640	1,200,331	9,407
40861	WPXS	1,152,104	1,145,695	8,979
53065	WPXT	760,491	735,051	5,761
37971	WPXU–TV	690,613	690,613	5,412
67077	WPXV–TV	1,905,128	1,905,128	14,930
74091	WPXW–TV	8,091,469	8,044,165	63,042
21726	WPXX–TV	1,562,675	1,560,834	12,232
73319	WQAD–TV	1,079,594	1,066,743	8,360
65130	WQCW	1,319,392	1,249,533	9,793
71561	WQEC	183,969	183,690	1,440
41315	WQED	3,529,305	3,426,684	26,855
3255	WQHA	1,052,107	879,558	5,728
60556	WQHS–DT	3,996,567	3,952,672	30,977
53716	WQLN	602,212	571,790	4,481
52075	WQMY	410,269	254,586	1,995
64550	WQOW	369,066	358,576	2,810
5468	WQPT–TV	595,685	595,437	4,666
64690	WQPX–TV	1,644,283	1,212,587	9,503
52408	WQRF–TV	1,326,695	1,305,762	10,233
2175	WQTO	2,864,201	1,923,424	12,526
8688	WRAL–TV	3,643,511	3,639,448	28,522
10133	WRAY–TV	4,021,948	4,004,902	31,386
64611	WRAZ	3,605,228	3,601,029	28,221
136749	WRBJ–TV	1,030,831	1,028,010	8,057
3359	WRBL	1,493,140	1,461,459	11,453
57221	WRBU	2,737,188	2,734,806	21,433
54940	WRBW	4,025,123	4,023,804	31,535
59137	WRCB	1,587,742	1,363,582	10,686
47904	WRC–TV	8,188,601	8,146,696	63,846
54963	WRDC	3,624,288	3,620,526	28,374
55454	WRDQ	3,931,023	3,931,023	30,807
73937	WRDW–TV	1,564,584	1,533,682	12,019
66174	WREG–TV	1,642,307	1,638,585	12,842
61011	WRET–TV	2,419,841	2,211,019	17,328
73940	WREX	2,303,027	2,047,951	16,050
54443	WRFB	2,674,527	2,377,106	15,481
73942	WRGB*	1,757,575	1,645,483	12,896
411	WRGT–TV	3,252,046	3,219,309	25,230
74416	WRIC–TV	1,996,265	1,939,664	15,201
61012	WRJA–TV	1,127,088	1,119,936	8,777
412	WRLH–TV	2,017,508	1,959,111	15,354
61013	WRLK–TV	1,229,094	1,228,616	9,629
43870	WRLM	3,919,602	3,892,146	30,503
74156	WRNN–TV	19,853,836	19,615,370	153,726
73964	WROC–TV	1,203,412	1,185,203	9,288
159007	WRPT	110,009	109,937	862
20590	WRPX–TV	2,637,949	2,634,141	20,644
62009	WRSP–TV	904,190	902,682	7,074
40877	WRTV	2,919,683	2,895,164	22,689
15320	WRUA	2,905,193	2,552,782	16,625
71580	WRXY–TV	1,633,655	1,633,655	12,803
48662	WSAV–TV	1,000,315	1,000,309	7,839
6867	WSAW–TV	652,442	646,386	5,066
36912	WSAZ–TV	1,184,629	1,119,859	8,776
56092	WSBE–TV	4,627,829	4,531,067	35,510
73982	WSBK–TV	7,161,406	7,095,363	55,606
72053	WSBS–TV	42,952	42,952	337
73983	WSBT–TV	1,691,194	1,682,136	13,183
23960	WSB–TV	5,893,810	5,818,626	45,601
69446	WSCG	867,516	867,490	6,799
64971	WSCV	5,465,435	5,465,435	42,833
70536	WSEC	522,349	521,730	4,089
49711	WSEE–TV	613,176	595,476	4,667
21258	WSES	1,548,117	1,513,982	11,865
73988	WSET–TV	1,569,722	1,323,180	10,370
13993	WSFA	1,168,636	1,133,724	8,885
11118	WSFJ–TV	1,675,987	1,667,150	13,065

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10203	WSFL–TV	5,344,129	5,344,129	41,882
72871	WSFX–TV	928,247	928,247	7,275
73999	WSIL–TV	672,560	669,176	5,244
4297	WSIU–TV *	1,019,939	937,070	7,344
74007	WSJV	1,522,499	1,522,499	11,932
78908	WSKA	546,588	431,354	3,381
74034	WSKG–TV	892,439	624,282	4,892
76324	WSKY–TV	1,934,585	1,934,519	15,161
57840	WSLS–TV	1,447,286	1,277,753	10,014
21737	WSMH	2,339,224	2,327,660	18,242
41232	WSMV–TV	2,447,769	2,404,766	18,846
70119	WSNS–TV	9,914,395	9,913,272	77,690
74070	WSOC–TV	3,706,808	3,638,832	28,518
66391	WSPA–TV	3,393,072	3,237,713	25,374
64352	WSPX–TV	1,298,295	1,174,763	9,207
17611	WSRE	1,355,168	1,354,307	10,614
63867	WSST–TV	331,907	331,601	2,599
60341	WSTE–DT	3,723,967	3,631,985	23,653
21252	WSTM–TV	1,458,931	1,382,417	10,834
11204	WSTR–TV	3,252,460	3,243,267	25,417
19776	WSUR–DT *[2]	3,714,790	947,174	7,423
2370	WSVI	50,601	50,601	397
63840	WSVN	5,588,748	5,588,748	43,799
73374	WSWB	1,530,002	1,102,316	8,639
28155	WSWG	381,004	380,910	2,985
71680	WSWP–TV	858,726	659,416	5,168
74094	WSYM–TV	1,516,677	1,516,390	11,884
73113	WSYR–TV	1,329,933	1,243,035	9,742
40758	WSYT	1,878,638	1,640,666	12,858
56549	WSYX	2,635,937	2,584,043	20,251
65681	WTAE–TV	2,995,755	2,860,979	22,421
23341	WTAJ–TV	1,187,718	948,598	7,434
4685	WTAP–TV	472,761	451,414	3,538
416	WTAT–TV	1,153,279	1,153,279	9,038
67993	WTBY–TV	15,858,470	15,766,438	123,562
29715	WTCE–TV	2,620,599	2,620,599	20,538
65667	WTCI	1,204,613	1,099,395	8,616
67786	WTCT	584,661	584,006	4,577
28954	WTCV	3,254,481	3,008,658	19,594
74422	WTEN	1,902,431	1,613,747	12,647
9881	WTGL	3,772,425	3,772,425	29,564
27245	WTGS	967,792	967,630	7,583
70655	WTHI–TV	928,934	886,846	6,950
70162	WTHR *	2,949,339	2,901,633	22,740
147	WTIC–TV	5,318,753	4,707,697	36,894
26681	WTIN–TV	3,714,547	3,487,634	2,398
66536	WTIU	1,131,685	1,131,161	8,865
1002	WTJP–TV	1,947,743	1,907,300	14,948
4593	WTJR	334,527	334,221	2,619
70287	WTJX–TV	135,017	121,498	952
47401	WTKR	2,142,272	2,142,084	16,788
82735	WTLF	349,696	349,691	2,741
23486	WTLH	1,038,086	1,038,086	8,135
67781	WTLJ	1,622,365	1,621,227	12,706
65046	WTLV	1,757,600	1,739,021	13,629
1222	WTLW	1,646,714	1,644,206	12,886
74098	WTMJ–TV	3,010,678	2,995,959	23,479
74109	WTNH	7,845,782	7,332,431	57,464
19200	WTNZ	1,699,427	1,513,754	11,863
590	WTOC–TV	993,098	992,658	7,779
74112	WTOG	4,796,964	4,796,188	37,588
4686	WTOK–TV	410,134	404,555	3,170
13992	WTOL	4,184,020	4,174,198	32,713
21254	WTOM–TV	83,379	81,092	636
74122	WTOV–TV	3,892,886	3,619,899	28,369
82574	WTPC–TV *	2,049,246	2,042,851	16,010
86496	WTPX–TV	255,972	255,791	2,005
6869	WTRF–TV	2,941,511	2,565,375	20,105
67798	WTSF	593,934	552,040	4,326
11290	WTSP *	5,511,840	5,494,925	43,064
4108	WTTA	5,450,070	5,446,811	42,687
74137	WTTE	2,636,341	2,591,715	20,311

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
22207	WTTG	8,070,491	8,015,328	62,816
56526	WTTK	2,817,698	2,794,018	21,897
74138	WTTO	1,817,151	1,786,516	14,001
56523	WTTV	2,362,145	2,359,408	18,491
10802	WTTW	9,729,982	9,729,634	76,251
74148	WTVA	717,035	709,726	5,562
22590	WTVC	1,579,628	1,366,976	10,713
8617	WTVD*	3,793,909	3,778,802	29,614
55305	WTVE	5,156,905	5,152,997	40,384
36504	WTVF	2,416,110	2,397,634	18,790
74150	WTVG	4,274,274	4,263,894	33,416
74151	WTVH	1,350,223	1,275,171	9,994
10645	WTVI	2,853,540	2,824,869	22,138
63154	WTVJ	5,458,451	5,458,451	42,778
595	WTVM	1,498,667	1,405,957	11,018
72945	WTVO	1,409,708	1,398,825	10,963
28311	WTVP	679,017	678,672	5,319
51597	WTVQ–DT	989,180	982,298	7,698
57832	WTVR–TV	1,808,516	1,802,164	14,124
16817	WTVS	5,511,639	5,511,255	43,192
68569	WTVT	5,475,385	5,462,416	42,809
3661	WTVW	791,430	789,720	6,189
35575	WTVX	3,157,609	3,157,609	24,746
4152	WTVY	974,532	971,173	7,611
40759	WTVZ–TV	2,156,534	2,156,346	16,899
66908	WTWC–TV	1,032,942	1,032,942	8,095
20426	WTWO	737,757	731,769	5,735
81692	WTWV	1,527,511	1,526,625	11,964
51568	WTXF–TV	10,784,256	10,492,549	82,230
41065	WTXL–TV	1,054,514	1,054,322	8,263
8532	WUAB	3,821,233	3,745,335	29,352
12855	WUCF–TV	3,772,425	3,772,425	29,564
36395	WUCW	3,664,480	3,657,236	28,662
69440	WUFT	1,372,142	1,372,142	10,753
413	WUHF	1,152,580	1,147,972	8,997
8156	WUJA	2,638,361	2,379,555	15,497
69080	WUNC–TV	4,021,948	4,004,902	31,386
69292	WUND–TV	1,506,640	1,506,640	11,808
69114	WUNE–TV	1,931,274	1,527,025	11,967
69300	WUNF–TV	2,447,306	2,066,422	16,195
69124	WUNG–TV	3,267,425	3,253,352	25,497
60551	WUNI	7,209,571	7,084,349	55,520
69332	WUNJ–TV	1,081,274	1,081,274	8,474
69149	WUNK–TV	2,018,916	2,013,516	15,780
69360	WUNL–TV	2,614,031	2,545,330	19,948
69444	WUNM–TV	1,029,109	1,029,109	8,065
69397	WUNP–TV	1,018,414	1,009,833	7,914
69416	WUNU	1,120,792	1,117,140	8,755
83822	WUNW	1,109,237	570,072	4,468
6900	WUPA	5,946,477	5,865,122	45,965
13938	WUPL	1,632,100	1,632,100	12,791
10897	WUPV	1,933,664	1,914,643	15,005
19190	WUPW	2,074,890	2,073,548	16,250
23128	WUPX–TV	1,102,435	1,089,118	8,535
65593	WUSA*	8,750,706	8,446,074	66,192
4301	WUSI–TV	304,747	304,747	2,388
60552	WUTB	8,509,757	8,339,882	65,360
30577	WUTF–TV	8,557,497	8,242,833	64,599
57837	WUTR	526,114	481,957	3,777
415	WUTV	1,405,230	1,380,902	10,822
16517	WUVC–DT	3,768,817	3,748,841	29,380
48813	WUVG–DT	6,029,495	5,965,975	46,755
3072	WUVN	1,233,568	1,157,140	9,069
60560	WUVP–DT	10,421,216	10,246,856	80,305
9971	WUXP–TV	2,316,872	2,305,293	18,067
417	WVAH–TV	1,373,707	1,300,402	10,191
23947	WVAN–TV	979,764	978,920	7,672
65387	WVBT	1,848,277	1,848,277	14,485
72342	WVCY–TV	2,543,642	2,542,235	19,923
60559	WVEA–TV	4,283,915	4,283,854	33,573
74167	WVEC*	2,096,709	2,090,875	16,386
5802	WVEN–TV	3,607,540	3,607,540	28,272

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
61573	WVEO	1,153,382	916,310	4,706
69946	WVER	760,072	579,703	4,543
10976	WVFX	731,193	609,763	4,779
47929	WVIA–TV	3,131,848	2,484,949	19,475
3667	WVII–TV	368,022	346,874	2,718
70309	WVIR–TV	1,944,353	1,801,429	14,118
74170	WVIT	5,846,093	5,357,639	41,988
18753	WVIZ	3,695,223	3,689,173	28,912
70021	WVLA–TV	1,897,179	1,897,007	14,867
81750	WVLR	1,412,728	1,292,471	10,129
35908	WVLT–TV	1,888,607	1,633,633	12,803
74169	WVNS–TV	911,630	606,820	4,756
11259	WVNY	721,176	620,257	4,861
29000	WVOZ–TV	1,132,932	879,902	4,706
71657	WVPB–TV	780,268	752,747	5,899
60111	WVPT *	756,714	632,580	4,958
70491	WVPX–TV	4,147,298	4,114,920	32,249
66378	WVPY *	756,202	632,155	4,954
67190	WVSN	2,948,832	2,572,001	16,750
69943	WVTA	760,072	579,703	4,543
69940	WVTB	454,244	258,422	2,025
74173	WVTM–TV	1,876,825	1,790,198	14,030
74174	WVTV	2,999,694	2,990,991	23,440
77496	WVUA	2,209,921	2,160,101	16,929
4149	WVUE–DT	1,658,125	1,658,125	12,995
4329	WVUT	273,293	273,219	2,141
74176	WVVA	1,035,752	693,707	5,437
3113	WVXF	85,191	78,556	616
12033	WWAY	1,206,281	1,206,281	9,454
30833	WWBT	1,911,854	1,872,305	14,673
20295	WWCP–TV	2,811,278	2,548,691	19,974
24812	WWCW	1,390,985	1,212,308	9,501
23671	WWDP	5,792,048	5,564,295	43,607
21158	WWHO	2,879,726	2,805,564	21,987
14682	WWJE–DT	7,209,571	7,084,349	55,520
72123	WWJ–TV	5,374,064	5,373,712	42,114
166512	WWJX	518,866	518,846	4,066
6868	WWLP	3,838,272	3,077,800	24,121
74192	WWL–TV	1,756,442	1,756,442	13,765
3133	WWMB	1,460,406	1,458,374	11,429
74195	WWMT	2,460,942	2,455,432	19,243
68851	WWNY–TV	365,677	341,029	2,673
74197	WWOR–TV	19,853,836	19,615,370	153,726
65943	WWPB	2,015,352	1,691,003	13,252
23264	WWPX–TV	3,892,904	3,196,922	25,054
68547	WWRS–TV	2,235,958	2,212,123	17,336
61251	WWSB	3,340,133	3,340,133	26,177
23142	WWSI	11,269,831	11,098,540	86,979
16747	WWTI	196,531	190,097	1,490
998	WWTO–TV	5,541,816	5,541,816	43,431
26994	WWTV	1,034,174	1,022,322	8,012
84214	WWTW	1,527,511	1,526,625	11,964
26993	WWUP–TV	116,638	110,592	867
23338	WXBU	4,030,693	3,538,096	27,728
61504	WXCW	1,749,847	1,749,847	13,714
61084	WXEL–TV	5,416,604	5,416,604	42,450
60539	WXFT–DT	10,174,464	10,170,757	79,708
23929	WXGA–TV	608,494	606,801	4,755
51163	WXIA–TV	6,179,680	6,035,828	47,303
53921	WXII–TV	3,630,551	3,299,114	25,855
146	WXIN	2,721,639	2,699,366	21,155
39738	WXIX–TV	2,825,570	2,797,385	21,923
414	WXLV–TV	4,362,761	4,333,737	33,963
68433	WXMI	1,988,970	1,988,589	15,585
64549	WXOW	425,378	413,264	3,239
6601	WXPX–TV	4,566,037	4,564,088	35,769
74215	WXTV–DT	19,992,096	19,643,518	153,946
12472	WXTX	699,095	694,837	5,445
11970	WXXA–TV *	1,680,670	1,546,103	12,117
57274	WXXI–TV	1,178,402	1,163,073	9,115
53517	WXXV–TV	1,201,440	1,199,901	9,404
10267	WXYZ–TV	5,591,434	5,590,748	43,815

Facility Id. No.	Call sign	Service area population	Terrain-Ltd population	FY 2020 Terrain-Ltd. fee amount
12279	WYCC	9,729,982	9,729,634	76,251
77515	WYCI	35,873	26,508	208
70149	WYCW	3,393,072	3,237,713	25,374
62219	WYDC	393,843	262,013	2,053
18783	WYDN	2,577,848	2,512,150	19,688
35582	WYDO	1,097,745	1,097,745	8,603
25090	WYES–TV	1,872,245	1,872,059	14,671
53905	WYFF	2,626,363	2,416,551	18,939
49803	WYIN	6,956,141	6,956,141	54,515
24915	WYMT–TV	1,180,276	863,881	6,770
17010	WYOU *	2,879,196	2,221,179	17,407
77789	WYOW	91,233	90,799	712
13933	WYPX–TV	1,529,500	1,413,583	11,078
4693	WYTV	4,898,622	4,535,576	35,545
5875	WYZZ–TV	1,042,140	1,036,721	8,125
15507	WZBJ	1,606,844	1,439,716	11,283
28119	WZDX	1,557,490	1,452,851	11,386
70493	WZME	5,996,408	5,544,708	43,454
81448	WZMQ	73,423	72,945	572
71871	WZPX–TV	2,094,029	2,093,653	16,408
136750	WZRB	952,279	951,693	7,458
418	WZTV	2,311,143	2,299,730	18,023
83270	WZVI	76,992	75,863	595
19183	WZVN–TV	1,916,098	1,916,098	15,016
49713	WZZM	1,574,546	1,548,835	12,138

Note: The list of call signs above include all feeable and exempt entities. It is the responsibility of licensees to inform the Commission of any status changes. As stated in the *FY 2020 Report and Order and Notice of Proposed Rulemaking,* the fee of full-power television stations in Puerto Rico have been adjusted to reflect losses in population on the island since the 2010 U.S. Census.

* The call signs with an (*) denote VHF stations licensed with a power level that exceeds the maximum based on the maximum power level specified for channels 2–6 in 73.622(f)(6) and for channels 7–13 in 73.622(f)(7). The population counts have been adjusted accordingly.

[1] Call signs WOLE and WLII are stations in Puerto Rico that are linked together with a total fee of $24,300.

[2] Call signs WSUR and WLII are stations in Puerto Rico that are linked together with a total fee of $24,300.

IV. Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Commission prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in the Notice of Proposed Rulemaking (*Notice*). Written comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadline for comments on this *Notice.* The Commission will send a copy of the *Notice,* including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA). In addition, the *Notice* and IRFA (or summaries thereof) will be published in the **Federal Register**.

2. *Need for, and Objectives of, the Proposed Rules.* The *Notice* seeks comment on regulatory fees for fiscal year (FY) 2020, as required by section 9 of the Communications Act of 1934, as amended (Communications Act or Act). The *Notice* sets forth the proposed regulatory fees for FY 2020 for regulatees in the Wireless Telecommunications Bureau, Media Bureau, Wireline Competition Bureau, and International Bureau. The proposed regulatory fees are attached to the *Notice* in Tables 1 and 2. This regulatory fee *Notice* is needed each year because the Commission is required by Congress to adopt regulatory fees each year ''to recover the costs of carrying out the activities described in section 6(a) only to the extent, and in the total amounts, provided for in Appropriation Acts.'' The objective of the *Notice* is to propose regulatory fees for FY 2020 and adopt regulatory fee reform to improve the regulatory fee process. The *Notice* seeks comment on the Commission's proposed regulatory fees for FY 2020. The *Notice* proposes to collect $339,000,000 in regulatory fees for FY 2020, as detailed in the proposed fee schedules in Tables 1 and 2, including a proposed increase in the DBS fee rate to 72 cents per subscriber and proposed fees for full-power broadcast televisions using the actual population covered by the station's contour, as set forth in Table 4. Historically, under our old methodology, the regulatory fee for full-power broadcast television stations was based on the DMA groupings 1–10, 11–25, 26–50, 51–100, and the remaining markets (101–210), as well as satellite stations that traditionally pay a much lower fee.

3. *Legal Basis.* This action, including publication of proposed rules, is authorized under sections (4)(i) and (j), 159, and 303(r) of the Communications Act of 1934, as amended.

4. *Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply.* The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A ''small business concern'' is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

5. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe here, at the outset, three broad groups of small entities that could be directly affected herein. First, while there are industry specific size standards for small businesses that are

used in the regulatory flexibility analysis, according to data from the SBA's Office of Advocacy, in general a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States which translates to 28.8 million businesses.

6. Next, the type of small entity described as a ''small organization'' is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.'' Nationwide, as of August 2016, there were approximately 356,494 small organizations based on registration and tax data filed by nonprofits with the Internal Revenue Service (IRS).

7. Finally, the small entity described as a ''small governmental jurisdiction'' is defined generally as ''governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.'' U.S. Census Bureau data from the 2012 Census of Governments indicate that there were 90,056 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States. Of this number there were 37,132 General purpose governments (county, municipal and town or township) with populations of less than 50,000 and 12,184 Special purpose governments (independent school districts and special districts) with populations of less than 50,000. The 2012 U.S. Census Bureau data for most types of governments in the local government category show that the majority of these governments have populations of less than 50,000. Based on this data we estimate that at least 49,316 local government jurisdictions fall in the category of ''small governmental jurisdictions.'' Governmental entities are, however, exempt from application fees.

8. *Description of Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities.* This *Notice* does not propose any changes to the Commission's current information collection, reporting, recordkeeping, or compliance requirements. Licensees, including small entities, will be required to pay application fees after such fees are adopted.

9. *Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered.* The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives, among others: (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities

10. The *Notice* seeks comment on the Commission's proposed regulatory fees for FY 2020. The *Notice* proposes to collect $339,000,000 in regulatory fees for FY 2020, as detailed in the proposed fee schedules in Table 2, including an increase in the DBS fee rate to 72 cents per subscriber. DBS providers are not small entities. The *Notice* seeks comment on changing the methodology for assessing regulatory fees for full-power broadcast television stations to use the actual population to determine the regulatory fee. In addition, the *Notice* seeks comment on the schedule of regulatory fees for all Commission regulatees for FY 2020. The Commission's annual de minimis threshold of $1,000 was replaced last year with a new section 9(e)(2) annual regulatory fee exemption of $1,000; this regulatory fee exemption will reduce burdens on small entities with annual regulatory fees that total $1,000 or less.

A. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

11. None.

V. Ordering Clauses

12. Accordingly, *it is ordered* that, pursuant to the authority found in sections 4(i) and (j), 9, 9A, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 159, 159A, and 303(r), this Report and Order and Notice of Proposed Rulemaking *is hereby adopted*.

Federal Communications Commission.

Cecilia Sigmund,

Federal Register Liaison Officer.

[FR Doc. 2020–11368 Filed 5–27–20; 8:45 am]

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FEDERAL REGISTER

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Part IV

The President

Proclamation 10042—Amendment to Proclamation of May 24, 2020, Suspending Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting 2019 Novel Coronavirus

Federal Register
Vol. 85, No. 103
Thursday, May 28, 2020

Presidential Documents

Title 3—

The President

Proclamation 10042 of May 25, 2020

Amendment to Proclamation of May 24, 2020, Suspending Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting 2019 Novel Coronavirus

By the President of the United States of America

A Proclamation

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 212(f) and 215(a) of the Immigration and Nationality Act, 8 U.S.C. 1182(f) and 1185(a), and section 301 of title 3, United States Code, I hereby amend the Proclamation of May 24, 2020, titled ''Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting 2019 Novel Coronavirus'' as follows:

Section 1. *Amendment.* Section 5 is amended to read as follows:

''**Sec. 5**. *Effective Date.* This proclamation is effective at 11:59 p.m. eastern daylight time on May 26, 2020. This proclamation does not apply to persons aboard a flight scheduled to arrive in the United States that departed prior to 11:59 p.m. eastern daylight time on May 26, 2020.''

Sec. 2. *General Provisions.* (a) Nothing in this proclamation shall be construed to impair or otherwise affect:

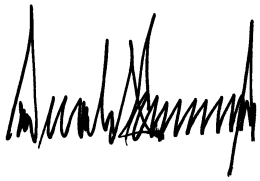
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of May, in the year of our Lord two thousand twenty, and of the Independence of the United States of America the two hundred and forty-fourth.



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