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Federal Register

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

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

FARM CREDIT ADMINISTRATION

12 CFR Part 655

RIN 3052-AD47

Federal Agricultural Mortgage Corporation Disclosure and Reporting

AGENCY: Farm Credit Administration.

ACTION: Direct final rule.

SUMMARY: The Farm Credit Administration (FCA or we) issues this direct final rule adopting administrative amendments to eliminate requirements for the Federal Agricultural Mortgage Corporation (Farmer Mac or the Corporation) to submit paper copies of certain reports to the FCA's Office of Secondary Market Oversight (OSMO). Electronic copies of the reports are sufficient for oversight and examination purposes.

DATES: If no significant adverse comment is received on or before June 23, 2021, this regulation shall become effective no earlier than the expiration of 30 days after publication in the **Federal Register** during which either or both Houses of Congress are in session. We will publish notice of the effective date in the **Federal Register**.

ADDRESSES: For accuracy and efficiency reasons, please submit comments by email or through the FCA's website. We do not accept comments submitted by facsimile (fax), as faxes are difficult for us to process in compliance with section 508 of the Rehabilitation Act. Please do not submit your comment multiple times via different methods. You may submit comments by any of the following methods:

- *Email:* Send us an email at reg-comm@fca.gov.
- *FCA Website:* <http://www.fca.gov>. Click inside the "I want to. . ." field near the top of the page; select "comment on a pending regulation" from the dropdown menu; and click "Go." This takes you to an electronic public comment form.

- *Mail:* Laurie A. Rea, Director, Office of Secondary Market Oversight, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090. You may review copies of comments we receive on our website at <http://www.fca.gov>. Once you are in the website, click inside the "I want to. . ." field near the top of the page; select "find comments on a pending regulation" from the dropdown menu; and click "Go." This page will take you to the Comment Letters page where you can select the regulation for which you would like to read the public comments.

We will show your comments as submitted, but for technical reasons we may omit items such as logos and special characters. Identifying information you provide, such as phone numbers and addresses, will be publicly available. However, we will attempt to remove email addresses to help reduce internet spam. You may also review comments at our office in McLean, Virginia. Please call us at (703) 883-4280 or email us at reg-comm@fca.gov to make an appointment.

FOR FURTHER INFORMATION CONTACT:

Technical Information: Tiffany West, Assistant to the Director, Office of Secondary Market Oversight, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4280, TTY (703) 883-4056; or

Legal Information: Hazem Isawi, Senior Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4020, TTY (703) 883-4056.

SUPPLEMENTARY INFORMATION:

I. Objective

The objective of this direct final rule is to eliminate the requirement for Farmer Mac to submit paper copies of reports to OSMO in most circumstances by:

- Maintaining the requirement for submission of electronic reports; and
- Limiting the requirement for submission of paper copies of reports to circumstances where it is impossible to provide an electronic report timely.

II. Discussion

Farmer Mac is a stockholder-owned, federally chartered instrumentality that is an institution of the Farm Credit System (System) and a Government-sponsored enterprise (GSE). The Corporation was established and

chartered by the Agricultural Credit Act of 1987 (1987 Act)¹ to create a secondary market for agricultural real estate mortgage loans, rural housing mortgage loans, rural utility cooperative loans, and the guaranteed portions of USDA-guaranteed farm and rural development loans. Title VIII of the Farm Credit Act of 1971, as amended (Act),² governs the Corporation.

Existing FCA regulations require Farmer Mac to file both one paper copy and one electronic copy of certain reports with the FCA. There are three instances of requirements of paper copy submissions:

- Section 655.10(c) requires the Corporation to provide FCA with one paper and one electronic copy of every signed report that is distributed to its shareholders unless that report is the same as that filed with the Securities and Exchange Commission (SEC). If the report is the same as that filed with the SEC, the Corporation may instead provide the signed reports to us only in electronic form and simultaneously with filing the report with the SEC.

- Section 655.15(a) requires the Corporation to provide FCA one paper and one electronic copy of every interim report, notice, and proxy statement filed with the SEC.

- Section 655.21(a) requires the Corporation to provide FCA one paper and one electronic copy of every filing made with the U.S. Treasury, the SEC, or New York Stock Exchange (NYSE), including financial statements and related schedules, exhibits, and other documents that are part of the filing. Additionally, § 655.21(b) requires that Farmer Mac send us, within 3 business days and according to the instructions provided by us, copies of all substantive correspondence between the Corporation and the U.S. Treasury, the SEC, or NYSE that are directed at the activities of the Corporation. However, it does not specify how the copies are to be sent.

Electronic copies of the required reports specified above are sufficient to allow for oversight and examination of the Corporation. The only circumstance where a paper copy would be necessary is if it is impossible to provide an electronic copy. This includes events

¹ Agricultural Credit Act of 1987 (Pub. L. 100-233, January 6, 1988).

² Sections 8.0 to 8.41 of the Act (12 U.S.C. 2279aa to 2279cc).

such as, but not limited to, security breaches, power outages, and the inability to access electronic portals.

III. Direct Final Rule

We are eliminating the requirements for paper copy submissions in § 655.10(c), § 655.15(a), and § 655.21(a), and clarifying that submissions required under § 655.21(b) should be done electronically, by a direct final rulemaking. The Administrative Conference of the United States recommends direct final rulemaking for Federal agencies to enact noncontroversial regulations on an expedited basis, without the usual notice and comment period.³ This process enables us to reduce the time and resources we need to develop, review, and publish a final rule while still affording the public an adequate opportunity to comment or object to the rule.

In a direct final rulemaking, we notify the public that the rule will become final on a specified date unless we receive a significant adverse comment during the comment period. A significant adverse comment is one where the commenter explains why the rule would be inappropriate (including challenges to its underlying premise or approach), ineffective, or unacceptable without a change. In general, a significant adverse comment would raise an issue serious enough to warrant a substantive response from the FCA in a notice-and-comment proceeding.

We believe that a direct final rulemaking is the appropriate method for amending § 655.10(c), § 655.15(a), and § 655.21(a) and (b) because the changes are administrative in nature and do not substantively alter the rights or responsibilities of any party. We do not anticipate there will be significant adverse comments. If, however, we receive a significant adverse comment during the comment period, we will publish a notice of withdrawal of the relevant provisions of this rule that will also indicate how further rulemaking will proceed. If we receive no significant adverse comments, we will publish notice of the effective date of the rule following the required congressional waiting period under section 5.17(c)(1) of the Act.

IV. Regulatory Flexibility Act Analysis and Major Rule Conclusion

Pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), FCA hereby certifies the final

rule will not have a significant economic impact on a substantial number of small entities. The Corporation has assets and annual income over the amounts that would qualify it as a small entity. Therefore, the Corporation is not considered a “small entity” as defined in the Regulatory Flexibility Act.

Under the provisions of the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Management and Budget’s Office of Information and Regulatory Affairs has determined that this direct final rule is not a “major rule,” as the term is defined at 5 U.S.C. 804(2).

List of Subjects in 12 CFR Part 655

Accounting; Agriculture; Banks, banking; Conflicts of interest; Reporting and recordkeeping requirements; Rural areas.

For the reasons stated in the preamble, part 655 of chapter VI, title 12 of the Code of Federal Regulations is amended as follows:

PART 655—FEDERAL AGRICULTURAL MORTGAGE CORPORATION DISCLOSURE AND REPORTING REQUIREMENTS

■ 1. The authority citation for part 655 continues to read as follows:

Authority: Sec. 5.9, 8.3, 8.11, and 8.12 of Pub. L. 92–181, 85 Stat. 583 (12 U.S.C. 2243, 2279aa–3, 2279aa–11, 2279aa–12).

■ 2. Section 655.10 is amended by revising paragraph (c) introductory text to read as follows:

§ 655.10 Reports of condition.

* * * * *

(c) *Distribution.* The Corporation must distribute the signed annual report of condition to its shareholders within 120 days of its fiscal year-end. Within 5 days of signing, the Corporation must provide to us an electronic copy of every signed report that is distributed to its shareholders. If it is impossible to provide an electronic copy, a paper copy must be submitted within the required time frame and an electronic copy as soon as possible after that.

* * * * *

■ 3. Section 655.15 is amended by revising paragraph (a) to read as follows:

§ 655.15 Interim reports, notices, and proxy statements.

(a) The Corporation must provide to us an electronic copy of every interim report, notice, and proxy statement filed with the SEC within 1 business day of filing the item with the SEC, including all papers and documents that are a part of the report, notice, or statement. If it

is impossible to provide an electronic copy, a paper copy must be submitted within the required time frame and an electronic copy as soon as possible after that.

* * * * *

■ 4. Section 655.21 is amended by revising paragraphs (a) and (b) to read as follows:

§ 655.21 Filings and communications with the U.S. Treasury, the SEC, and NYSE.

(a) The Corporation must send us an electronic copy of every filing made with U.S. Treasury, the SEC, or NYSE, including financial statements and related schedules, exhibits, and other documents that are a part of the filing. Such items must be filed with us no later than 1 business day after the U.S. Treasury, SEC, or NYSE filing. For those filings with the NYSE that duplicate ones made to the SEC, the Corporation may send only the SEC filing to us. If the filing is one addressed in subpart B of this part, no action under this paragraph is required. If it is impossible to provide an electronic copy, a paper copy must be submitted within the required time frame and an electronic copy as soon as possible after that.

(b) The Corporation must send us, within 3 business days and according to instructions provided by us, electronic copies of all substantive correspondence between the Corporation and the U.S. Treasury, the SEC, or NYSE that are directed at the activities of the Corporation.

* * * * *

Dated: May 17, 2021.

Dale Aultman,

Secretary, Farm Credit Administration Board.

[FR Doc. 2021–10769 Filed 5–21–21; 8:45 am]

BILLING CODE 6705–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2020–0868; Airspace Docket No. 20–AAL–26]

RIN 2120–AA66

Amendment to Alaskan VOR Federal Airway V–319, United States Area Navigation (RNAV) Routes, T–219 and T–269, and Revocation of Federal Colored Airway R–50; Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action removes Colored Federal airway, R–50, and amends

³ Recommendation 95–4, referencing the Administrative Procedure Act “good cause” exemption at 5 U.S.C. 553(b)(B), adopted June 15, 1995.

Alaskan VOR Federal airway, V-319, and United States Area Navigation (RNAV) Routes T-219 and T-269 in Alaska. The modifications are necessary due to the planned decommissioning of the Nanwak Non-Directional Beacon (NDB) and Distance Measuring Equipment (DME) in Mekoryuk, AK, which provides navigation guidance for portions of the affected routes. The Nanwak NDB/DME (AIX) is to be decommissioned effective June 17, 2021 due to the high cost of maintenance.

DATES: Effective date 0901 UTC, August 12, 2021. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267 8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email: fedreg.legal@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>

FOR FURTHER INFORMATION CONTACT: Christopher McMullin, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2020-0868 in the **Federal Register** (85 FR 64998; October 14, 2020) removing colored Federal airway, R-50, and amending Alaskan VHF Omnidirectional Radar (VOR) Federal airway, V-319, and United States Area Navigation (RNAV) routes T-219 and T-269 in Alaska. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Colored and Alaskan VOR Federal airways are published in paragraph 6009 and 6010(b), and United States Area Navigation Routes are published in paragraph 2006 of FAA Order 7400.11E dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Colored and Alaskan VOR Federal airways, and United States Area Navigation routes listed in this document will be subsequently published in the Order.

Differences From the NPRM

In the NPRM published in the **Federal Register** (85 FR 64998; October 14, 2020) proposal section, describing T-269, there is a typographical error. The way point CENTA is spelled incorrectly as CENTRA. This rule corrects that error in the Rule section.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by removing Colored Federal airway R-50, modifying Alaskan VOR Federal airway V-319, and United States Area Navigation routes T-219 and T-269. The Airway actions are described below.

R-50: R-50 currently extends between the Nanwak, AK, NDB and the Anvik, AK, NDB. This action removes the entire route.

V-319: V-319 currently extends between the Yakutat, AK and the Nanwak, AK, NDB. This action removes the segment from the Hooper Bay, AK,

VOR/DME to the Nanwak, AK, NDB. The unaffected portions of the existing route remain as charted.

T-219: T-219 currently extends between the Nanwak, AK, NDB and the Dillingham, AK, VOR/DME. This action extends the airway from the MKLUK, AK, WP to the Hooper Bay, AK, VOR/DME. Additionally, the FAA is correcting the legal description, to include the NACIP, AK, WP and the ACATE, AK WP. Finally, this action corrects the legal description so that it denotes south to north track as it states in the FAA JO 7400.2M paragraph 20-1-5e2.

T-269: T-269 currently extends between the Annette Island, AK, VOR/DME and the Bethel, AK, VORTAC. This action extends the airway from the Bethel, AK, VORTAC to the MKLUK, AK, WP. Additionally, the FAA is incorporating eight additional waypoints and fixes that were not included in the legal description. These reporting points include TURTY, AK, WP; FLIPS, AK, FIX; HAPIT, AK, FIX; CENTA, AK, WP; KATAT, AK, WP; YONEK, AK, WP; VEILL, AK, WP, and VIDDA, AK, WP that contain a turn and are required to be included in the legal description as per the FAA JO 7400.2M paragraph 20-1-5h2.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this airspace action of removing Colored Federal airway R-50, and modifying Alaskan VOR Federal airway V-319, and United States Area Navigation routes T-219 and T-269 qualifies for

categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary

circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

- 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E,

Airspace Designations and Reporting Points, dated July 21, 2020 and effective September 15, 2020, is amended as follows:

Paragraph 6009 Colored Federal Airways.

* * * * *

R-50 [Removed]

* * * * *

Paragraph 6010 (b) Alaskan VOR Federal Airways

* * * * *

V-319 [Amended]

From Yakutat, AK, via Johnstone Point, AK, INT Johnstone Point 291° and Anchorage, AK, 125° radials; Anchorage, AK; Sparrevohn, AK; Bethel, AK; Hooper Bay, AK.

* * * * *

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T-219 DLG to HPB [Amended]

DILLINGHAM, AK (DLG)	VOR/DME	(Lat. 58°59'39.24" N, long. 158°33'07.99" W)
NACIP, AK	WP	(Lat. 59°23'17.51" N, long. 160°38'06.01" W)
ACATE, AK	WP	(Lat. 59°42'50.93" N, long. 162°33'09.70" W)
RUFVY, AK	WP	(Lat. 59°56'34.16" N, long. 164°02'03.72" W)
MKLUK, AK	WP	(Lat. 60°26'40.04" N, long. 165°55'17.28" W)
HOOPER BAY, AK (HPB)	VOR/DME	(Lat. 61°30'51.65" N, long. 166°08'04.13" W)

* * * * *

T-269 ANN to MKLUK [Amended]

ANNETTE ISLAND, AK (ANN)	VOR/DME	(Lat. 55°03'37.47" N, long. 131°34'42.24" W)
TURTY, AK	WP	(Lat. 55°48'26.84" N, long. 133°08'58.14" W)
FLIPS, AK	FIX	(Lat. 56°34'32.58" N, long. 134°52'46.97" W)
BIORKA ISLAND, AK (BKA)	VORTAC	(Lat. 56°51'33.87" N, long. 135°33'04.72" W)
HAPIT, AK	WP	(Lat. 58°11'57.57" N, long. 137°31'12.45" W)
CENTA, AK	WP	(Lat. 59°00'21.35" N, long. 138°48'10.27" W)
YAKUTAT, AK (YAK)	VOR/DME	(Lat. 59°30'38.99" N, long. 139°38'53.26" W)
KATAT, AK	WP	(Lat. 60°15'29.17" N, long. 144°42'18.77" W)
JOHNSTONE POINT, AK (JOH)	VOR/DME	(Lat. 60°28'51.43" N, long. 146°35'57.61" W)
ANCHORAGE, AK (TED)	VOR/DME	(Lat. 61°10'04.32" N, long. 149°57'36.51" W)
YONEK, AK	WP	(Lat. 61°10'22.97" N, long. 151°14'08.30" W)
VEILL, AK	WP	(Lat. 61°08'13.91" N, long. 154°15'45.68" W)
SPARREVOHN, AK (SQA)	VOR/DME	(Lat. 61°05'54.89" N, long. 155°38'04.49" W)
VIDDA, AK	WP	(Lat. 60°52'41.05" N, long. 160°28'33.09" W)
BETHEL, AK (BET)	VORTAC	(Lat. 60°47'05.41" N, long. 161°49'27.59" W)
MKLUK, AK	WP	(Lat. 60°26'40.04" N, long. 165°55'17.28" W)

* * * * *

Issued in Washington, DC, on May 18, 2021.

George Gonzalez,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021–10898 Filed 5–21–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Chapter I

Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Mexico

AGENCY: Office of the Secretary, U.S. Department of Homeland Security; U.S. Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: Notification of continuation of temporary travel restrictions.

SUMMARY: This document announces the decision of the Secretary of Homeland Security (Secretary) to continue to temporarily limit the travel of individuals from Mexico into the United States at land ports of entry along the United States-Mexico border. Such travel will be limited to “essential travel,” as further defined in this document.

DATES: These restrictions go into effect at 12 a.m. Eastern Daylight Time (EDT) on May 22, 2021 and will remain in

effect until 11:59 p.m. EDT on June 21, 2021.

FOR FURTHER INFORMATION CONTACT:

Stephanie Watson, Office of Field Operations Coronavirus Coordination Cell, U.S. Customs and Border Protection (CBP) at 202–325–0840.

SUPPLEMENTARY INFORMATION:

Background

On March 24, 2020, the Department of Homeland Security (DHS) published notice of its decision to temporarily limit the travel of individuals from Mexico into the United States at land ports of entry along the United States-Mexico border to “essential travel,” as further defined in that document.¹ The document described the developing circumstances regarding the COVID–19 pandemic and stated that, given the outbreak and continued transmission and spread of the virus associated with COVID–19 within the United States and globally, DHS had determined that the risk of continued transmission and spread of the virus associated with COVID–19 between the United States and Mexico posed a “specific threat to human life or national interests.” DHS later published a series of notifications continuing such limitations on travel until 11:59 p.m. EDT on May 21, 2021.²

DHS continues to monitor and respond to the COVID–19 pandemic. As of the week of May 10, 2021, there have been over 157 million confirmed cases globally, with over 3.2 million confirmed deaths.³ There have been over 32 million confirmed and probable

cases within the United States,⁴ over 1.2 million confirmed cases in Canada,⁵ and over 2.3 million confirmed cases in Mexico.⁶

Notice of Action

Given the outbreak and continued transmission and spread of COVID–19 within the United States and globally, the Secretary has determined that the risk of continued transmission and spread of the virus associated with COVID–19 between the United States and Mexico poses an ongoing “specific threat to human life or national interests.”

U.S. and Mexican officials have mutually determined that non-essential travel between the United States and Mexico poses additional risk of transmission and spread of the virus associated with COVID–19 and places the populace of both nations at increased risk of contracting the virus associated with COVID–19. Moreover, given the sustained human-to-human transmission of the virus, returning to previous levels of travel between the two nations places the personnel staffing land ports of entry between the United States and Mexico, as well as the individuals traveling through these ports of entry, at increased risk of exposure to the virus associated with COVID–19. Accordingly, and consistent with the authority granted in 19 U.S.C. 1318(b)(1)(C) and (b)(2),⁷ I have

determined that land ports of entry along the U.S.-Mexico border will continue to suspend normal operations and will only allow processing for entry into the United States of those travelers engaged in “essential travel,” as defined below. Given the definition of “essential travel” below, this temporary alteration in land ports of entry operations should not interrupt legitimate trade between the two nations or disrupt critical supply chains that ensure food, fuel, medicine, and other critical materials reach individuals on both sides of the border.

For purposes of the temporary alteration in certain designated ports of entry operations authorized under 19 U.S.C. 1318(b)(1)(C) and (b)(2), travel through the land ports of entry and ferry terminals along the United States-Mexico border shall be limited to “essential travel,” which includes, but is not limited to—

- U.S. citizens and lawful permanent residents returning to the United States;
- Individuals traveling for medical purposes (e.g., to receive medical treatment in the United States);
- Individuals traveling to attend educational institutions;
- Individuals traveling to work in the United States (e.g., individuals working in the farming or agriculture industry who must travel between the United States and Mexico in furtherance of such work);
- Individuals traveling for emergency response and public health purposes (e.g., government officials or emergency responders entering the United States to support Federal, state, local, tribal, or territorial government efforts to respond to COVID–19 or other emergencies);
- Individuals engaged in lawful cross-border trade (e.g., truck drivers supporting the movement of cargo between the United States and Mexico);
- Individuals engaged in official government travel or diplomatic travel;

Treasury were transferred to the Secretary of Homeland Security. See 6 U.S.C. 202(2), 203(1). Under 6 U.S.C. 212(a)(1), authorities “related to Customs revenue functions” were reserved to the Secretary of the Treasury. To the extent that any authority under section 1318(b)(1) was reserved to the Secretary of the Treasury, it has been delegated to the Secretary of Homeland Security. See Treas. Dep’t Order No. 100–16 (May 15, 2003), 68 FR 28322 (May 23, 2003). Additionally, 19 U.S.C. 1318(b)(2) provides that “[n]otwithstanding any other provision of law, the Commissioner of U.S. Customs and Border Protection, when necessary to respond to a specific threat to human life or national interests, is authorized to close temporarily any Customs office or port of entry or take any other lesser action that may be necessary to respond to the specific threat.” Congress has vested in the Secretary of Homeland Security the “functions of all officers, employees, and organizational units of the Department,” including the Commissioner of CBP. 6 U.S.C. 112(a)(3).

¹ 85 FR 16547 (Mar. 24, 2020). That same day, DHS also published notice of its decision to temporarily limit the travel of individuals from Canada into the United States at land ports of entry along the United States-Canada border to “essential travel,” as further defined in that document. 85 FR 16548 (Mar. 24, 2020).

² See 86 FR 21189 (Apr. 22, 2021); 86 FR 14813 (Mar. 19, 2021); 86 FR 10816 (Feb. 23, 2021); 86 FR 4967 (Jan. 19, 2021); 85 FR 83433 (Dec. 22, 2020); 85 FR 74604 (Nov. 23, 2020); 85 FR 67275 (Oct. 22, 2020); 85 FR 59669 (Sept. 23, 2020); 85 FR 51633 (Aug. 21, 2020); 85 FR 44183 (July 22, 2020); 85 FR 37745 (June 24, 2020); 85 FR 31057 (May 22, 2020); 85 FR 22353 (Apr. 22, 2020). DHS also published parallel notifications of its decisions to continue temporarily limiting the travel of individuals from Canada into the United States at land ports of entry along the United States-Canada border to “essential travel.” See 86 FR 21188 (Apr. 22, 2021); 86 FR 14812 (Mar. 19, 2021); 86 FR 10815 (Feb. 23, 2021); 86 FR 4969 (Jan. 19, 2021); 85 FR 83432 (Dec. 22, 2020); 85 FR 74603 (Nov. 23, 2020); 85 FR 67276 (Oct. 22, 2020); 85 FR 59670 (Sept. 23, 2020); 85 FR 51634 (Aug. 21, 2020); 85 FR 44185 (July 22, 2020); 85 FR 37744 (June 24, 2020); 85 FR 31050 (May 22, 2020); 85 FR 22352 (Apr. 22, 2020).

³ WHO, Coronavirus disease 2019 (COVID–19) Weekly Epidemiological Update (May 11, 2021), available at <https://www.who.int/publications/m/item/weekly-epidemiological-update-on-covid-19-11-may-2021>.

⁴ CDC, COVID Data Tracker (accessed May 14, 2021), https://covid.cdc.gov/covid-data-tracker/#cases_casesper100klast7days.

⁵ WHO, COVID–19 Weekly Epidemiological Update (May 11, 2021).

⁶ *Id.* On April 20, 2021, the Department of State issued Level 4 (Do Not Travel) Travel Advisories for Canada and Mexico due to COVID–19. See Department of State, Canada Travel Advisory (Apr. 20, 2021), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/canada-travel-advisory.html> (accessed May 6, 2021); Department of State, Mexico Travel Advisory (Apr. 20, 2021), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html> (last visited May 6, 2021). On April 2, 2021, the CDC issued similar travel notices for Canada and Mexico. See CDC, Travel Notice: COVID–19 in Canada (Apr. 2, 2021), <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-canada> (accessed May 6, 2021) (noting a very high level of COVID–19 in Canada and advising that travelers avoid all travel to Mexico); CDC, Travel Notice: COVID–19 in Mexico (Apr. 2, 2021), <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-mexico> (accessed May 6, 2021) (noting a very high level of COVID–19 in Mexico and advising that travelers avoid all travel to Mexico).

⁷ 19 U.S.C. 1318(b)(1)(C) provides that “[n]otwithstanding any other provision of law, the Secretary of the Treasury, when necessary to respond to a national emergency declared under the National Emergencies Act (50 U.S.C. 1601 *et seq.*) or to a specific threat to human life or national interests,” is authorized to “[t]ake any . . . action that may be necessary to respond directly to the national emergency or specific threat.” On March 1, 2003, certain functions of the Secretary of the

- Members of the U.S. Armed Forces, and the spouses and children of members of the U.S. Armed Forces, returning to the United States; and

- Individuals engaged in military-related travel or operations.

The following travel does not fall within the definition of “essential travel” for purposes of this Notification—

- Individuals traveling for tourism purposes (e.g., sightseeing, recreation, gambling, or attending cultural events).

At this time, this Notification does not apply to air, freight rail, or sea travel between the United States and Mexico, but does apply to passenger rail, passenger ferry travel, and pleasure boat travel between the United States and Mexico. These restrictions are temporary in nature and shall remain in effect until 11:59 p.m. EDT on June 21, 2021. This Notification may be amended or rescinded prior to that time, based on circumstances associated with the specific threat. DHS is working closely with counterparts in Mexico and Canada to identify appropriate public health conditions to safely ease restrictions as soon as possible to support U.S. border communities.

The Commissioner of U.S. Customs and Border Protection (CBP) is hereby directed to prepare and distribute appropriate guidance to CBP personnel on the continued implementation of the temporary measures set forth in this Notification. The CBP Commissioner may determine that other forms of travel, such as travel in furtherance of economic stability or social order, constitute “essential travel” under this Notification. Further, the CBP Commissioner may, on an individualized basis and for humanitarian reasons or for other purposes in the national interest, permit the processing of travelers to the United States not engaged in “essential travel.”

Alejandro N. Mayorkas,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2021–10992 Filed 5–21–21; 8:45 am]

BILLING CODE 9112–FP–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Chapter I

Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Canada

AGENCY: Office of the Secretary, U.S. Department of Homeland Security; U.S. Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: Notification of continuation of temporary travel restrictions.

SUMMARY: This document announces the decision of the Secretary of Homeland Security (Secretary) to continue to temporarily limit the travel of individuals from Canada into the United States at land ports of entry along the United States-Canada border. Such travel will be limited to “essential travel,” as further defined in this document.

DATES: These restrictions go into effect at 12 a.m. Eastern Daylight Time (EDT) on May 22, 2021 and will remain in effect until 11:59 p.m. EDT on June 21, 2021.

FOR FURTHER INFORMATION CONTACT: Stephanie Watson, Office of Field Operations Coronavirus Coordination Cell, U.S. Customs and Border Protection (CBP) at 202–325–0840.

SUPPLEMENTARY INFORMATION:

Background

On March 24, 2020, the Department of Homeland Security (DHS) published notice of its decision to temporarily limit the travel of individuals from Canada into the United States at land ports of entry along the United States-Canada border to “essential travel,” as further defined in that document.¹ The document described the developing circumstances regarding the COVID–19 pandemic and stated that, given the outbreak and continued transmission and spread of the virus associated with COVID–19 within the United States and globally, DHS had determined that the risk of continued transmission and spread of the virus associated with COVID–19 between the United States and Canada posed a “specific threat to human life or national interests.” DHS

later published a series of notifications continuing such limitations on travel until 11:59 p.m. EDT on May 21, 2021.²

DHS continues to monitor and respond to the COVID–19 pandemic. As of the week of May 10, 2021, there have been over 157 million confirmed cases globally, with over 3.2 million confirmed deaths.³ There have been over 32 million confirmed and probable cases within the United States,⁴ over 1.2 million confirmed cases in Canada,⁵ and over 2.3 million confirmed cases in Mexico.⁶

Notice of Action

Given the outbreak and continued transmission and spread of COVID–19 within the United States and globally, the Secretary has determined that the risk of continued transmission and spread of the virus associated with COVID–19 between the United States and Canada poses an ongoing “specific

² See 86 FR 21188 (Apr. 22, 2021); 86 FR 14812 (Mar. 19, 2021); 86 FR 10815 (Feb. 23, 2021); 86 FR 4969 (Jan. 19, 2021); 85 FR 83432 (Dec. 22, 2020); 85 FR 74603 (Nov. 23, 2020); 85 FR 67276 (Oct. 22, 2020); 85 FR 59670 (Sept. 23, 2020); 85 FR 51634 (Aug. 21, 2020); 85 FR 44185 (July 22, 2020); 85 FR 37744 (June 24, 2020); 85 FR 31050 (May 22, 2020); 85 FR 22352 (Apr. 22, 2020). DHS also published parallel notifications of its decisions to continue temporarily limiting the travel of individuals from Mexico into the United States at land ports of entry along the United States-Mexico border to “essential travel.” See 86 FR 21189 (Apr. 22, 2021); 86 FR 14813 (Mar. 19, 2021); 86 FR 10816 (Feb. 23, 2021); 86 FR 4969 (Jan. 19, 2021); 85 FR 83433 (Dec. 22, 2020); 85 FR 74604 (Nov. 23, 2020); 85 FR 67275 (Oct. 22, 2020); 85 FR 59669 (Sept. 23, 2020); 85 FR 51633 (Aug. 21, 2020); 85 FR 44183 (July 22, 2020); 85 FR 37745 (June 24, 2020); 85 FR 31057 (May 22, 2020); 85 FR 22353 (Apr. 22, 2020).

³ WHO, Coronavirus disease 2019 (COVID–19) Weekly Epidemiological Update (May 11, 2021), available at <https://www.who.int/publications/m/item/weekly-epidemiological-update-on-covid-19---11-may-2021>.

⁴ CDC, COVID Data Tracker (accessed May 14, 2021), https://covid.cdc.gov/covid-data-tracker/#cases_casesper100klast7days.

⁵ WHO, COVID–19 Weekly Epidemiological Update (May 11, 2021).

⁶ *Id.* On April 20, 2021, the Department of State issued Level 4 (Do Not Travel) Travel Advisories for Canada and Mexico due to COVID–19. See Department of State, Canada Travel Advisory (Apr. 20, 2021), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/canada-travel-advisory.html> (accessed May 6, 2021); Department of State, Mexico Travel Advisory (Apr. 20, 2021), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html> (last visited May 6, 2021). On April 2, 2021, the CDC issued similar travel notices for Canada and Mexico. See CDC, Travel Notice: COVID–19 in Canada (Apr. 2, 2021), <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-canada> (accessed May 6, 2021) (noting a very high level of COVID–19 in Canada and advising that travelers avoid all travel to Mexico); CDC, Travel Notice: COVID–19 in Mexico (Apr. 2, 2021), <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-mexico> (accessed May 6, 2021) (noting a very high level of COVID–19 in Mexico and advising that travelers avoid all travel to Mexico).

¹ 85 FR 16548 (Mar. 24, 2020). That same day, DHS also published notice of its decision to temporarily limit the travel of individuals from Mexico into the United States at land ports of entry along the United States-Mexico border to “essential travel,” as further defined in that document. 85 FR 16547 (Mar. 24, 2020).

threat to human life or national interests.”

U.S. and Canadian officials have mutually determined that non-essential travel between the United States and Canada poses additional risk of transmission and spread of the virus associated with COVID-19 and places the populace of both nations at increased risk of contracting the virus associated with COVID-19. Moreover, given the sustained human-to-human transmission of the virus, returning to previous levels of travel between the two nations places the personnel staffing land ports of entry between the United States and Canada, as well as the individuals traveling through these ports of entry, at increased risk of exposure to the virus associated with COVID-19. Accordingly, and consistent with the authority granted in 19 U.S.C. 1318(b)(1)(C) and (b)(2),⁷ I have determined that land ports of entry along the U.S.-Canada border will continue to suspend normal operations and will only allow processing for entry into the United States of those travelers engaged in “essential travel,” as defined below. Given the definition of “essential travel” below, this temporary alteration in land ports of entry operations should not interrupt legitimate trade between the two nations or disrupt critical supply chains that ensure food, fuel, medicine, and other critical materials reach individuals on both sides of the border.

For purposes of the temporary alteration in certain designated ports of entry operations authorized under 19 U.S.C. 1318(b)(1)(C) and (b)(2), travel

through the land ports of entry and ferry terminals along the United States-Canada border shall be limited to “essential travel,” which includes, but is not limited to—

- U.S. citizens and lawful permanent residents returning to the United States;
- Individuals traveling for medical purposes (e.g., to receive medical treatment in the United States);
- Individuals traveling to attend educational institutions;
- Individuals traveling to work in the United States (e.g., individuals working in the farming or agriculture industry who must travel between the United States and Canada in furtherance of such work);
- Individuals traveling for emergency response and public health purposes (e.g., government officials or emergency responders entering the United States to support Federal, state, local, tribal, or territorial government efforts to respond to COVID-19 or other emergencies);
- Individuals engaged in lawful cross-border trade (e.g., truck drivers supporting the movement of cargo between the United States and Canada);
- Individuals engaged in official government travel or diplomatic travel;
- Members of the U.S. Armed Forces, and the spouses and children of members of the U.S. Armed Forces, returning to the United States; and
- Individuals engaged in military-related travel or operations.

The following travel does not fall within the definition of “essential travel” for purposes of this Notification—

- Individuals traveling for tourism purposes (e.g., sightseeing, recreation, gambling, or attending cultural events).

At this time, this Notification does not apply to air, freight rail, or sea travel between the United States and Canada, but does apply to passenger rail, passenger ferry travel, and pleasure boat travel between the United States and Canada. These restrictions are temporary in nature and shall remain in effect until 11:59 p.m. EDT on June 21, 2021. This Notification may be amended or rescinded prior to that time, based on circumstances associated with the specific threat. DHS is working closely with counterparts in Mexico and Canada to identify appropriate public health conditions to safely ease restrictions as soon as possible to support U.S. border communities.

The Commissioner of U.S. Customs and Border Protection (CBP) is hereby directed to prepare and distribute appropriate guidance to CBP personnel on the continued implementation of the temporary measures set forth in this Notification. The CBP Commissioner

may determine that other forms of travel, such as travel in furtherance of economic stability or social order, constitute “essential travel” under this Notification. Further, the CBP Commissioner may, on an individualized basis and for humanitarian reasons or for other purposes in the national interest, permit the processing of travelers to the United States not engaged in “essential travel.”

Alejandro N. Mayorkas,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2021–10991 Filed 5–21–21; 8:45 am]

BILLING CODE 9112–FP–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–558]

Schedules of Controlled Substances: Placement of Lasmiditan in Schedule V

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: This final rule adopts an interim final rule with request for comments published in the **Federal Register** on January 31, 2020, placing lasmiditan (2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide), including its salts, in schedule V of the Controlled Substances Act without change, apart from a minor amendment to the placement ordering of lasmiditan already made by intervening rules. With the issuance of this final rule, the Drug Enforcement Administration maintains lasmiditan, including its salts, in schedule V of the Controlled Substances Act.

DATES: The effective date of this final rulemaking is May 24, 2021.

FOR FURTHER INFORMATION CONTACT: Terrence L. Boos, Drug and Chemical Evaluation Section, Drug Enforcement Administration; Telephone: (571) 362–3249.

SUPPLEMENTARY INFORMATION:

Background and Legal Authority

On January 31, 2020, the Drug Enforcement Administration (DEA), pursuant to 21 U.S.C. 811(j), published an interim final rule placing lasmiditan, a recently Food and Drug Administration (FDA)-approved medication for the acute treatment of patients with migraine, in schedule V of

⁷ 19 U.S.C. 1318(b)(1)(C) provides that “[n]otwithstanding any other provision of law, the Secretary of the Treasury, when necessary to respond to a national emergency declared under the National Emergencies Act (50 U.S.C. 1601 *et seq.*) or to a specific threat to human life or national interests,” is authorized to “[t]ake any . . . action that may be necessary to respond directly to the national emergency or specific threat.” On March 1, 2003, certain functions of the Secretary of the Treasury were transferred to the Secretary of Homeland Security. See 6 U.S.C. 202(2), 203(1). Under 6 U.S.C. 212(a)(1), authorities “related to Customs revenue functions” were reserved to the Secretary of the Treasury. To the extent that any authority under section 1318(b)(1) was reserved to the Secretary of the Treasury, it has been delegated to the Secretary of Homeland Security. See Treas. Dep’t Order No. 100–16 (May 15, 2003), 68 FR 28322 (May 23, 2003). Additionally, 19 U.S.C. 1318(b)(2) provides that “[n]otwithstanding any other provision of law, the Commissioner of U.S. Customs and Border Protection, when necessary to respond to a specific threat to human life or national interests, is authorized to close temporarily any Customs office or port of entry or take any other lesser action that may be necessary to respond to the specific threat.” Congress has vested in the Secretary of Homeland Security the “functions of all officers, employees, and organizational units of the Department,” including the Commissioner of CBP. 6 U.S.C. 112(a)(3).

the Controlled Substances Act (CSA).¹ 85 FR 5557. Specifically, this interim final rule placed lasmiditan in 21 CFR 1308.15(e)(4). As provided in paragraph (e), the placement of a substance in this depressant's category includes its salts. However, DEA incorrectly stated in the preamble of the interim final rule that lasmiditan (including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible) was placed in schedule V. The preamble of this final rule now correctly refers solely to lasmiditan and its salts. It bears emphasis that the regulatory text used in this final rule remains unchanged from that used in the interim final rule, apart from the change in placement ordering of lasmiditan due to intervening rules. DEA's issuance of the interim and final rules for placement of cenobamate in schedule V changed the placement order of lasmiditan from § 1308.15(e)(4) to 1308.15(e)(5). 85 FR 13741, March 10, 2020; and 85 FR 51340, August 20, 2020.

The interim final rule referenced two supporting documents and stated they were available for viewing on the electronic docket. Specifically, the two documents cited are as follows: (1) The Department of Health and Human Services (HHS) October 2019 scientific and medical evaluation and scheduling recommendation (HHS Eight-Factor analysis), and (2) DEA's January 2020 Eight-Factor analysis. DEA has discovered that these documents were not posted to the electronic docket. However, they were available for viewing at DEA headquarters. Upon publication of this final rule, DEA will post to the docket the DEA January 2020 and HHS Eight-Factor analyses that should have accompanied the interim final rule, as well as DEA's August 2020 Eight-Factor analysis.

The interim final rule provided an opportunity for interested persons to submit comments as well as file a request for hearing or waiver of hearing, on or before March 2, 2020. DEA did not receive any requests for hearing or waiver of hearing.

Comments Received

In response to the interim final rule, DEA received five comments, four from individuals and one from a pharmaceutical manufacturer (the Sponsor of the new drug application (NDA) for Reyvow (lasmiditan)). One individual supported schedule V

placement; two other individuals instead suggested schedule IV placement with the option to reclassify to schedule V after a provisional period; the manufacturer did not provide a position on the scheduling action but requested that the half-life information for lasmiditan be corrected; and the remaining individual expressed views on a non-DEA rulemaking. DEA will not summarize or respond to this last comment as it was outside the scope of this rulemaking.

Schedule V Placement

An individual commenter briefly discussed the background and abuse liability of lasmiditan, and stated that lasmiditan at doses greater than 200 mg has shown potential for abuse. In light of the current opioid epidemic, the commenter believes it is important that DEA appropriately regulate prescription medications with abuse potential. The commenter agreed that the schedule V classification for lasmiditan provides adequate oversight, without being overly regulatory, and will ensure the safety of the public.

DEA Response: DEA determined in the interim final rule, and re-affirms in this final rule, that lasmiditan meets the criteria under 21 U.S.C. 812(b)(5) for schedule V control. As described by HHS, testing of lasmiditan at supratherapeutic dosages (400 mg) did show that it has abuse potential, however these effects of all doses of lasmiditan (100, 200 and 400 mg) were significantly lower than alprazolam (see Factor 2 of 8 factor analysis). DEA appreciates the support for this rulemaking.

Schedule IV Placement With Option To Reclassify After Provisional Period

Two individual commenters expressed concerns with DEA's placing lasmiditan in schedule V due to the overall lack of data for the drug's abuse and dependence risks. One of these commenters cited a 2019 Phase 1 randomized, placebo- and alprazolam-controlled crossover study, which provided both therapeutic (100 and 200 mg) and supratherapeutic (400 mg) dosages of lasmiditan to the study subjects.² This commenter stated that the researchers, after characterizing the subjective-liking drug effects, considered lasmiditan to have a low potential for abuse (compared to schedule IV alprazolam). However, the

study authors listed the common adverse events occurring for lasmiditan at the three doses—100 mg, 200 mg, and 400 mg—and specifically noted that higher doses produced greater events for somnolence (32.7%, 40.0%, and 54.5%, respectively) and euphoric mood (25.5%, 49.1%, and 45.5%, respectively). This same commenter stated that this was the only study of this type conducted, and its small study size of 58 participants could have a large margin for error.

The other commenter also stated, very generally without referring to any specific study findings, that lasmiditan has lower potential for abuse and dependence than alprazolam. This commenter noted though the similar therapeutic effects for lasmiditan at higher doses, and stated this could be problematic for patients with chronic migraine taking lasmiditan. This commenter referenced a 2015 journal article (Weatherall, 2015),³ and stated “[s]tudies have shown that those who suffer from chronic migraines also have medication overuse.” In the commenter's opinion, such medication overuse could lead to heightened abuse and dependence risks.

As a result, this commenter believed schedule IV was more appropriate for this nascent drug, as a schedule IV classification provides more oversight by physicians for prescribing this drug to patients. Specifically, this commenter referenced a 2019 publication, updated in 2020, that indicated schedule IV drugs are drugs utilized for pain control as long as the provider deems the drug medically necessary and beneficial to the patient. Both commenters urged DEA to consider placing lasmiditan in schedule IV for a probationary or provisional time period with the option to reclassify lasmiditan as a schedule V substance. This option could be implemented once more rigorous clinical studies are conducted, and the analyzed results accurately demonstrate potential for abuse and dependency, justifying schedule V placement.

DEA Response: DEA notes that FDA approved an NDA for Reyvow (lasmiditan), and HHS provided DEA with an evaluation and a scheduling recommendation for control of lasmiditan in schedule V. As provided in 21 U.S.C. 811(j), the scheduling recommendation by HHS and the FDA approval of the NDA necessitated DEA review and its own determination for the scheduling action (to first issue the interim final rule and subsequently to

¹ The interim final rule stated that FDA, in October 2019, approved the new drug application for Reyvow (lasmiditan) 50 and 100 mg oral tablets for the acute treatment of migraine with or without aura in adults.

² Wilbraham, D., Berg, P.H., Tsai, M., Liffick, E., Loo, L.S., Doty, E.G., & Sellers, E. (2020). Abuse Potential of Lasmiditan: A Phase 1 Randomized, Placebo- and Alprazolam-Controlled Crossover Study. *Journal of clinical pharmacology*, 60(4), 495–504.

³ Weatherall, M. W. (2015). The diagnosis and treatment of chronic migraine. *Therapeutic Advances in Chronic Disease*, 6(3), 115–123.

issue this final rule) pursuant to 21 U.S.C. 811(a) and (b) and 812. As discussed in the interim final rule, DEA's scheduling determination was based on consideration of the eight factors listed in 21 U.S.C. 811(c), HHS' scientific and medical evaluation and scheduling recommendation, and all other relevant data. DEA concurred with HHS' recommendation that lasmiditan has low potential for abuse relative to substances in schedule IV and therefore supported—and continues to support through this final rule—placement of lasmiditan in schedule V. DEA notes that under 21 U.S.C. 811(b), HHS' recommendations shall be binding on the Administrator of DEA (as delegated by the Attorney General) as to any scientific or medical considerations involved in three of the eight factors specified in 21 U.S.C. 811(c) (*i.e.*, factors 1, 4, and 5). Regarding the commenters' issues with lasmiditan's placement in schedule V, there is still significant oversight for schedule V drugs. For both the interim final rule and this final rule, DEA made the findings required under 21 U.S.C. 812(b)(5) for the placement of lasmiditan in schedule V. None of the commenters requested a hearing on the scheduling of lasmiditan.

DEA would like to further clarify that the commenter who cited Weatherall, 2015 over-generalized the author's statements on the studies' findings pertaining to chronic migraine patients and medication overuse. In actuality, Weatherall (2015) stated that “[m]any patients with chronic migraine also have medication overuse,” suggesting that while medication overuse does occur in migraine patients, it does not occur in all patients as stated by the commenter.

Half-Life Information for Lasmiditan

The manufacturer commenter (the Sponsor of the NDA for Reyvow (lasmiditan)) stated that the interim final rule, in the factor 3 discussion, inaccurately listed the half-life for lasmiditan as “approximately 31 hours,” based on a general reference to rat studies. The commenter contended that DEA used findings from one specific rat study, which was included in the NDA for lasmiditan, to set this long half-life for lasmiditan. The commenter noted that this study determined the half-life by measuring circulating levels of radioactivity, and the reported findings were actually 27–32 hours. In addition, the commenter stated that, similarly to half-life findings for lasmiditan in clinical studies, this rat study's findings of a longer half-life is not a reflection of lasmiditan alone. Rather, this half-life reflects “all drug-

related analytes (*i.e.*, pharmacologically inactive metabolites), some of which have longer half-lives than the parent drug, lasmiditan.” This commenter provided findings from another rat study included in the NDA for lasmiditan, which used a non-radiolabeled dose of lasmiditan. The commenter stated that this rat study used measures to detect only the half-life of the parent (intact) drug, lasmiditan; the study reported the mean lasmiditan half-life in plasma as 2–3 hours. Therefore, the commenter requested that DEA correct the factor 3 discussion regarding the lasmiditan half-life data to state: “Rat studies demonstrate that lasmiditan has a half-life of 2–3 hours.”

DEA Response: The eight-factor analysis described in the interim final rule is an abridged version of DEA's eight-factor analysis. Regarding the commenter's request that factor 3 discussion provide half-life findings from an additional rat study, both the DEA (January 2020) and HHS eight-factor analyses conducted as part of the interim final rule process noted the half-life in their respective tables. In DEA's August 2020 eight-factor analysis, information was added in Factor 3 to describe this additional study and show a shorter half-life (2–3 hours) of lasmiditan as compared to the long half-life obtained from the study measuring radioactivity (see Table 5 and 6 of DEA 8-factor analysis). DEA agrees with the commenter that longer half-lives of pharmacologically inactive metabolites can occur.

Based on the rationale set forth in the interim final rule, DEA adopts the interim final rule without change.

Requirements for Handling Lasmiditan

As indicated above, lasmiditan has been a schedule V controlled substance by virtue of the interim final rule issued by DEA in January 2020. Thus, this final rule does not alter the regulatory requirements applicable to handlers of lasmiditan that have been in place since that time. Nonetheless, for informational purposes, we restate here those requirements. Lasmiditan is subject to the CSA's schedule V regulatory controls and administrative, civil, and criminal sanctions applicable to the manufacture, distribution, reverse distribution, dispensing, importing, exporting, research, and conduct of instructional activities and chemical analysis with, and possession involving schedule V substances, including, but not limited to, the following:

1. **Registration.** Any person who handles (manufactures, distributes, reverse distributes, dispenses, imports,

exports, engages in research, or conducts instructional activities or chemical analysis with, or possesses) lasmiditan, or who desires to handle lasmiditan, must be registered with DEA to conduct such activities pursuant to 21 U.S.C. 822, 823, 957, and 958, and in accordance with 21 CFR parts 1301 and 1312. Any person who currently handles or intends to handle lasmiditan, and is not registered with DEA, must submit an application for registration and may not continue to handle lasmiditan unless DEA has approved that application for registration, pursuant to 21 U.S.C. 822, 823, 957, and 958, and in accordance with 21 CFR parts 1301 and 1312. These registration requirements, however, are not applicable to patients (end users) who possess lasmiditan pursuant to a lawful prescription.

2. **Disposal of stocks.** Any person who obtains a schedule V registration to handle lasmiditan but who subsequently does not desire, or is not able to maintain such registration must surrender all quantities of lasmiditan, or may transfer all quantities of lasmiditan to a person registered with DEA in accordance with 21 CFR part 1317, in addition to all other applicable federal, state, local, and tribal laws.

3. **Security.** Lasmiditan is subject to schedule III–V security requirements for DEA registrants, and it must be handled and stored in accordance with 21 CFR 1301.71–1301.93. Non-practitioners handling lasmiditan must also comply with the employee screening requirements of 21 CFR 1301.90–1301.93.

4. **Labeling and Packaging.** All labels, labeling, and packaging for commercial containers of lasmiditan must comply with 21 U.S.C. 825 and 958(e), and be in accordance with 21 CFR part 1302.

5. **Inventory.** Every DEA registrant who possesses any quantity of lasmiditan was required to keep an inventory of lasmiditan on hand, as of January 31, 2020, pursuant to 21 U.S.C. 827 and 958(e), and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11.

6. **Records and Reports.** DEA registrants must maintain records and submit reports for lasmiditan, or products containing lasmiditan, pursuant to 21 U.S.C. 827 and 958(e), and in accordance with 21 CFR 1301.74(b) and (c) and parts 1304, 1312, and 1317.

7. **Prescriptions.** All prescriptions for lasmiditan, or products containing lasmiditan, must comply with 21 U.S.C. 829, and be issued in accordance with 21 CFR parts 1306 and 1311, subpart C.

8. **Manufacturing and Distributing.** In addition to the general requirements of

the CSA and DEA regulations that are applicable to manufacturers and distributors of schedule V controlled substances, such registrants should be advised that (consistent with the foregoing considerations) any manufacturing or distribution of lasmiditan may only be for the legitimate purposes consistent with the drug's labeling, or for research activities authorized by the Federal Food, Drug, and Cosmetic Act and the CSA.

9. *Importation and Exportation.* All importation and exportation of lasmiditan must be in compliance with 21 U.S.C. 952, 953, 957, and 958, and in accordance with 21 CFR part 1312.

10. *Liability.* Any activity involving lasmiditan not authorized by, or in violation of, the CSA or its implementing regulations is unlawful, and may subject the person to administrative, civil, and/or criminal sanctions.

Regulatory Analyses

Administrative Procedure Act

This final rule affirms the amendment made by the interim final rule that is already in effect with a minor change in placement ordering of lasmiditan as discussed above. Section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553) generally requires notice and comment for rulemakings. However, 21 U.S.C. 811(j) provides that in cases where a certain new drug is: (1) Approved by HHS and (2) HHS recommends control in CSA schedule II–V, DEA shall issue an interim final rule scheduling the drug within 90 days. Additionally, subsection (j) specifies that the rulemaking shall become immediately effective as an interim final rule without requiring DEA to demonstrate good cause. DEA issued an interim final rule on January 31, 2020, which provided notice and an opportunity for a hearing on the record and solicited public comments on that rule. Subsection (j) further states that after giving interested persons the opportunity to comment and to request a hearing, the Attorney General, as delegated to the Administrator of DEA, shall issue a final rule in accordance with the scheduling criteria of 21 U.S.C. 811 (b) through (d) and 812(b). DEA is now responding to the comments submitted by the public and issuing the final rule in accordance with subsection (j).

Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review)

In accordance with 21 U.S.C. 811(a) and (j), this scheduling action is subject to formal rulemaking procedures performed “on the record after opportunity for a hearing,” which are conducted pursuant to the provisions of 5 U.S.C. 556 and 557. The CSA sets forth the procedures and criteria for scheduling a drug or other substance. Such actions are exempt from review by the Office of Management and Budget (OMB) pursuant to section 3(d)(1) of Executive Order (E.O.) 12866 and the principles reaffirmed in E.O. 13563.

Executive Order 12988, Civil Justice Reform

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13132, Federalism

This rulemaking does not have federalism implications warranting the application of E.O. 13132. The rule does 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.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This rule does not have tribal implications warranting the application of E.O. 13175. It does not 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.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) applies to rules that are subject to notice and comment under section 553(b) of the APA. As noted in the above discussion regarding the applicability of the APA, DEA was not required to publish a general notice of proposed rulemaking. Consequently, the RFA does not apply.

Unfunded Mandates Reform Act of 1995

In accordance with the Unfunded Mandates Reform Act (UMRA) of 1995, 2 U.S.C. 1501 *et seq.*, DEA has determined that this action would not

result in any 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 (adjusted annually for inflation) in any 1 year.” Therefore, neither a Small Government Agency Plan nor any other action is required under UMRA of 1995.

Paperwork Reduction Act of 1995

This action does not impose a new collection of information requirement under the Paperwork Reduction Act of 1995. 44 U.S.C. 3501–3521. This action would not impose recordkeeping or reporting requirements on State or local governments, individuals, businesses, or organizations. 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.

Congressional Review Act

This rule is not a major rule as defined by the Congressional Review Act (CRA), 5 U.S.C. 804. However, DEA is submitting the required reports to the Government Accountability Office, the House, and the Senate under the CRA.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

■ Accordingly, the interim final rule amending 21 CFR part 1308, which was published at 85 FR 5557 on January 31, 2020, and as subsequently amended at 85 FR 13741 and 85 FR 51340, is adopted as a final rule without change.

D. Christopher Evans,

Acting Administrator.

[FR Doc. 2021–10827 Filed 5–21–21; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 224

**[212D0102DR/DS5A300000/
DR.5A311.IA000118]**

RIN 1076–AF65

Tribal Energy Resource Agreements

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Interim final rule.

SUMMARY: On December 18, 2019, the Bureau of Indian Affairs (BIA) amended its regulations governing Tribal Energy

Resource Agreements (TERAs) between the Secretary of the Interior (Secretary) and Indian Tribes. That document inadvertently failed to include the statutory requirement that any application for a Tribal Energy Development Organization (TEDO) be submitted by the Tribe, rather than the TEDO itself, and incorrectly listed three cross-references. This interim final rule would correct that omission and cross-references.

DATES: This rule is effective May 24, 2021. Submit comments by June 23, 2021.

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

- Federal rulemaking portal www.regulations.gov. The rule is listed under the agency name “Bureau of Indian Affairs.”

- Email: comments@bia.gov.

- We cannot ensure that comments received after the close of the comment period (see **DATES**) will be included in the docket for this rulemaking and considered. Comments sent to an address other than those listed above will not be included in the docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Appel, Director, Office of Regulatory Affairs & Collaborative Action, (202) 273-4680; elizabeth.appel@bia.gov.

SUPPLEMENTARY INFORMATION:

I. Background

II. Corrections to Final Rule

III. Procedural Requirements

- A. Regulatory Planning and Review (E.O. 12866, 13563, and 13771)
- B. Regulatory Flexibility Act
- C. Small Business Regulatory Enforcement Fairness Act
- D. Unfunded Mandates Reform Act
- E. Takings (E.O. 12630)
- F. Federalism (E.O. 13132)
- G. Civil Justice Reform (E.O. 12988)
- H. Consultation With Indian Tribes (E.O. 13175)
- I. Paperwork Reduction Act
- J. National Environmental Policy Act
- K. Effects on the Energy Supply (E.O. 13211)

I. Background

On December 18, 2019, BIA updated its TERA regulations under the authority of the Indian Tribal Energy Development and Self-Determination Act of 2005, as amended by the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017, 25 U.S.C. 3501–3504, Public Law 115–325, and 25 U.S.C. 2 and 9. The rule addressed the requirements of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017 (2017 Amendments), including establishing a process and criteria for

TEDOs to obtain certification from the Secretary so that they may enter into leases, business agreements, and rights-of-way with Tribes on Tribal land without Secretarial approval. See Section 103(b) of the 2017 Amendments.

II. Corrections to Final Rule

The 2019 regulation stated at § 224.202 that a TEDO must submit an application. The statute, however, states that the Tribe submits the application for certification of a TEDO. See 25 U.S.C. 3504(h)(1). For that reason, the regulation at § 224.202 must be corrected to provide that a Tribe must submit the application.

Additionally, Indian Affairs identified typographical errors in the cross-references to paragraphs in § 224.53, which should be corrected as follows:

- In paragraph (a)(3), the cross-reference should be to paragraph (b), rather than paragraph (c);
- In paragraph (a)(5), the cross-reference should be to paragraph (c) rather than paragraph (d); and
- In paragraph (b), the cross reference should be to paragraph (a)(3) rather than paragraph (a)(6).

III. Procedural Requirements

A. Regulatory Planning and Review (E.O. 12866, 13563)

Executive Order (E.O.) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB) will review all significant rules. OIRA has determined that this rule is not significant.

E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the Nation’s regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The E.O. directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

B. Regulatory Flexibility Act

The Department of the Interior certifies that this rule will not have a significant economic effect on a

substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

C. Small Business Regulatory Enforcement Fairness Act

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

- (a) Does not have an annual effect on the economy of \$100 million or more;

- (b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and

- (c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises because this rule makes minor corrections.

D. Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than \$100 million per year. The rule does not have a monetarily significant or unique effect on State, local, or Tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

E. Takings (E.O. 12630)

This rule does not affect a taking of private property or otherwise have taking implications under Executive Order 12630 because this rule does not affect individual property rights protected by the Fifth Amendment or involve a compensable “taking.” A takings implication assessment is not required.

F. Federalism (E.O. 13132)

Under the criteria in section 1 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement because the rule affects only agreements entered into by Tribes and the Department. A federalism summary impact statement is not required.

G. Civil Justice Reform (E.O. 12988)

This rule complies with the requirements of Executive Order 12988. Specifically, this rule: (a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and (b) Meets the criteria of section 3(b)(2) requiring that

all regulations be written in clear language and contain clear legal standards.

H. Consultation With Indian Tribes (E.O. 13175)

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. We have evaluated this rule under the Department's consultation policy and under the criteria in Executive Order 13175 and have determined that it does not have substantial direct effects on federally recognized Indian Tribes because the Department consulted on substantive requirements of the rule that is in effect, and this rule merely makes minor corrections to that substantive rule.

I. Paperwork Reduction Act

OMB Control No. 1076–0167 currently authorizes the collections of information contained in 25 CFR part 224. This rule does not affect those collections of information.

J. National Environmental Policy Act

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act of 1969 (NEPA) is not required because this is an administrative and procedural regulation. (For further information see 43 CFR 46.210(i)). We have also determined that the rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA.

K. Effects on the Energy Supply (E.O. 13211)

This rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

L. Clarity of This Regulation

We are required by Executive Orders 12866 (section 1(b)(12)), and 12988 (section 3(b)(1)(B)), and 13563 (section 1(a)), and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

- (a) Be logically organized;
- (b) Use the active voice to address readers directly;
- (c) Use common, everyday words and clear language rather than jargon;
- (d) Be divided into short sections and sentences; and

(e) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in the **ADDRESSES** section. To better help us revise the rule, your comments should be as specific as possible. For example, you should tell us the numbers of the sections or paragraphs that you find unclear, which sections or sentences are too long, the sections where you think lists or tables would be useful, etc.

M. Public Availability of Comments

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.

N. Determination To Issue an Interim Final Rule With Immediate Effective Date

We are publishing this interim final rule with a request for comment without prior notice and comment, as allowed under 5 U.S.C. 553(b). Under section 553(b) we find that there is good cause to effectuate this rule without prior notice, and comments are unnecessary and would be contrary to the public interest. This rule is necessary to ensure that the regulation is clear in that the Tribe must approve a TEDO application, and correct internal section cross-references.

As allowed under 5 U.S.C. 553(d)(3), the effective date of this rule is the date of publication in the **Federal Register**. Good cause for an immediate effective date exists because the delay in publishing this rule serves no useful purpose as the statute already requires what this interim final rule updates in the regulation and any delay in correcting internal cross-references to sections may cause confusion on the part of potential TEDO applicants. We are requesting comments on this interim final rule. We will review any comments received and, by a future publication in the **Federal Register**, address any comments received.

List of Subjects in 25 CFR Part 224

Agreement, Appeals, Application, Business Agreements, Energy Development, Interested Party, Lease, Record keeping requirements, Reporting requirements, Right-of-Way, Tribal Energy Resource Agreements, Tribal

capacity, Tribal lands, Trust, Trust asset.

For the reasons stated in the preamble, the Department of the Interior, Bureau of Indian Affairs, amends part 224 in title 25 of the Code of Federal Regulations as follows:

PART 224—TRIBAL ENERGY RESOURCE AGREEMENTS UNDER THE INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF DETERMINATION ACT

■ 1. The authority for part 224 continues to read as follows:

Authority: 25 U.S.C. 2 and 9; 25 U.S.C. 3501–3504; Pub. L. 109–58; Pub. L. 115–325.

§ 224.53 [Amended]

■ 2. In § 224.53:

- a. Amend paragraph (a)(3) by removing “paragraph (c)” and adding “paragraph (b)” in its place;
 - b. Amend paragraph (a)(5) by removing “paragraph (d)” and adding “paragraph (c)” in its place.
 - c. Amend paragraph (b) introductory text by removing “paragraph (a)(6)” and adding “paragraph (a)(3)” in its place.
- 3. Revise § 224.202 to read as follows:

§ 224.202 How must a Tribe submit an application for certification of a TEDO?

A Tribe must submit an application for certification of a TEDO and all supporting documents in a searchable portable document format (PDF) to TERA@bia.gov.

Bryan Newland,

Principal Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 2021–10764 Filed 5–21–21; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2021–0013]

RIN 1625–AA08

Special Local Regulations; Sector Ohio Valley Annual and Recurring Special Local Regulations, Update

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending and updating its special local regulations for recurring marine parades, regattas, and other events that take place in the Coast Guard Sector Ohio Valley area of responsibility

(AOR). This rule informs the public of regularly scheduled events that require additional safety measures through the establishing of a special local regulation. Through this rulemaking the current list of recurring special local regulations is updated with revisions, additional events, and removal of events that no longer take place in Sector Ohio Valley's AOR. When these special local regulations are enforced, certain restrictions are placed on marine traffic in specified areas.

DATES: This rule is effective May 24, 2021.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2021–0013 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 Petty Officer Christopher Roble, Sector Ohio Valley, U.S. Coast Guard; telephone (502) 779–5336, email SECOHV-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Sector Ohio Valley
DHS Department of Homeland Security
E.O. Executive order
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Captain of the Port Sector Ohio Valley (COTP) is establishing, amending, and updating its current list of recurring special local regulations codified under 33 CFR 100.801 in Table no. 1, for the COTP Ohio Valley zone.

On February 23, 2021, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Sector Ohio Valley Annual and Recurring Special Local Regulations Update (86 FR 10894). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to those recurring regulated areas. During the comment period that ended March 25, 2021, no comments were received.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable and contrary to the public interest because

immediate action is necessary to respond to the potential safety hazards associated with these marine events.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Coast Guard is amending and updating the special local regulations under 33 CFR part 100 to include the most up to date list of recurring special local regulations for events held on or around navigable waters within the Sector Ohio Valley AOR. These events include marine parades, boat races, swim events, and others. The current list under 33 CFR 100.801 requires amending to provide new information on existing special local regulations, include new special local regulations expected to recur annually or biannually, and to remove special local regulations that are no longer required. Issuing individual regulations for each new special local regulation, amendment, or removal of an existing special local regulation creates unnecessary administrative costs and burdens. This rulemaking reduces administrative overhead and provides the public with notice through publication in the **Federal Register** of the upcoming recurring special local regulations.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published February 23, 2021. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. 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).

The Coast Guard expects the economic impact of this rule to be minimal, and therefore a full regulatory evaluation is unnecessary. This rule

establishes special local regulations limiting access to certain areas under 33 CFR 100 within Sector Ohio Valley's AOR. The effect of this rulemaking will not be significant because these special local regulations are limited in scope and duration. Deviation from the special local regulations established through this proposed rulemaking may be requested from the appropriate COTP and requests will be considered on a case-by-case basis. Broadcast Notices to Mariners and Local Notices to Mariners will inform the community of these special local regulations so that they may plan accordingly for these short restrictions on transit. Vessel traffic may request permission from the COTP Ohio Valley or a designated representative to enter the restricted areas.

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 transit the regulated area may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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

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 the establishment of special local regulations related to marine event permits for marine parades, regattas, and other marine events. It is

categorically excluded from further review under paragraph L(61) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

G. Protest Activities

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

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the U.S. Coast Guard amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

- 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

- 2. In § 100.801, revise table 1 to read as follows:

§ 100.801 Annual Marine Events in the Eighth Coast Guard District.

* * * * *

TABLE 1 TO § 100.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING MARINE EVENTS

Date	Event/sponsor	Ohio valley location	Regulated area
1. 3 days—Second or third weekend in March.	Oak Ridge Rowing Association/Cardinal Invitational.	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
2. 1 day—Third weekend in March	Vanderbilt Rowing/Vanderbilt Invite	Nashville, TN	Cumberland River, Mile 188.0–192.7 (Tennessee).
3. 2 days—Fourth weekend in March ...	Oak Ridge Rowing Association/Atomic City Turn and Burn.	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
4. 3 days—One weekend in April	Big 10 Invitational Regatta	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
5. 1 day—One weekend in April	Lindamood Cup	Marietta, OH	Muskingum River, Mile 0.5–1.5 (Ohio).
6. 3 days—Third weekend in April	Oak Ridge Rowing Association/SIRA Regatta.	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
7. 2 days—Third Friday and Saturday in April.	Thunder Over Louisville	Louisville, KY	Ohio River, Mile 597.0–604.0 (Kentucky).
8. 1 day—During the last week of April or first week of May.	Great Steamboat Race	Louisville, KY	Ohio River, Mile 595.0–605.3 (Kentucky).
9. 3 days—Fourth weekend in April	Oak Ridge Rowing Association/Dogwood Junior Regatta.	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
10. 3 days—Second weekend in May ..	Vanderbilt Rowing/ACRA Henley	Nashville, TN	Cumberland River, Mile 188.0–194.0 (Tennessee).
11. 3 days—Second weekend in May ..	Oak Ridge Rowing Association/Big 12 Championships.	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
12. 3 days—Third weekend in May	Oak Ridge Rowing Association/Dogwood Masters.	Oak Ridge, TN	Clinch River, Mile 48.5–52.0 (Tennessee).
13. 1 day—Third weekend in May	World Triathlon Corporation/IRONMAN 70.3.	Chattanooga, TN ...	Tennessee River, Mile 462.7–467.5 (Tennessee).
14. 1 day—During the last weekend in May or on Memorial Day.	Mayor's Hike, Bike and Paddle	Louisville, KY	Ohio River, Mile 601.0–604.5 (Kentucky).
15. 1 day—The last week in May	Chickamauga Dam Swim	Chattanooga, TN ...	Tennessee River, Mile 470.0–473.0 (Tennessee)

TABLE 1 TO § 100.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING MARINE EVENTS—Continued

Date	Event/sponsor	Ohio valley location	Regulated area
16. 2 days—Last weekend in May or first weekend in June.	Visit Knoxville/Racing on the Tennessee.	Knoxville, TN	Tennessee River, Mile 647.0–648.0 (Tennessee).
17. 2 days—Last weekend in May or one weekend in June.	Outdoor Chattanooga/Chattanooga Swim Festival.	Chattanooga, TN ...	Tennessee River, Mile 454.0–468.0 (Tennessee).
18. 2 days—First weekend of June	Thunder on the Bay/KDBA	Pisgah Bay, KY	Tennessee River, Mile 30.0 (Kentucky).
19. 1 day—First weekend in June	Visit Knoxville/Knoxville Powerboat Classic.	Knoxville, TN	Tennessee River, Mile 646.4–649.0 (Tennessee).
20. 1 day—One weekend in June	Tri-Louisville	Louisville, KY	Ohio River, Mile 600.5–604.0 (Kentucky).
21. 2 days—One weekend in June	New Martinsville Vintage Regatta	New Martinsville, WV.	Ohio River Mile 127.5–128.5 (West Virginia).
22. 3 days—One of the last three weekends in June.	Lawrenceburg Regatta/Whiskey City Regatta.	Lawrenceburg, IN ..	Ohio River, Mile 491.0–497.0 (Indiana).
23. 3 days—One of the last three weekends in June.	Hadi Shrine/Evansville Shriners Festival.	Evansville, IN	Ohio River, Mile 790.0–796.0 (Indiana).
24. 3 days—Third weekend in June	TM Thunder LLC/Thunder on the Cumberland.	Nashville, TN	Cumberland River, Mile 189.6–192.3 (Tennessee).
25. 1 day—Third or fourth weekend in June.	Greater Morgantown Convention and Visitors Bureau/Mountaineer Triathlon.	Morgantown, WV ..	Monongahela River, Mile 101.0–102.0 (West Virginia).
26. 1 day—Fourth weekend in June	Team Magic/Chattanooga Waterfront Triathlon.	Chattanooga, TN ...	Tennessee River, Mile 462.7–466.0 (Tennessee).
27. 1 day—One day in June	Guntersville Lake Hydrofest	Guntersville, AL	Tennessee River south of mile 357.0 in Browns Creek, starting at the AL–69 Bridge, 34°21'38" N, 86°20'36" W, to 34°21'14" N, 86°19'4" W, to the TVA power lines, 34°20'9" N, 86°21'7" W, to 34°19'37" N, 86°20'13" W, extending from bank to bank within the creek. (Alabama).
28. 3 days—The last weekend in June or one of the first two weekends in July.	Madison Regatta	Madison, IN	Ohio River, Mile 554.0–561.0 (Indiana).
29. 1 day—During the first week of July	Evansville Freedom Celebration/4th of July Freedom Celebration.	Evansville, IN	Ohio River, Mile 790.0–797.0 (Indiana).
30. First weekend in July	Eddyville Creek Marina/Thunder Over Eddy Bay.	Eddyville, KY	Cumberland River, Mile 46.0–47.0 (Kentucky).
31. 2 days—One of the first two weekends in July.	Thunder on the Bay/KDBA	Pisgah Bay, KY	Tennessee River, Mile 30.0 (Kentucky).
32. 1 day—Second weekend in July	Bradley Dean/Renaissance Man Triathlon.	Florence, AL	Tennessee River, Mile 254.0–258.0 (Alabama).
33. 1 day—Third or fourth Sunday of July.	Tucson Racing/Cincinnati Triathlon	Cincinnati, OH	Ohio River, Mile 468.3–471.2 (Ohio).
34. 2 days—One of the last three weekends in July.	Dare to Care/KFC Mayor's Cup Paddle Sports Races/Voyageur Canoe World Championships.	Louisville, KY	Ohio River, Mile 600.0–605.0 (Kentucky).
35. 2 days—Last two weeks in July or first three weeks of August.	Friends of the Riverfront Inc./Pittsburgh Triathlon and Adventure Races.	Pittsburgh, PA	Allegheny River, Mile 0.0–1.5 (Pennsylvania).
36. 1 day—Fourth weekend in July	Team Magic/Music City Triathlon	Nashville, TN	Cumberland River, Mile 189.7–192.3 (Tennessee).
37. 1 day—Last weekend in July	Maysville Paddlefest	Maysville, KY	Ohio River, Mile 408–409 (Kentucky)
38. 2 days—One weekend in July	Huntington Classic Regatta	Huntington, WV	Ohio River, Mile 307.3–309.3 (West Virginia).
39. 2 days—One weekend in July	Marietta Riverfront Roar Regatta	Marietta, OH	Ohio River, Mile 171.6–172.6 (Ohio).
40. 1 day—Last weekend in July or first weekend in August.	HealthyTriState.org/St. Marys Tri State Kayathalon.	Huntington, WV	Ohio River, Mile 305.1–308.3 (West Virginia).
41. 1 day—First Sunday in August	Above the Fold Events/Riverbluff Triathlon.	Ashland City, TN ...	Cumberland River, Mile 157.0–159.5 (Tennessee).
42. 3 days—First week of August	EQT Pittsburgh Three Rivers Regatta	Pittsburgh, PA	Allegheny River mile 0.0–1.0, Ohio River mile 0.0–0.8, Monongahela River mile 0.5 (Pennsylvania).
43. 2 days—First weekend of August ...	Thunder on the Bay/KDBA	Pisgah Bay, KY	Tennessee River, Mile 30.0 (Kentucky).
44. 1 day—First or second weekend in August.	Riverbluff Triathlon	Ashland City, TN ...	Cumberland River, Mile 157.0–159.0 (Tennessee).
45. 1 day—One of the first two weekends in August.	Green Umbrella/Ohio River Paddlefest	Cincinnati, OH	Ohio River, Mile 458.5–476.4 (Ohio and Kentucky).
46. 2 days—Third full weekend (Saturday and Sunday) in August.	Ohio County Tourism/Rising Sun Boat Races.	Rising Sun, IN	Ohio River, Mile 504.0–508.0 (Indiana and Kentucky).
47. 3 days—Second or Third weekend in August.	Kittanning Riverbration Boat Races	Kittanning, PA	Allegheny River mile 42.0–46.0 (Pennsylvania).

TABLE 1 TO § 100.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING MARINE EVENTS—Continued

Date	Event/sponsor	Ohio valley location	Regulated area
48. 3 days—One of the last two week-ends in August.	Thunder on the Green	Livermore, KY	Green River, Mile 69.0–72.5 (Kentucky).
49. 1 day—Fourth weekend in August	Team Rocket Tri-Club/Rocketman Triathlon.	Huntsville, AL	Tennessee River, Mile 332.2–335.5 (Alabama).
50. 1 day—Last weekend in August	Tennessee Clean Water Network/ Downtown Dragon Boat Races.	Knoxville, TN	Tennessee River, Mile 646.3–648.7 (Tennessee).
51. 3 days—One weekend in August ...	Pro Water Cross Championships	Charleston, WV	Kanawha River, Mile 56.7–57.6 (West Virginia).
52. 2 days—One weekend in August ...	POWERBOAT NATIONALS—Ravenswood Regatta.	Ravenswood, WV	Ohio River, Mile 220.5–221.5 (West Virginia).
53. 2 days—One weekend in August ...	Powerboat Nationals-Parkersburg Regatta/Parkersburg Homecoming.	Parkersburg, WV ...	Ohio River, Mile 183.5–285.5 (West Virginia).
54. 1 day—One weekend in August	YMCA River Swim	Charleston, WV	Kanawha River, Mile 58.3–61.8 (West Virginia).
55. 3 days—One weekend in August ...	Grand Prix of Louisville	Louisville, KY	Ohio River, Mile 601.0–605.0 (Kentucky).
56. 3 days—One weekend in August ...	Evansville HydroFest	Evansville, IN	Ohio River, Mile 790.5–794.0 (Indiana).
57. 3 days—One weekend in the month of August.	Owensboro HydroFair	Owensboro, KY	Ohio River, Mile 754.0–760.0 (Kentucky).
58. 1 day—First or second weekend of September.	SUP3Rivers The Southside Outside ...	Pittsburgh, PA	Monongahela River mile 0.0–3.09 Allegheny River mile 0.0–0.6 (Pennsylvania).
59. 1 day—First weekend in September or on Labor Day.	Mayor's Hike, Bike and Paddle	Louisville, KY	Ohio River, Mile 601.0–610.0 (Kentucky).
60. 2 days—Sunday before Labor Day and Labor Day.	Cincinnati Bell, WEBN, and Proctor and Gamble/Riverfest.	Cincinnati, OH	Ohio River, Mile 463.0–477.0 (Kentucky and Ohio) and Licking River Mile 0.0–3.0 (Kentucky).
61. 2 days—Labor Day weekend	Wheeling Vintage Race Boat Association Ohio/Wheeling Vintage Regatta.	Wheeling, WV	Ohio River, Mile 90.4–91.5 (West Virginia).
62. 3 days—The weekend of Labor Day.	Portsmouth Boat Race/Breakwater Powerboat Association.	Portsmouth, OH ...	Ohio River, Mile 355.5–356.8 (Ohio)
63. 2 days—One of the first three weekends in September.	Louisville Dragon Boat Festival	Louisville, KY	Ohio River, Mile 602.0–604.5 (Kentucky).
64. 1 day—One of the first three week-ends in September.	Cumberland River Compact/Cumberland River Dragon Boat Festival.	Nashville, TN	Cumberland River, Mile 189.7–192.1 (Tennessee).
65. 2 days—One of the first three weekends in September.	State Dock/Cumberland Poker Run	Jamestown, KY	Lake Cumberland (Kentucky).
66. 3 days—One of the first three weekends in September.	Fleur de Lis Regatta	Louisville, KY	Ohio River, Mile 600.0–605.0 (Kentucky).
67. 1 day—Second weekend in September.	City of Clarksville/Clarksville Riverfest Cardboard Boat Regatta.	Clarksville, TN	Cumberland River, Mile 125.0–126.0 (Tennessee).
68. 1 day—One Sunday in September	Ohio River Sternwheel Festival Committee Sternwheel race reenactment.	Marietta, OH	Ohio River, Mile 170.5–172.5 (Ohio).
69. 1 Day—One weekend in September.	Parkersburg Paddle Fest	Parkersburg, WV ...	Ohio River, Mile 184.3–188 (West Virginia).
70. 1 day—One weekend in September	Shoals Dragon Boat Festival	Florence, AL	Tennessee River, Mile 255.0–257.0 (Alabama).
71. 2 days—One of the last three weekends in September.	Madison Vintage Thunder	Madison, IN	Ohio River, Mile 556.5–559.5 (Indiana).
72. 1 day—Third Sunday in September	Team Rocket Tri Club/Swim Hobbs Island.	Huntsville, AL	Tennessee River, Mile 332.3–338.0 (Alabama).
73. 1 day—Fourth or fifth weekend in September.	Knoxville Open Water Swimmers/Bridges to Bluffs.	Knoxville, TN	Tennessee River, Mile 641.0–648.0 (Tennessee).
74. 1 day—Fourth or fifth Sunday in September.	Green Umbrella/Great Ohio River Swim.	Cincinnati, OH	Ohio River, Mile 468.8–471.2 (Ohio and Kentucky).
75. 1 day—One of the last two week-ends in September.	Ohio River Open Water Swim	Prospect, KY	Ohio River, Mile 587.0–591.0 (Kentucky).
76. 2 days—One of the last three weekends in September or the first weekend in October.	Captain Quarters Regatta	Louisville, KY	Ohio River, Mile 594.0–598.0 (Kentucky).
77. 3 days—One of the last three weekends in September or one of the first two weekends in October.	Owensboro Air Show	Owensboro, KY	Ohio River, Mile 754.0–760.0 (Kentucky).
78. 1 day—Last weekend in September	World Triathlon Corporation/IRONMAN Chattanooga.	Chattanooga, TN ...	Tennessee River, Mile 462.7–467.5 (Tennessee).
79. 3 days—Last weekend of September and/or first weekend in October.	New Martinsville Records and Regatta Challenge Committee.	New Martinsville, WV.	Ohio River, Mile 128–129 (West Virginia).
80. 2 days—First weekend of October	Three Rivers Rowing Association/Head of the Ohio Regatta.	Pittsburgh, PA	Allegheny River mile 0.0–5.0 (Pennsylvania).
81. 1 day—First or second weekend in October.	Lookout Rowing Club/Chattanooga Head Race.	Chattanooga, TN ...	Tennessee River, Mile 463.0–468.0 (Tennessee).

TABLE 1 TO § 100.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING MARINE EVENTS—Continued

Date	Event/sponsor	Ohio valley location	Regulated area
82. 3 days—First or Second weekend in October.	Vanderbilt Rowing/Music City Head Race.	Nashville, TN	Cumberland River, Mile 189.5–196.0 (Tennessee).
83. 2 days—First or second week of October.	Head of the Ohio Rowing Race	Pittsburgh, PA	Allegheny River, Mile 0.0–3.0 (Pennsylvania).
84. 2 days—One of the first three weekends in October.	Norton Healthcare/Ironman Triathlon ...	Louisville, KY	Ohio River, Mile 600.5–605.5 (Kentucky).
85. 2 days—Two days in October	Secret City Head Race Regatta	Oak Ridge, TN	Clinch River, Mile 49.0–54.0 (Tennessee).
86. 3 days—First weekend in November.	Atlanta Rowing Club/Head of the Hooch Rowing Regatta.	Chattanooga, TN ...	Tennessee River, Mile 463.0–468.0 (Tennessee).
87. 1 day—One weekend in November or December.	Charleston Lighted Boat Parade	Charleston, WV	Kanawha River, Mile 54.3–60.3 (West Virginia).

* * * * *

Dated: May 11, 2021.

A.M. Beach,*Captain, U.S. Coast Guard, Captain of the Port, Sector Ohio Valley.*

[FR Doc. 2021–10890 Filed 5–21–21; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73****[MB Docket No. 21–70; RM–11886; DA 21–582; FR ID 28089]****Television Broadcasting Services
Albany, Georgia****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: On March 4, 2021, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking* in response to a petition for rulemaking filed by WFXL Licensee, LLC (Licensee), the licensee of WFXL, channel 12 (FOX), Albany, Georgia, requesting the substitution of channel 29 for channel 12 at Albany in the DTV Table of Allotments. For the reasons set forth in the *Report and Order* referenced below, the Bureau amends FCC regulations to substitute channel 29 for channel 12 at Albany.

DATES: Effective May 24, 2021.**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418–1647 or Joyce.Bernstein@fcc.gov.**SUPPLEMENTARY INFORMATION:** The proposed rule was published at 86 FR 15885 on March 25, 2021. The Licensee filed comments in support of the petition reaffirming its commitment to apply for channel 29. A viewer of WFXL

also filed comments in support of the channel substitution. In support, the Licensee states that the Commission has recognized that VHF channels have certain propagation characteristics which may cause reception issues for some viewers, that the reception of VHF signals requires larger antennas relative to UHF channels, and that WFXL has received numerous complaints from viewers unable to receive the Station's over-the-air signal, despite being able to receive signals from other stations. In addition, the Licensee submitted an analysis, using the Commission's *TVStudy* software analysis program, demonstrating that WFXL will continue to serve all of the population located within the licensed channel 12 contour.

This is a synopsis of the Commission's *Report and Order*, MB Docket No. 21–70; RM–11886; DA 21–582, adopted May 17, 2021, and released May 17, 2021. The full text of this document is available for download at <https://www.fcc.gov/edocs>. 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).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed 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). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

The Commission will send a copy of this *Report and Order* in a report to be

sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,*Chief of Staff, Media Bureau.***Final Rule**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICE

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.622(i), amend the Post-Transition Table of DTV Allotments, under Georgia, by revising the entry for Albany to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(i) * * *

Community	Channel No.
* * *	* * *
GEORGIA	
* * *	* * *
Albany	10, 29
* * *	* * *

[FR Doc. 2021–10858 Filed 5–21–21; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 635**

[Docket No. 180117042–8884–02; RTID 0648–XB054]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Temporary rule; inseason General category retention limit adjustment.

SUMMARY: NMFS is adjusting the Atlantic bluefin tuna (BFT) General category daily retention limit from the default limit of one large medium or giant BFT to three large medium or giant BFT for June 1 through August 31, 2021. This action is based on consideration of the regulatory determination criteria regarding inseason adjustments and applies to Atlantic Tunas General category (commercial) permitted vessels and Highly Migratory Species (HMS) Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT.

DATES: Effective June 1, 2021, through August 31, 2021.

FOR FURTHER INFORMATION CONTACT: Larry Redd, Jr., larry.redd@noaa.gov, 301–427–8503, Nicholas Velseboer, nicholas.velseboer@noaa.gov, 978–675–2168, or Lauren Latchford, lauren.latchford@noaa.gov, 301–427–8503.

SUPPLEMENTARY INFORMATION: Atlantic highly migratory species (HMS) fisheries, including BFT fisheries, are managed under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*). The 2006 Consolidated Atlantic HMS Fishery Management Plan (FMP) and its amendments are implemented by regulations at 50 CFR part 635. Section 635.27 divides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the 2006 Consolidated HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act to provide U.S. fishing vessels with

a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

In 2018, NMFS implemented a final rule that established the U.S. BFT quota and subquotas consistent with ICCAT Recommendation 17–06 (83 FR 53191, October 11, 2018). In 2020, following a stock assessment update, ICCAT adopted Recommendation 20–06, which maintained the total allowable catch of 2,350 metric tons (mt) and the associated U.S. quota. As such, as described in § 635.27(a), the current baseline U.S. quota continues to be 1,247.86 mt (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area). The General category baseline quota continues to be 555.7 mt as described in § 635.27(a). Each of the General category time periods (January, June through August, September, October through November, and December) is allocated a portion of the annual General category quota.

Adjustment of General Category Daily Retention Limit

Unless changed, the General category daily retention limit starting on June 1 would be the default retention limit of one large medium or giant BFT (measuring 73 inches (185 cm) curved fork length (CFL) or greater) per vessel per day/trip (§ 635.23(a)(2)). This default retention limit would apply to General category permitted vessels and to HMS Charter/Headboat permitted vessels when fishing commercially for BFT.

Under § 635.23(a)(4), NMFS may increase or decrease the daily retention limit of large medium and giant BFT over a range of zero to a maximum of five per vessel based on consideration of the relevant criteria provided under § 635.27(a)(8). NMFS has considered all of the relevant determination criteria and their applicability to the General category BFT retention limit for June through August 2021. The criteria include, but are not limited to, the following:

Regarding the usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock (§ 635.27(a)(8)(i)), biological samples collected from BFT landed by General category fishermen and provided by BFT dealers continue to provide NMFS with valuable parts and data for ongoing scientific studies of BFT age and growth, migration, and

reproductive status. Additional opportunity to land BFT would support the collection of a broad range of data for these studies and for stock monitoring purposes.

NMFS also considered the catches of the General category quota to date and the likelihood of closure of the General category if no adjustment is made (§ 635.27(a)(8)(ii)). Commercial-size BFT are anticipated to migrate to the fishing grounds off the northeast U.S. coast by early June. Based on General category catch rates during the June through August time period over the last several years, it is unlikely that the June through August subquota will be filled with the default daily retention limit of one BFT per vessel, as was the case in 2020, as further described below. NMFS is setting the June through August 2021 limit in such a way that NMFS believes, informed by past seasons, increases the likelihood that the fishery will remain open throughout the subperiod and year. NMFS also is aware of and took into consideration a recently published proposed rule that would set restricted-fishing days for the General category during the months of July through November 2021 (86 FR 25992, May 12, 2021). If finalized, this proposed rule would further increase the likelihood that the fishery would remain open throughout the subperiod and year.

NMFS also considered the effects of the adjustment on the BFT stock and the effects of the adjustment on accomplishing the objectives of the 2006 Consolidated HMS FMP (§ 635.27(a)(8)(v) and (vi)). This retention limit would be consistent with established quotas and subquotas, which are implemented consistent with ICCAT recommendations, (established in Recommendation 17–06 and maintained in Recommendation 20–06), ATCA, and the objectives of the 2006 Consolidated HMS FMP and amendments. In establishing these quotas and subquotas and associated management measures, ICCAT and NMFS considered the best scientific information available, objectives for stock management and status, and effects on the stock. This retention limit is in line with the established management measures and stock status determinations. It is also important that NMFS limit landings to the subquotas both to adhere to the subquota allocations and to ensure that landings are as consistent as possible with the pattern of fishing mortality (*e.g.*, fish caught at each age) that was assumed in the latest stock assessment, and this retention limit is consistent with those objectives.

Another principal consideration in setting the retention limit is the objective of providing opportunities to harvest the available General category quota without exceeding the annual quota, based on the objectives of the 2006 Consolidated HMS FMP and amendments, including to achieve optimum yield on a continuing basis and to optimize the ability of all permit categories to harvest available BFT quota allocations (related to § 635.27(a)(8)(x)).

Despite elevated General category limits, the vast majority of successful trips (*i.e.*, General or Charter/Headboat trips on which at least one BFT is landed under General category quota) land only one or two BFT. For instance, the landings data for 2019 show that, under the three-fish limit that applied June 1 through July 10, the proportion of trips that landed one, two, or three BFT was as follows: 77 Percent landed one; 17 percent landed two; and 6 percent landed three. In 2020, NMFS maintained a one-fish limit for the June through August period to try to extend the available quota until later in the subperiod given instability in the market and to help pace landings consistent with the available subquota allocations. Landings for that period totaled 117 percent of the available June through August subquota. NMFS largely attributes this exceedance despite the low retention level to circumstances that were unique to 2020 and late landings at the end of the 2020 period. Over the last several years, NMFS has received conflicting comments about the appropriate daily retention limit. Some argue that a high daily retention limit (specifically five fish) is needed to optimize General category fishing opportunities and account for seasonal distributions by enabling vessels to make overnight trips to distant fishing grounds. Some have similarly argued for a higher General category limit at the start of the June–August period, as it would reduce the likelihood of effort shifting into the Harpoon category, which has a relatively small quota. NMFS also, however, has received general comment that a lower limit increases the likelihood that opportunities will extend through the late fall and the end of the calendar year, as well as improves market conditions.

NMFS anticipates that some underharvest of the 2020 adjusted U.S. BFT quota will be carried forward to 2021 to the Reserve category, in accordance with the regulations, this summer when complete BFT catch information for 2020 is available and finalized. Because such quota would be

available to be transferred from the Reserve category to the General category, and such transfers have occurred in the past, the carryover of underharvest would make it more likely that General category quota will remain available through the end of 2021 for December fishery participants, despite the transfer of 19.5 mt from the 28.9-mt General category December 2021 subquota period to the January 2021 subquota period (85 FR 83832, December 23, 2020); and 26 mt from the Reserve category effective February 8, 2021 (86 FR 8717, February 9, 2021).

NMFS anticipates that General category participants in all areas and time periods will have opportunities to harvest the General category quota in 2021, through proactive inseason management such as retention limit adjustments and/or the timing and amount of quota transfers (based on consideration of the determination criteria regarding inseason adjustments), as practicable. NMFS will closely monitor General category catch rates associated with the various authorized gear types (*e.g.*, harpoon, rod and reel) during the June through August period and actively adjust the daily retention limit as appropriate to enhance scientific data collection and ensure fishing opportunities in all respective time-period subquotas as well as ensure available quota is not exceeded.

A limit lower than three fish at the start of the June through August period could result in diminished fishing opportunities for those General category vessels using harpoon gear, based on past fish behavior early in the season. Lower limits may also result in effort shifts from the General category to the Harpoon category, which could result in premature closure of the Harpoon category and, potentially, additional inseason adjustments. General category harpoon landings have averaged less than five percent of the General category landings in recent years and these landings occur early in the season. A three-fish retention limit for an appropriate period of time will provide a greater opportunity to harvest the June through August subquota with harpoon gear in the General category while maintaining equitable distribution of fishing opportunities for harpoon and rod and reel General category participants.

Given these considerations, we have determined that a three-fish General category retention limit is warranted for the beginning of the June–August 2021 subquota period. This retention limit would provide a reasonable opportunity to harvest the available U.S. BFT quota (including the expected increase in

available 2021 quota based on 2020 underharvest), without exceeding it, while maintaining an equitable distribution of fishing opportunities; help optimize the ability of the General category to harvest its available quota; allow the collection of a broad range of data for stock monitoring purposes; and be consistent with the objectives of the 2006 Consolidated HMS FMP and amendments. Therefore, NMFS increases the General category retention limit from the default limit (one) to three large medium or giant BFT per vessel per day/trip, effective June 1, 2021, through August 31, 2021.

Regardless of the duration of a fishing trip, the daily retention limit applies upon landing. For example (and specific to the June through August 2021 limit), whether a vessel fishing under the General category retention limit takes a two-day trip or makes two trips in one day, the daily limit of three fish may not be exceeded upon landing. This General category retention limit is effective in all areas, except for the Gulf of Mexico, where NMFS prohibits targeting fishing for BFT, and applies to those vessels permitted in the General category, as well as to those HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT fishing commercially for BFT. For information regarding the HMS Charter/Headboat commercial sale endorsement, see 82 FR 57543, December 6, 2017.

Monitoring and Reporting

NMFS will actively monitor the BFT fishery closely. Dealers are required to submit landing reports within 24 hours of a dealer receiving BFT. Late reporting by dealers compromises NMFS' ability to timely implement actions such as quota and retention limit adjustment, as well as closures, and may result in enforcement actions. Additionally, and separate from the dealer reporting requirement, General and HMS Charter/Headboat vessel owners are required to report their own catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or end of each trip, by accessing hmspermits.noaa.gov or by using the HMS Catch Reporting app, or calling (888) 872–8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).

Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that additional adjustments are necessary to ensure available quota is not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the

Federal Register. In addition, fishermen may call the Atlantic Tunas Information Line at (978) 281–9260, or access hmspermits.noaa.gov, for updates on quota monitoring and inseason adjustments.

Classification

The Assistant Administrator for NMFS (AA) finds that it is impracticable and contrary to the public interest to provide prior notice of, and an opportunity for public comment on, this action for the following reasons:

The regulations implementing the 2006 Consolidated HMS FMP and amendments provide for inseason retention limit adjustments to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. The timing of this rulemaking will allow approximately two weeks' prior notice to the regulated community. Affording additional prior notice and an opportunity for public comment on the change in the daily retention limit from the default level for the June through August 2021 subquota period would be impracticable. Based on available BFT quotas, fishery performance in recent years, and the availability of BFT on the fishing grounds, responsive adjustment to the General category BFT daily retention limit from the default level is warranted to allow fishermen to take advantage of availability of fish and of quota. NMFS could not have proposed these actions earlier, as it needed to consider and respond to updated data and information about fishery conditions and this year's landings. If NMFS was to offer a public comment period now, after having appropriately considered that data, it would preclude fishermen from harvesting BFT that are legally available consistent with all of the regulatory criteria, and/or could result in selection of a retention limit inappropriate to the amount of quota available for the period.

Fisheries under the General category daily retention limit will commence on June 1 and thus prior notice would be contrary to the public interest. Delays in increasing these retention limits would adversely affect those General and Charter/Headboat category vessels that would otherwise have an opportunity to harvest more than the default retention limit of one BFT per day/trip and may result in low catch rates and quota rollovers. Analysis of available data shows that adjustment to the BFT daily retention limit from the default level would result in minimal risks of exceeding the ICCAT-allocated quota. NMFS provides notification of retention

limit adjustments by publishing the notification in the **Federal Register**, emailing individuals who have subscribed to the Atlantic HMS News electronic newsletter, and updating the information posted on the Atlantic Tunas Information Line and on hmspermits.noaa.gov. With quota available and fish available on the grounds, and with no additional expected impacts to the stock, it would be contrary to the public interest to require vessels to wait to harvest the additional fish allowed through this action. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment.

Adjustment of the General category retention limit needs to be effective June 1, 2021, or as soon as possible thereafter, to minimize any unnecessary disruption in fishing patterns, to allow the impacted sectors to benefit from the adjustment, and to not preclude fishing opportunities for fishermen in geographic areas with access to the fishery only during this time period. Foregoing opportunities to harvest the respective quotas may have negative social and economic impacts for U.S. fishermen that depend upon catching the available quota within the time periods designated in the 2006 Consolidated HMS FMP and amendments. Therefore, the AA finds there is also good cause under 5 U.S.C. 553(d) to waive the 30-day delay in effectiveness.

This action is being taken under § 635.23(a)(4) and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: May 18, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021–10825 Filed 5–21–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 210518–0108]

RIN 0648–BK60

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2021–2022 Biennial Specifications and Management Measures; Correction

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

ACTION: Final rule; correcting amendment.

SUMMARY: This action contains corrections to the final rule for the 2021–2022 Biennial Harvest Specifications and Management Measures for groundfish harvested in the U.S. exclusive economic zone off the coasts of Washington, Oregon, and California published on December 11, 2020. This action corrects: The seaward boundary of the non-trawl Rockfish Conservation Area, the southern boundary of the trawl Rockfish Conservation Area, the salmon troll incidental limits title, and republishes two trip limit tables that had text inadvertently cut off.

DATES: This final rule is effective on May 24, 2021.

ADDRESSES: Electronic Access: This rule is accessible via the internet at the Office of the Federal Register website at <https://www.federalregister.gov>. Background information and documents are available at the Pacific Fishery Management Council's website at <http://www.pcouncil.org/>.

FOR FURTHER INFORMATION CONTACT:

Keeley Kent, phone: 206–247–8252 or email: keeley.kent@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management measures for two-year periods (*i.e.*, a biennium). NMFS published the final rule to implement harvest specifications

and management measures for the 2021–2022 biennium for most species managed under the PCGFMP on December 11, 2020 (85 FR 79880). NMFS also published a correction (85 FR 86853, December 31, 2020) and a correcting amendment (86 FR 14379, March 16, 2021) to implement the Council's recommendations for the 2021–2022 harvest specifications and management measures.

Non-Trawl Rockfish Conservation Area Correction

The final rule, published on December 11, 2020 (85 FR 79880), included a typographical error in the seaward boundary line of the Non-Trawl Rockfish Conservation Area (RCA) south of 34°27' N lat. in Table 2 (South) to Subpart E. The final rule mistakenly amended the seaward boundary of the non-trawl RCA described for the limited entry fixed gear fishery in a way that was inconsistent with the Council-recommended boundaries and was also contradictory to the boundaries of the non-trawl RCA described in open access fishery regulations. This final rule will correct the seaward boundary from the boundary line approximating the 125 fathom (fm) depth contour to the boundary line approximating the 150 fm depth contour. At the April 8–9 and 12–15, 2021 virtual meeting, the Council recommended that this correction be implemented quickly to resolve inconsistencies within the regulations, reduce confusion among members of industry, and to promote ease of enforcement for the boundaries of the non-trawl RCA.

Trawl Rockfish Conservation Area Correction

The final rule also included a typographical error in the southern boundary line of the Trawl RCA in Table 1 (North) to part 660, subpart D. The final rule mistakenly amended the southern boundary of the trawl RCA in a way that was inconsistent with the Council-recommended boundaries that were established previously under Amendment 28 to the PCGFMP (84 FR 63966; November 19, 2019) and were

not recommended for change through the 2021–2022 harvest specifications rulemaking. This final rule will correct the southern boundary from 45°46' N latitude to 46°16' N latitude, which aligns with the Washington/Oregon border.

Salmon Troll Incidental Allowance Correction

The final rule included a typographical error in the salmon troll incidental limits title in Table 3 South to Subpart F. The table in the final rule incorrectly referenced incidental retention of yellowtail and incidental retention of lingcod in the title of the section. Salmon trollers are not allowed to retain incidentally caught lingcod south of 40°10' N latitude, as was correctly described in the description of the limit. This correction of the title would address that inconsistency.

Other Errors in Table Readability

This correction also republishes Table 2 North and Table 3 South as the final rule had a row of cut off text in each.

Classification

Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries (AA) finds there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be unnecessary and contrary to public interest. Notice and comment are unnecessary and contrary to the public interest because this action corrects inadvertent errors related to the December 11, 2020 final rule (85 FR 79880). Immediate correction of the errors is necessary to prevent confusion among participants in the fishery. To effectively correct the errors, the changes in this action must be effective upon publication as the fishery has already begun. Thus, there is not sufficient time for notice and comment. In addition, notice and comment is unnecessary because this notice makes only minor changes to correct inadvertent errors related to the December 11, 2020 final rule (85 FR 79880). These corrections will not affect the results of analyses conducted to

support management decisions in the Pacific Coast groundfish fishery. These corrections are consistent with the Council's intent for regulations and the public expects the regulations to be written as in the correction. No change in operating practices in the fishery is required.

For the same reasons stated above, the AA has determined good cause exists to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d). This notice makes only minor corrections to the final rule which was effective January 1, 2021. Delaying effectiveness of these corrections would result in conflicts in the regulations and confusion among fishery participants. Because prior notice and an opportunity for public comment are not required to be provided for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable. Accordingly, no Regulatory Flexibility Analysis is required for this rule and none has been prepared.

This final rule is not significant under Executive Order 12866.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Indian Fisheries.

Dated: May 18, 2021.

Samuel D. Rauch, III,
*Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

BILLING CODE 3510–22–P

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

- 2. Revise Table 1 (North) to part 660, subpart D, to read as follows:

Table 1 (North) to Part 660, Subpart D -- Limited Entry Trawl Rockfish Conservation Areas and Landing Allowances for non-IFQ Species and Pacific Whiting North of 40°10' N. Lat.							
This table describes Rockfish Conservation Areas for vessels using groundfish trawl gear. This table describes incidental landing allowances for vessels registered to a Federal limited entry trawl permit and using groundfish trawl or groundfish non-trawl gears to harvest individual fishing quota (IFQ) species.							
Other Limits and Requirements Apply -- Read § 660.10 - § 660.399 before using this table						05/10/2021	
		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA) ^{1/} :							
1	North of 46°16' N. lat.	100 fm line ^{1/} - 150 fm line ^{1/}					
2	46°16' N. lat. - 40°10' N. lat.	Block Area Closures (BACs) may be implemented, and will be announced in the Federal Register.					
See provisions at § 660.130 for gear restrictions and requirements by area. Vessels fishing groundfish trawl quota pounds with groundfish non-trawl gears, under gear switching provisions at § 660.140, are subject to the limited entry groundfish trawl fishery landing allowances in this table, regardless of the type of fishing gear used. Vessels fishing groundfish trawl quota pounds with groundfish non-trawl gears, under gear switching provisions at § 660.140, are subject to the limited entry fixed gear non-trawl RCA, as described in Tables 2 (North) and 2 (South) to Part 660, Subpart E.							
See § 660.60, § 660.130, and § 660.140 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70-660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
3	Minor Nearshore Rockfish, Washington Black rockfish & Oregon Black/blue/deacon rockfish	300 lb/ month					
4	Whiting ^{3/}						
5	midwater trawl	Before the primary whiting season: CLOSED. -- During the primary season: mid-water trawl permitted in the RCA. See §660.131 for season and trip limit details. -- After the primary whiting season: CLOSED.					
6	large & small footrope gear	Before the primary whiting season: 20,000 lb/trip. -- During the primary season: 10,000 lb/trip. -- After the primary whiting season: 10,000 lb/trip.					
7	Oregon Cabezon/Kelp Greenling complex	50 lb/ month					
8	Cabezon in California	50 lb/ month					
9	Spiny dogfish	60,000 lb/ month					
10	Big skate	Unlimited					
11	Longnose skate	Unlimited					
12	Other Fish ^{4/}	Unlimited					
1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours, and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to the RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.							
2/ The "modified" fathom lines are modified to exclude certain petrale sole areas from the RCA.							
3/ As specified at §660.131(d), when fishing in the Eureka Area, no more than 10,000 lb of whiting may be taken and retained, possessed, or landed by a vessel that, at any time during the fishing trip, fished in the fishery management area shoreward of 100 fm contour.							
4/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.							
To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.							

TABLE 1 (North)

TABLE 1 (North)

■ 3. Revise Table 2 (North) to part 660, subpart E, to read as follows:

Table 2 (North) to Part 660, Subpart E – Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear North of 40°10' N.						
Other limits and requirements apply – Read §§660.10 through 660.399 before using this table						
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1 North of 46° 16' N. lat.	shoreline - 100 fm line ^{1/}					
2 46° 16' N. lat. - 40° 10' N. lat.	40 fm line ^{1/} - 100 fm line ^{1/}					
3	30 fm line ^{1/} - 40 fm line ^{1/2/}					
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4	Minor Slope Rockfish^{3/} & Darkblotched rockfish		8,000 lb/ 2 month			
5	Pacific ocean perch		3,600 lb/ 2 months			
6	Sablefish		1,700 lb week, not to exceed 5,100 lbs / 2 months			
7	Longspine thornyhead		10,000 lb/ 2 months			
8	Shortspine thornyhead		2,000 lb/ 2 months		2,500 lb/ 2 months	
9	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other		10,000 lbs/ month			
10	Flatfish^{4/8/}					
12	Whiting		10,000 lb/ trip			
13	Minor Shelf Rockfish^{3/}		800 lbs / month			
14	Shortbelly Rockfish		200 lbs / month			
15	Widow rockfish		4,000 lb/ 2 month			
16	Yellowtail rockfish		3,000 lb/ month			
17	Canary rockfish		3,000 lb/ 2 months			
18	Yelloweye rockfish		CLOSED			
19	Minor Nearshore Rockfish, Oregon black/blue/deacon rockfish & CA black rockfish^{5/}					
20	North of 42°00' N. lat.		5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish or blue/deacon rockfish ^{4/}			
21	42°00' N. lat. - 40° 10' N. lat.		7,000 lb/ 2 months, no more than 2,000 lb of which may be species other than black rockfish			
22	Lingcod^{6/}					
23	North of 42°00' N. lat.		4,000 lb/ 2 months			
24	42°00' N. lat. - 40° 10' N. lat.		2,000 lb/2 months			
25	Pacific cod		1,000 lb/ 2 months			
26	Spiny dogfish		200,000 lb / 2months	150,000 lb / 2months	100,000 lb / 2months	
27	Longnose skate		Unlimited			
28	Other Fish^{7/} & Cabezon in California		Unlimited			
29	Oregon Cabezon/Kelp Greenling		Unlimited			
30	Big skate		Unlimited			
1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.						
2/ Between 46°16' N. lat. and 40°10' N. lat. and the 30 fm and 40 fm lines, fishing is only allowed with hook-and-line gear except bottom longline and dinglebar gear, as defined in §660.11						
3/ Bocaccio, chilipepper and cowcod are included in the trip limits for Minor Shelf Rockfish and splitnose rockfish is included in the trip limits for Minor Slope Rockfish.						
4/ "Other flatfish" are defined at § 660.11 and include butter sole, curffin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.						
5/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pnt. there is an additional limit of 100 lb or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.(46°38.17' N. lat.).						
6/ The minimum size limit for lingcod is 22 inches (56 cm) total length North of 42° N. lat. and 24 inches (61 cm) total length South of 42° N. lat.						
7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.						
8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.						
To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.						

TABLE 2 (North)

TABLE 2 (North)

■ 4. Revise Table 2 (South) to part 660, subpart E, to read as follows:

Table 2 (South) to Part 660, Subpart E – Non-Trawl Rockfish Conservation Areas and Trip Limits for Limited Entry Fixed Gear South of 40°10' N.						
Other limits and requirements apply – Read §§660.10 through 660.399 before using this table						
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{1/}:						
1 40°10' N. lat. - 38°57.5' N. lat.	40 fm line ^{1/} - 125 fm line ^{1/}					
2 38°57.5' N. lat. - 34°27' N. lat.	50 fm line ^{1/} - 125 fm line ^{1/}					
3 South of 34°27' N. lat.	100 fm line ^{1/} - 150 fm line ^{1/} (also applies around islands)					
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).						
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.						
4 Minor Slope rockfish^{2/} & Darkblotched	40,000 lb/ 2 months, of which no more than 6,000 lb may be blackgill rockfish					
5 Splitnose rockfish	40,000 lb/ 2 months					
6 Sablefish						
7 40°10' N. lat. - 36°00' N. lat.	1,700 lb/week, not to exceed 5,100 lbs / 2 months					
8 South of 36°00' N. lat.	2,500 lb/ week					
9 Longspine thornyhead	10,000 lb/ 2 months					
10 Shortspine thornyhead						
11 40°10' N. lat. - 34°27' N. lat.	2,000 lb/ 2 months			2,500 lb/ 2 months		
12 South of 34°27' N. lat.	3,000 lb/ 2 months					
13 Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other Flatfish^{3/8/}	10,000 lb/ month					
15 Whiting	10,000 lb/ trip					
17 Minor Shelf Rockfish^{2/}						
18 40°10' N. lat. - 34°27' N. lat.	8,000 lbs. / 2 months, of which no more than 500 lbs. may be vermillion					
19 South of 34°27' N. lat.	5,000 lbs. / 2 months, of which no more than 3,000lbs. may be vermillion					
20 Widow						
21 40°10' N. lat. - 34°27' N. lat.	10,000 lbs. / 2 months					
22 South of 34°27' N. lat.	8,000 lbs. / 2 months					
23 Chilipepper						
24 40°10' N. lat. - 34°27' N. lat.	10,000 lbs. / 2 months					
25 South of 34°27' N. lat.	8,000 lbs. / 2 months					
26 Shortbelly Rockfish						
27 South of 40°10' N. lat.	200 lb/ month					
28 Canary rockfish	3,500 lbs/ 2 months					
29 Yelloweye rockfish	CLOSED					
30 Cowcod	CLOSED					
31 Bronzespotted rockfish	CLOSED					
32 Bocaccio	6,000 lbs/ 2 months					
33 Minor Nearshore Rockfish						
34 Shallow nearshore ^{4/}	2,000 lbs/ 2 months					
35 Deeper nearshore ^{5/}	2,000 lbs/ 2 months					
36 California Scorpionfish	3,500 lbs/ 2 months					
37 Lingcod^{6/}	1,600 lbs / 2 months					
38 Pacific cod	1,000 lb/ 2 months					
39 Spiny dogfish	200,000 lb/ 2 months	150,000 lb/ 2 months		100,000 lb/ 2 months		
40 Longnose skate	Unlimited					
41 Other Fish^{7/} & Cabezon in California	Unlimited					
42 Big Skate	Unlimited					

TABLE 2 (South)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ POP is included in the trip limits for Minor Slope Rockfish. Blackgill rockfish have a species specific trip sub-limit within the Minor Slope Rockfish cumulative limit. Yellowtail rockfish are included in the trip limits for Minor Shelf Rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other Flatfish" are defined at § 660.11 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(1).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

TABLE 2 (South)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ POP is included in the trip limits for Minor Slope Rockfish. Blackgill rockfish have a species specific trip sub-limit within the Minor Slope Rockfish cumulative limit. Yellowtail rockfish are included in the trip limits for Minor Shelf Rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other Flatfish" are defined at § 660.11 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(1).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

8/ LEFG vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.230 (d) of the regulations for more information.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

- 5. Revise Table 3 (South) to part 660, subpart F, to read as follows:

Table 3 (South) to Part 660, Subpart F -- Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears South of 40°10' N. lat.									
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table									
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	5/10/2021		
Rockfish Conservation Area (RCA)^{1/}:									
1	40°10' N. lat. - 38°57.5' N. lat.		40 fm line ^{1/} - 125 fm line ^{1/}						
2	38°57.5' N. lat. -34°27' N. lat.		50 fm line ^{1/} - 125 fm line ^{1/}						
3	South of 34°27' N. lat.		100 fm line ^{1/} - 150 fm line ^{1/} (also applies around islands)						
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).									
State trip limits and seasons may be more restrictive than Federal trip limits or seasons, particularly in waters off Oregon and California.									
4	Minor Slope Rockfish^{2/} & Darkblotched rockfish		10,000 lbs/ 2 months, of which no more than 2,500 lbs may be blackgill rockfish						
5	Splitnose rockfish		200 lbs/ month						
6	Sablefish								
7	40°10' N. lat. - 36°00' N. lat.		600 lbs. daily, or 1 landing per week up to 2,000 lbs., not to exceed 4,000 lbs/2 months						
8	South of 36°00' N. lat.		2,000 lbs/week, not to exceed 6,000 lbs/2 months						
9	Shortpine thornyheads								
10	40°10' N. lat. - 34°27' N. lat.		50lb/ month						
11	Longspine thornyheads								
12	40°10' N. lat. - 34°27' N. lat.		50 lb/ month						
13	Shortpine thornyheads and longspine								
14	South of 34°27' N. lat.		100 lbs/day, no more than 1,000 lbs/ 2 months						
15	Dover sole, arrowtooth flounder, petrale sole, English sole, starry flounder, Other		5,000 lbs/ month						
16	Flatfish^{38/}								
17	Whiting		300 lbs/ month						
18	Minor Shelf Rockfish^{2/}								
19	40°10' N. lat. - 34°27' N. lat.		4,000 lbs. / 2 months, of which no more than 400 lbs. may be vermillion						
20	South of 34°27' N. lat.		3,000 lbs. / 2 months, of which no more than 1,200lbs. may be vermillion						
21	Widow								
22	40°10' N. lat. - 34°27' N. lat.		6,000 lbs. / 2 months						
23	South of 34°27' N. lat.		4,000 lbs. / 2 months						
24	Chillipepper								
25	40°10' N. lat. - 34°27' N. lat.		6,000 lbs. / 2 months						
26	South of 34°27' N. lat.		4,000 lbs. / 2 months						
27	Shortbelly Rockfish								
28	South of 40°10' N. lat.		200 lb/ month						
29	Canary rockfish		1,500 lbs/ 2 months						
30	Yelloweye rockfish		CLOSED						
31	Cowcod		CLOSED						
32	Bronzespotted rockfish		CLOSED						
33	Bocaccio		4,000 lbs/ 2 months						
34	Minor Nearshore Rockfish								
35	Shallow nearshore ^{4/}		2,000 lbs/ 2 months						
36	Deeper nearshore ^{5/}		2,000 lbs/ 2 months						
37	California Scorpionfish		3,500 lbs/ 2 months						
38	Lingcod^{6/}		700 lbs / months						
39	Pacific cod		1,000 lbs/ 2 months						
40	Spiny dogfish		200,000 lbs/ 2 months		150,000 lbs/ 2 months		100,000 lbs/ 2 months		
41	Longnose skate		Unlimited						
42	Big skate		Unlimited						
43	Other Fish^{7/} & Cabezon in California		Unlimited						

TABLE 3 (South)

Table 3 (South) Continued						5/10/2021	
Other limits and requirements apply -- Read §§660.10 through 660.399 before using this table							
	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	
Rockfish Conservation Area (RCA)^{1/}:							
40	40° 10' N. lat. - 38°57.5' N. lat.			40 fm line ^{1/} - 125 fm line ^{1/}			
41	38°57.5' N. lat. - 34°27' N. lat.			50 fm line ^{1/} - 125 fm line ^{1/}			
42	South of 34°27' N. lat.			100 fm line ^{1/} - 150 fm line ^{1/} (also applies around islands)			
See §§660.60 and 660.230 for additional gear, trip limit and conservation area requirements and restrictions. See §§660.70-660.74 and §§660.76-660.79 for conservation area descriptions and coordinates (including RCAs, YRCAs, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
43	SALMON TROLL (subject to RCAs when retaining all species of groundfish, except for yellowtail rockfish, as described below)						
44	South of 40°10' N. lat.		Salmon trollers may retain and land up to 1 lbs of yellowtail rockfish for every 2 lbs of Chinook salmon landed, with a cumulative limit of 200 lbs/month, both within and outside of the RCA. This limit is within the 4,000 lbs per 2 month limit for minor shelf rockfish between 40°10' and 34°27' N lat., and not in addition to that limit. All groundfish species are subject to the open access limits, seasons, size limits and RCA restrictions listed in the table above, unless otherwise stated here.				
45	RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL						
46	NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut, Sea Cucumber & Ridgeback Prawn:						
47	40° 10' N. lat. - 38° 00' N. lat.		100 fm line ^{1/} - 200 fm line ^{1/}	100 fm line ^{1/} - 150 fm line ^{1/}			100 fm line ^{1/} - 200 fm line ^{1/}
48	38° 00' N. lat. - 34° 27' N. lat.		100 fm line ^{1/} - 150 fm line ^{1/}				
49	South of 34° 27' N. lat.		100 fm line ^{1/} - 150 fm line ^{1/}				
50			Groundfish: 300 lbs/trip. Species-specific limits described in the table above also apply and are counted toward the 300 lbs groundfish per trip limit. The amount of groundfish landed may not exceed the amount of the target species landed, except that the amount of spiny dogfish landed may exceed the amount of target species landed. Spiny dogfish are limited by the 300 lbs/trip overall groundfish limit. The daily trip limits for sablefish coastwide and thornyheads south of Pt. Conception and the overall groundfish "per trip" limit may not be multiplied by the number of days of the trip. Vessels participating in the California halibut fishery south of 38o57.50' N. lat. are allowed to (1) land up to 100 lbs/day of groundfish without the ratio requirement, provided that at least one California halibut is landed and (2) land up to 3,000 lbs/month of flatfish, no more than 300 lbs of which may be species other than Pacific sanddabs, sand sole, starry flounder, rock sole, curffin sole, or California scorpionfish (California scorpionfish is also subject to the trip limits and closures in line 29).				
51	PINK SHRIMP NON-GROUNDFISH TRAWL GEAR (not subject to RCAs)						
52	South		Effective April 1 - October 31: Groundfish: 500 lbs/day, multiplied by the number of days of the trip, not to exceed 1,500 lbs/trip. The following sublimits also apply and are counted toward the overall 500 lbs/day and 1,500 lbs/trip groundfish limits: lingcod 300 lbs/ month (minimum 24 inch size limit); sablefish 2,000 lbs/ month; canary rockfish, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lbs/day and 1,500 lbs/trip groundfish limits. Landings of all groundfish species count toward the per day, per trip or other species-specific sublimits described here and the species-specific limits described in the table above do not apply. The amount of groundfish landed may not exceed the amount of pink shrimp landed.				

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours (with the exception of the 20-fm depth contour boundary south of 42° N. lat.), and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ POP is included in the trip limits for minor slope rockfish. Blackgill rockfish have a species specific trip sub-limit within the minor slope rockfish cumulative limits. Yellowtail rockfish is included in the trip limits for minor shelf rockfish. Bronzespotted rockfish have a species specific trip limit.

3/ "Other flatfish" are defined at § 660.11 and include butter sole, curffin sole, flathead sole, Pacific sanddab, rex sole, rock sole, and sand sole.

4/ "Shallow Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(1).

5/ "Deeper Nearshore" are defined at § 660.11 under "Groundfish" (7)(i)(B)(2).

6/ The commercial minimum size limit for lingcod is 24 inches (61 cm) total length South of 42° N. lat.

7/ "Other fish" are defined at § 660.11 and includes kelp greenling off California and leopard shark.

8/ Open access vessels are allowed to fish inside groundfish conservation areas using hook and line only. See section 660.330 (d) of the regulations for more information.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 3 (South) Continued

Table 3 (South) Continued

Proposed Rules

Federal Register

Vol. 86, No. 98

Monday, May 24, 2021

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.

POSTAL SERVICE

39 CFR Part 233

Mail Screening Regulations

AGENCY: United States Postal Service.

ACTION: Proposed rule.

SUMMARY: This update will ensure the Postal Service regulations regarding the screening of mail are consistent with aviation regulations regarding the transportation of mail via aircraft; continue to enhance the security and ensure the safety of all persons and property onboard aircraft carrying mail; and prevent and deter the carriage of unauthorized explosives, incendiaries, or other destructive substances or items in the mail or in postal products transported onboard aircraft.

DATES: Comments must be received on or before June 23, 2021.

ADDRESSES: Mail or deliver written comments to: Inspector Attorney, Steven Sultan, United States Postal Inspection Service, 475 L'Enfant Plaza SW, 3rd Floor, Washington, DC 20260. Emailed and faxed comments will not be accepted. You may inspect and photocopy all written comments, by appointment only, at the USPS Headquarter Library, 475 L'Enfant Plaza SW, 11th Floor North, Washington, DC 20260. These records are available for review on Monday through Friday, 9 a.m. to 4 p.m., by calling (202) 268-2904. All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

FOR FURTHER INFORMATION CONTACT: To obtain further information regarding this provision, the following instructions and guidelines apply:

- Contact Inspector Attorney, Amber Jordan at 202-268-7812
- Questions may also be sent to the Inspector Attorney, Amber Jordan at the following email address and must include:

—arjordan@uspis.gov:

—**Subject Line:** Mail screening regulation information/question
Name of Sender

SUPPLEMENTARY INFORMATION: The action being taken is an update to 39 CFR 233.11. The circumstances which created the need for this action are as follows: (1) 39 CFR 233.11 was published as a final rule on February 28, 1996; (2) since the publication of 39 CFR 233.11, no updates have been made; (3) after February 28, 1996, changes were made to 49 U.S.C. 44901 requiring the screening of all items, including United States mail, transported via aircraft; and (4) the update is required to ensure it is consistent with title 49 of the Code of Federal Regulations as it pertains to mail being transported via aircraft. This update is authorized pursuant to 39 U.S.C. 5401 which states that the Postal Service is authorized to provide for the safe and expeditious transportation of mail by aircraft and may make such rules, regulations, and orders consistent with part A of subtitle VII of title 49 of the Code of Federal Regulations or any order, rule or regulation made by the Secretary of Transportation as may be necessary for such transportation, except as otherwise provided in 49 U.S.C. 5402.

List of Subjects in 39 CFR Part 233

Law enforcement, Postal Service.

PART 233—[AMENDED]

■ 1. The authority citation for 39 CFR part 233 continues to read as follows:

Authority: 39 U.S.C. 101, 102, 202, 204, 401, 402, 403, 404, 406, 410, 411, 1003, 3005(e)(1), 3012, 3017, 3018; 12 U.S.C. 3401-3422; 18 U.S.C. 981, 983, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 104-208, 110 Stat. 3009; Secs. 106 and 108, Pub. L. 106-168, 113 Stat. 1806 (39 U.S.C. 3012, 3017); Pub. L. 114-74, 129 Stat. 584.

■ 2. Revise § 233.11 to read as follows:

§ 233.11 Mail screening

(a) *Screening of mail transported by aircraft.*

(1) **Authority.** Pursuant to 39 U.S.C. 5401, the Postal Service is authorized to provide for the safe and expeditious transportation of mail by aircraft and may make such rules, regulations, and orders consistent with Part A of Subtitle VII of Title 49 of the Code of Federal

Regulations or any order, rule or regulation made by the Secretary of Transportation as may be necessary for such transportation, except as otherwise provided in 39 U.S.C. 5402.

(2) **Purpose.** To prevent and deter the carriage of unauthorized explosives, incendiaries, or other destructive substances or items in the mail or in postal products onboard aircraft and to ensure the security and safety of all persons and property onboard aircraft carrying mail.

(3) **Policy.** Mail of sufficient weight to pose a hazard to aviation may, without a search warrant or the sender's or addressee's consent, be screened by any means capable of identifying explosives, nonmailable firearms, or other dangerous contents in the mails that are destructive or could endanger life or property.

(b) *Screening of surface transported mail.*

(1) **Authority.** Pursuant to 39 U.S.C. 404 the Postal Service has specific power to provide for, among other things, the handling of mail. Mail may be screened without a search warrant or the sender's or addressee's consent in exigent circumstances to identify explosives or other dangerous contents in the mails.

(2) **Purpose.** To prevent and deter the carriage of unauthorized explosives or other dangerous content in the mail or in postal products transported via surface transportation providers and to ensure the security and safety of all persons and property associated with mail usage, processing, handling, and transportation.

(3) **Policy.** When the Chief Postal Inspector or designee determines there is a credible threat that certain mail may contain a bomb, explosives, or other material that could endanger life or property, including nonmailable firearms, the Chief Postal Inspector or designee may, without a search warrant or the sender's or addressee's consent, authorize the screening of such mail by any means capable of identifying explosives, nonmailable firearms, or other dangerous contents in the mails.

(c) *Mail screening restrictions.*

Screening of mail authorized by paragraphs (a) and (b) of this section is subject to the following restrictions:

(1) **No unreasonable delay.** The mail must be screened in a manner which does not unreasonably delay its delivery.

(2) *Authorization to screen mail.* The mail screening may be conducted by Postal Service employees or persons not employed by the Postal Service, as authorized by the Chief Postal Inspector, under such instruction that requires compliance with this part and protects the security of the mail. No information obtained from this mail screening may be disclosed unless authorized by this part.

(3) *Mail of insufficient weight to pose a threat.* Mail of insufficient weight to pose a hazard to air transportation, surface transportation, or to contain firearms must be excluded from such screening.

(4) The screening must be within the limits of this section and conducted without opening mail that is sealed against inspection or revealing the contents of correspondence within mail that is sealed against inspection.

(d) *Identified threatening pieces of mail.*

(1) *Hazardous mail.* Mail, sealed or unsealed, reasonably suspected of posing an immediate danger to life or limb or an immediate substantial danger to property as a result of screening or other information may, without a search warrant, be detained, opened, removed from postal custody, processed, and treated, but only to the extent necessary to determine and eliminate the danger. Such mail must be processed in accordance with the instructions promptly furnished by the Inspection Service.

(2) *Indeterminate mail.* After screening, mail sealed against inspection that presents doubts about whether its contents are hazardous, that cannot be resolved without opening, must be reported to the Postal Inspection Service. Such mail must be processed in accordance with the instructions promptly furnished by the Inspection Service.

(3) *Mandatory reporting.* Any person who opens mail sealed against

inspection, in accordance with paragraph (d)(1) or (2) of this section, is required to provide a complete written and sworn statement regarding the detention, screening, opening, and treatment of the mail piece, as well as the circumstances surrounding its identification as a possible threat. The statement is required to be signed by the person purporting to act under this section and promptly forwarded to the Chief Postal Inspector.

Any person purporting to act under this section who does not report his or her action to the Chief Postal Inspector under the requirements of this section, or whose action is determined after investigation not to have been authorized, is subject to disciplinary action or criminal prosecution or both.

Joshua J. Hofer,

Attorney, Ethics & Legal Compliance.

[FR Doc. 2021-10776 Filed 5-21-21; 8:45 am]

BILLING CODE 7710-12-P

Notices

Federal Register

Vol. 86, No. 98

Monday, May 24, 2021

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

Forest Service

Information Collection; Volunteer Application and Agreement for Natural and Cultural Resources Agencies

AGENCY: Forest Service, USDA.

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the extension with revision of a currently approved information collection entitled, *Volunteer Application for Natural and Cultural Resources Agencies*.

DATES: Comments must be received in writing on or before July 23, 2021 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* merlene.mazyck@usda.gov.
- *Mail:* Merlene Mazyck, Volunteers & Service, Forest Service, USDA, 201 14th St. SW, Washington, DC 20250-1125.
- *Hand Delivery/Courier:* Forest Service, USDA, 1400 Independence Avenue SW, Washington, DC 20250.

Comments submitted in response to this notice may be made available to the public through relevant websites and upon request. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, 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. Please note that responses to this public comment request containing any routine notice

about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

The public may request an electronic copy of the draft supporting statement and/or any comments received be sent via return email. Requests should be emailed to merlene.mazyck@usda.gov.

FOR FURTHER INFORMATION CONTACT:

Merlene Mazyck, Volunteers & Service, 202-205-0650. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339, between 8 a.m. and 8 p.m., Eastern Standard time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Title: Information Collection; Volunteer Application and Agreement for Natural and Cultural Resources Agencies.

OMB Number: 0596-0080.

Expiration Date of Approval: October 31, 2021.

Type of Request: Extension with revisions of a currently approved information collection.

Abstract: Federal natural resource agencies are authorized to work with volunteers and volunteer organizations to plan, develop, maintain, and manage volunteer projects and service activities. In order to effectively engage volunteers across the country, participating agencies collect information, including personally identifiable information, from citizens and permanent residents who express interest and then agree to volunteer. Individuals under the age of 18 years must have written consent from a parent or guardian.

Authorizing Legislation: Relevant laws and regulations include Public Law 92-300, Volunteers in the National Forest Act of 1972; Public Law 116-9, John D. Dingell, Jr. Conservation, Management, and Recreation Act; 16 U.S.C. 558a-d, Volunteers in the National Forests Program; 16 U.S.C. 583 j-4, Forest Foundation Volunteers; 16 U.S.C. 1246, Administration and development of national trails system; 16 U.S.C. 1250, Volunteer trails assistance; and 31 U.S.C. 3325 which authorizes payment of vouchers.

Participating Agencies: Volunteer programs of the following natural resource management agencies are included:

- *Department of Agriculture:* U.S. Forest Service and Natural Resources Conservation Service;
- *Department of Interior:* National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, Bureau of Reclamation, Bureau of Indian Affairs, Office of Surface Mining Reclamation and Enforcement, and U.S. Geological Survey;
- *Department of Defense:* U.S. Army Corps of Engineers; and
- *Department of Commerce:* National Oceanic and Atmospheric Administration—Office of National Marine Sanctuaries.

The Office of Management and Budget's volunteer 301 forms suite includes an application for the public to express interest in volunteering, an agreement form documenting conditions of engagement between the federal agency and the volunteer or volunteer group, and a group sign up form. The volunteer 301 suite of forms will expire October 31, 2021 and the Information Collection Request (ICR) is being transferred to the National Park Service (NPS). In accordance to the Paperwork Reduction Act, the information collection must be complete prior to the expiration date to ensure Agencies are able to utilize the forms if the NPS is unable to complete a new Volunteer forms suite.

Forms

OF-301 Volunteer Application: Individuals interested in volunteering may access the National Federal volunteer opportunities website (<https://www.volunteer.gov/s/>), individual agency websites, and/or contact agencies to request a Volunteer Application (OF-301). Applicants provide name; address; telephone number; age; email address; preferred work categories; qualifications, skills, and experiences; citizenship status; indication of past volunteer work; interest in supervising volunteers; objectives for volunteering (optional); indication of physical limitations; available dates; preferred location(s); lodging preferences; interest in other federal agencies; and how they heard about volunteer opportunities. Information collected using this form assists agency volunteer coordinators and other personnel in matching volunteers with opportunities appropriate for an applicant's skills and physical condition and availability.

Signature of a parent or guardian is mandatory for applicants under 18 years of age.

OF-301a Volunteer Service Agreement: This form is used by participating natural resource agencies to document agreements for volunteer services between a Federal agency and individual or group volunteers, including international volunteers. Applicants provide name; address; telephone number; email address; date of birth; citizenship/residency status; ethnicity, race, and gender (optional); veteran status (optional); indication of disability (optional); and emergency contact information. Signature of a parent or guardian is mandatory for applicants under 18 years of age.

OF-301b Volunteer Group Sign-Up: This form is used by participating resource agencies to document awareness and understanding by individuals in groups about the volunteer activities between a Federal agency and a partner organization with group participants. The partner organization provides project title, group name, and group contact information. Applicants provide volunteer names, signature, telephone number, email address, and willingness to be photographed. Signature of a parent or guardian is mandatory for applications under 18 years of age.

Affected Public: Individuals, partner organizations including businesses and non-profit organizations, and/or state, local or tribal government.

Estimate of Burden per Response: 15 minutes per form.

Estimated Annual Number of Respondents: 500,000.

Estimated Annual Number of Responses per Respondent: 2.5.

Estimated Total Annual Burden on Respondents: 125,000 hours.

Comment is Invited: Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and

addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request forwarded to the Office of Management and Budget for approval.

Robert Sanchez,

Acting Deputy Director, Recreation, Heritage & Volunteer Services.

[FR Doc. 2021-10910 Filed 5-21-21; 8:45 am]

BILLING CODE 3411-15-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Hawai'i Advisory Committee

AGENCY: Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that a web conference meeting of the Hawai'i Advisory Committee to the Commission will be held from 10:00 a.m. to 11:00 a.m. Hawaiian time on Thursday, June 17, 2021. The purpose of the meeting is to discuss a post report activity.

DATES: The meeting will be held on Thursday, June 17, 2021 from 10:00 a.m.–11:00 a.m. HT.

WEBEX Information: Register online <https://civilrights.webex.com/meet/afortes>

Audio: (800) 360-9505, ID: 199-167-8181

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes, Designated Federal Officer (DFO) at afortes@usccr.gov or by phone at (202) 681-0857.

SUPPLEMENTARY INFORMATION: For copies of meeting documents, email afortes@usccr.gov. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1-800-877-8339 and providing the Service with the conference call number and conference ID number.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting.

Written comments may be emailed to Ana Victoria Fortes at afortes@usccr.gov.

Records and documents discussed during the meeting will be available for public viewing prior to and after the meeting at <https://www.faca.database.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t000001gzl0AAA>.

Please click on "Committee Meetings" tab. Records generated from this meeting may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meeting. Persons interested in the work of this Committee are directed to the Commission's website, <https://www.usccr.gov>, or may contact the Regional Programs Unit at the above email or street address.

Agenda

- I. Welcome
- II. Report Update
- III. Discuss Possible Statement of Concern
- IV. Public Comment
- V. Adjournment

Dated: May 19, 2021.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2021-10881 Filed 5-21-21; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Minnesota Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Minnesota Advisory Committee (Committee) will hold a meeting via the online platform WebEx on Tuesday, June 1, 2021 at 12:00 p.m. Central Time. The purpose of the meeting is to discuss civil rights concerns in the state.

DATES: The meeting will be held on:

- Tuesday, June 1, 2021, at 12:00 p.m. Central Time

Web link: <https://civilrights.webex.com/civilrights/j.php?MTID=m27d6dfbf1bcbaea8d72d85ec7362085c>

Join by phone: 800-360-9505 USA Toll Free

Access code: 1994 984 717

FOR FURTHER INFORMATION CONTACT:

David Barreras, Designated Federal Officer, at dbarreras@usccr.gov or (202) 499-4066.

SUPPLEMENTARY INFORMATION: Members of the public may listen to this discussion through the above call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. 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. An individual who is deaf, deafblind, and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1-800-877-8339 and providing the Service with the conference call number and conference ID number.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to David Barreras at dbarreras@usccr.gov.

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 <https://www.faca.database.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t0000001gzm3AAA> under the Commission on Civil Rights, Minnesota 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 address.

Agenda

- I. Welcome & Roll Call
- II. Chair's Comments
- III. Committee Discussion
- IV. Public Comment
- VI. Adjournment

Exceptional Circumstance: Pursuant to 41 CFR 102-3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstances of the immediacy of the subject matter.

Dated: May 18, 2021.

David Mussatt,

Supervisory Chief, Regional Programs Unit.
[FR Doc. 2021-10855 Filed 5-21-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S-78-2021]

Foreign-Trade Zone 161—Wichita, Kansas; Application for Subzone, Watco Transloading, LLC, Parsons, Kansas

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Board of County Commissioners of Sedgwick County, Kansas, grantee of FTZ 161, requesting subzone status for the facilities of Watco Transloading, LLC (Watco), located in Parsons, Kansas. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on May 18, 2021.

The proposed subzone for Watco would consist of 14 sites (totaling 138.11 acres) within the Great Plains Industrial Park in Parsons (Labette County) as follows: *Site 1* (2.67 acres)—22033 Sawyer Road; *Site 2* (1.28 acres)—1952 22450 Road; *Site 3* (0.77 acres)—22499 Sheridan Road; *Site 4* (0.68 acres)—22035 Seward Road; *Site 5* (0.5 acres)—22034 Seward Road; *Site 6* (1.25 acres)—1952 21500 Road; *Site 7* (1.1 acres)—1994 21500 Road; *Site 8* (0.65 acres)—1992 21500 Road; *Site 9* (2.87 acres)—1998 21500 Road; *Site 10* (1.41 acres)—1988 21500 Road; *Site 11* (1.93 acres)—1935 21500 Road; *Site 12* (7 acres)—1917 19750 Road; *Site 13* (30 acres)—1941 22000 Road; and, *Site 14* (86 acres)—1400 Area Site located at 18055, 18065, 18075, 18085 and 18095 Sabetha Road; at 18054, 18064, 18074, 18084 and 18094 Sawyer Road; at 18055, 18065, 18075, 18085 and 18095 Scandia Road; and, at 18064, 18074, 18084 and 18094 Scott Road. The proposed subzone would be subject to the existing activation limit of FTZ 161. No authorization for production activity has been requested at this time.

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is July 6, 2021. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to July 19, 2021.

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

For further information, contact Camille Evans at Camille.Evans@trade.gov.

Dated: May 18, 2021.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2021-10880 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Regulations and Procedures Technical Advisory Committee; Notice of Partially Closed Meeting

The Regulations and Procedures Technical Advisory Committee will meet June 8, 2021, at 10:00 a.m., Eastern Daylight Time, via remote teleconference. The Committee advises the Office of the Assistant Secretary for Export Administration on implementation of the Export Administration Regulations (EAR) and provides for continuing review to update the EAR as needed.

Agenda

Public Session

1. Opening remarks by the Chairman
2. Opening remarks by the Bureau of Industry and Security
3. Presentation of papers or comments by the Public
4. Regulations Update
5. Working Group Reports
6. Automated Export System Update

Closed Session

7. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at Yvette.Springer@bis.doc.gov, no later than June 1, 2021.

To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on May 14, 2021, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 § 10(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482–2813.

Yvette Springer,
Committee Liaison Officer.

[FR Doc. 2021–10863 Filed 5–21–21; 8:45 am]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–557–821]

Utility Scale Wind Towers From Malaysia: Preliminary Determination of Sales at Not Less Than Fair Value and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that utility scale wind towers (wind towers) from Malaysia are not being, or are not likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2019, through June 30, 2020. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable May 24, 2021.

FOR FURTHER INFORMATION CONTACT: Jerry Huang, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4047.

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 16, 2020.¹ For a complete

description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.² 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 <http://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>.

Scope of the Investigation

The products covered by this investigation are utility scale wind towers from Malaysia. For a complete description of the scope of this investigation, see Appendix I to this notice.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,³ we set aside a period of time in the *Initiation Notice* for parties to raise issues regarding product coverage (*i.e.*, scope).⁴ We did not receive comments concerning the scope of the investigation of wind towers as it appeared in the *Initiation Notice*.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export price in accordance with section 772(a) of the Act. Normal value (NV) is calculated in accordance with section 773(e) of the Act. For a full description of the methodology underlying the preliminary determination, see the Preliminary Decision Memorandum.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

² See Memorandum, "Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Utility Scale Wind Towers from Malaysia," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

³ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

⁴ See *Initiation Notice*, 85 FR at 73024.

⁵ Commerce preliminarily determines that CS Wind Corporation and CS Wind Malaysia Sdn. Bhd. are a single entity (collectively, CS Wind). See Memorandum, "Less-Than-Fair-Value Investigation of Utility Scale Wind Towers from Malaysia: Preliminary Affiliation and Single Entity

Exporter/producer	Dumping margin (percent)
CS Wind Corporation/CS Wind Malaysia Sdn Bhd ⁵	0.00

Commerce preliminarily determines that CS Wind has not made sales of wind towers at LTFV. Further, because CS Wind is the only party for which an estimated weighted-average dumping margin has been calculated for this preliminary determination, Commerce preliminarily determines that wind towers from Malaysia have not been sold in the United States at LTFV during the POI.

Consistent with section 733(d) of the Act, Commerce has not calculated an estimated weighted-average dumping margin for all other producers and exporters because it has not made an affirmative preliminary determination of sales at LTFV.

Suspension of Liquidation

Because Commerce has made a negative preliminary determination of sales at LTFV with regard to subject merchandise, Commerce will not direct U.S. Customs and Border Protection to suspend liquidation or to require a cash deposit of estimated antidumping duties for entries of wind towers from Malaysia.

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. Normally, Commerce verifies information using standard procedures, including an on-site examination of original accounting, financial, and sales documentation. However, due to current travel restrictions in response to the global COVID–19 pandemic, Commerce is unable to conduct on-site verification in this investigation. Accordingly, we intend to verify the information relied upon in making the final determination through alternative means in lieu of an on-site verification.

Memorandum for CS Wind Corporation and CS Wind Malaysia Sdn. Bhd., dated concurrently with this notice.

¹ See *Utility Scale Wind Towers from India, Malaysia, and Spain: Initiation of Less-Than-Fair-Value Investigations*, 85 FR 73023 (November 16, 2020) (*Initiation Notice*).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Interested parties will be notified of the timeline for the submission of such case briefs and written comments at a later date. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline for case briefs.⁶ 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. Commerce has modified certain of its requirements for service documents containing business proprietary information, until further notice.⁷

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 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.

Postponement of Final Determination

Section 735(a)(2)(B) 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 a negative preliminary determination, a request for such postponement is made by the petitioner. On May 17, 2021, the Wind Tower Trade Coalition (the petitioner) requested that Commerce postpone the final determination.⁸ In accordance with section 735(a)(2)(B) of the Act, because

the preliminary determination is negative, and the petitioner has requested the postponement of the final determination, Commerce is postponing the final determination. Accordingly, Commerce will make its final determination by no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.

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 75 days after the final determination whether these 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 18, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation consists of certain wind towers, whether or not tapered, and sections thereof. Certain wind towers support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (*i.e.*, where the top of the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (*e.g.*, flooring/decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with non-subject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of

whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof, unless those components are shipped with the tower sections.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 7308.20.0020 or 8502.31.0000. Wind towers of iron or steel are classified under HTSUS 7308.20.0020 when imported separately as a tower or tower section(s). Wind towers may be classified under HTSUS 8502.31.0000 when imported as combination goods with a wind turbine (*i.e.*, accompanying nacelles and/or rotor blades). While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope of the Investigation
- V. Affiliation and Single Entity Treatment
- VI. Discussion of the Methodology
- VII. Currency Conversion
- VIII. Recommendation

[FR Doc. 2021–10918 Filed 5–21–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–897]

Utility Scale Wind Towers From India: Preliminary Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that utility scale wind towers (wind towers) from India are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is July 1, 2019, through June 30, 2020. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable May 24, 2021.

FOR FURTHER INFORMATION CONTACT:

Terre Keaton Stefanova or Amaris Wade, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1280 or (202) 482–3874, respectively.

SUPPLEMENTARY INFORMATION:

⁶ See 19 CFR 351.309(d); *see also* 19 CFR 351.303 (for general filing requirements).

⁷ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19*, 85 FR 17006 (March 26, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (collectively, *Temporary Rule*).

⁸ See Petitioner's Letter, "Utility Scale Wind Towers from Malaysia: Request to Postpone Final Determination," dated May 17, 2021.

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 16, 2020.¹ For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.² 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 <http://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>.

Scope of the Investigation

The products covered by this investigation are utility scale wind towers from India. For a complete description of the scope of this investigation, see Appendix I to this notice.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,³ we set aside a period of time in the *Initiation Notice* for parties to raise issues regarding product coverage (*i.e.*, scope).⁴ We did not receive comments concerning the scope of the investigation of wind towers as it appeared in the *Initiation Notice*. Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation*

Notice. See the scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Pursuant to section 776(a) of the Act, Commerce preliminarily relied upon facts otherwise available to assign a dumping margin to Vestas Wind Technology India Private Limited (Vestas India) in this investigation because Vestas India failed to file a complete response to Commerce's supplemental section D questionnaire by the established deadline. As a result, for the reasons discussed in the Preliminary Decision Memorandum, Commerce is unable to rely on Vestas India's reported cost data to calculate a margin. Commerce also preliminarily relied upon facts otherwise available to assign a dumping margin to the companies which did not provide timely responses to the quantity and value (Q&V) questionnaires during the respondent selection process.⁵ Further, pursuant to section 776(b) of the Act, Commerce is preliminarily determining that Vestas India and the companies which did not provide timely responses to the Q&V questionnaire each failed to cooperate to the best of its ability to comply with Commerce's requests for information. Therefore, Commerce is using an adverse inference when selecting from among the facts otherwise available when determining the preliminary margins assigned to these companies, in accordance with section 776(b) of the Act. For a full description of the methodology underlying our 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. Commerce preliminarily determined the estimated weighted-average dumping margin for the individually-examined respondent entirely under section 776 of the Act.

In the Petition, the petitioner⁶ provided only one dumping margin, which was based on a price-to-constructed-value comparison.⁷ Therefore, in the absence of another weighted-average dumping margin on the record of this investigation, we are preliminarily assigning the sole dumping margin in the *Initiation Notice* (*i.e.*, 54.03 percent) as the all-others rate.⁸

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) ⁹ (percent)
Vestas Wind Technology India Private Limited	54.03	50.65
Acciona Wind Power India Pvt. Ltd	54.03	50.65
Nordex India Pvt. Ltd	54.03	50.65

¹ See *Utility Scale Wind Towers from India, Malaysia, and Spain: Initiation of Less-Than-Fair-Value Investigations*, 85 FR 73023 (November 16, 2020) (*Initiation Notice*).

² See Memorandum, "Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Utility Scale Wind Towers from India," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

³ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

⁴ See *Initiation Notice*, 85 FR at 73024.

⁵ These non-responsive companies are: Acciona Wind Power India Pvt. Ltd.; Nordex India Pvt. Ltd.;

Prommada Hindustan Private Ltd.; Vinayaka Energy Tek; and Zeeco India Pvt. Ltd.

⁶ The petitioner is the Wind Tower Trade Coalition, whose members are Arcosa Wind Towers Inc. and Broadwind Towers, Inc.

⁷ See Petitioner's Letter, "Utility Scale Wind Towers from India, Malaysia and Spain: Petitions for the Imposition of Antidumping and Countervailing Duties," dated September 30, 2020 (Petition); see also *Antidumping Investigation Initiation Checklist—Utility Scale Wind Towers from India* (November 9, 2020).

⁸ See, e.g., *Mattresses from Malaysia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 85 FR

69574 (November 3, 2020), unchanged in *Mattresses from Malaysia: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 15901 (March 25, 2021); and *Refillable Stainless Steel Kegs from Mexico: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 84 FR 25738 (June 4, 2019), unchanged in *Refillable Stainless Steel Kegs from Mexico: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 84 FR 42894 (August 19, 2019); see also *Initiation Notice*, 85 FR at 73026.

⁹ See Memorandum, "Export Subsidies Found in the Companion Countervailing Duty Investigation," dated concurrently with this notice.

Exporter/producer	Dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) ⁹ (percent)
Prommada Hindustan Private Ltd	54.03	50.65
Vinayaka Energy Tek	54.03	50.65
Zeeco India Pvt. Ltd	54.03	50.65
All Others	54.03	50.65

Suspension of Liquidation

In accordance with section 773(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 the publication of this notice in the **Federal Register**.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies determined in a companion countervailing duty (CVD) proceeding when CVD provisional measures are in effect. Accordingly, Commerce has made a preliminary affirmative determination for an export subsidy adjustment. Commerce has offset the estimated weighted-average dumping margin by the appropriate rate. Any such adjusted rates may be found in the chart of estimated weighted-average dumping margins in the "Preliminary Determination" section above.

Should provisional measures in the companion CVD investigation expire prior to the expiration of provisional measures in this LTFV investigation, Commerce will direct CBP to begin collecting cash deposits at a rate equal to the estimated weighted-average dumping margins calculated in this preliminary determination unadjusted for export subsidies at the time the CVD provisional measures expire.

These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a 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 the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily determined Vestas India's dumping margin in this investigation based on AFA, in accordance with

section 776 of the Act, there are no calculations to disclose.

Verification

Because Vestas India did not act to the best of its ability to provide information Commerce requested and, as a result, we preliminarily determine that Vestas India was uncooperative, we will not conduct verification.

Public Comment

Interested parties are invited to comment on this preliminary determination no later than 30 days after the date of publication of the preliminary determination.¹⁰ Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline for case briefs.¹¹ Commerce has modified certain of its requirements for service of documents containing business proprietary information, until further notice.¹² 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, and a list of the issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties

will be notified of the time and date for the hearing.¹³

Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that Commerce will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, Commerce will make its final determination no later than 75 days after the signature date 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 these 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 18, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation consists of certain wind towers, whether or not tapered, and sections thereof. Certain wind towers support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (*i.e.*, where the top of the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish,

¹⁰ See 19 CFR 351.309(c)(1)(i); *see also* 19 CFR 351.303 (for general filing requirements).

¹¹ See 19 CFR 351.309(d); *see also* 19 CFR 351.303 (for general filing requirements).

¹² See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

¹³ See 19 CFR 351.310(d).

painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (e.g., flooring/decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with non-subject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof, unless those components are shipped with the tower sections.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 7308.20.0020 or 8502.31.0000. Wind towers of iron or steel are classified under HTSUS 7308.20.0020 when imported separately as a tower or tower section(s). Wind towers may be classified under HTSUS 8502.31.0000 when imported as combination goods with a wind turbine (i.e., accompanying nacelles and/or rotor blades). While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Scope of the Investigation
- V. Application of Facts Available, Use of Adverse Inferences, Corroboration, and Calculation of All-Others Rate
- VI. MNC and PMS Allegations
- VII. Recommendation

[FR Doc. 2021-10913 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-475-828]

Stainless Steel Butt-Weld Pipe Fittings From Italy: Rescission of Antidumping Duty Administrative Review; 2020–2021

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

SUMMARY: The Department of Commerce (Commerce) is rescinding the administrative review of the

antidumping duty order on stainless steel butt-weld pipe fittings from Italy for the period of review (POR) February 1, 2020, through January 31, 2021, based on the timely withdrawal of the request for review.

DATES: Applicable May 24, 2021.

FOR FURTHER INFORMATION CONTACT:

Preston N. Cox, 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) 482-5041.

SUPPLEMENTARY INFORMATION:

Background

On February 2, 2021, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order on stainless steel butt-weld pipe fittings from Italy for the period February 1, 2020, through January 31, 2021.¹ On February 26, 2021, Core Pipe Products, Inc. and Taylor Forge Stainless, Inc. (the petitioners) timely requested an administrative review of the antidumping duty order with respect to Filmag Italia, SpA (Filmag).² This request was in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b). Commerce received no other requests for an administrative review of the antidumping duty order for the POR.

On April 1, 2021, pursuant to section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the antidumping duty order covering the POR with respect to Filmag.³ On April 16, 2021, the petitioners timely withdrew their request for administrative review with respect to Filmag.⁴

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 that requested the review withdraw their requests within 90 days of the date of publication of the

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 86 FR 7855 (February 2, 2021).

² See Petitioners' Letter, "Stainless Steel Butt-Weld Pipe Fittings from Italy—Petitioners' Request for 2020/2021 Administrative Review," dated February 26, 2021.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 17124 (April 1, 2021) (*Initiation Notice*).

⁴ See Petitioners' Letter, "Stainless Steel Butt-Weld Pipe Fittings from Italy—Petitioners' Withdrawal of Request for 2020/2021 Administrative Review," dated April 16, 2021.

notice of initiation of the requested review. The petitioners withdrew their request for review within 90 days of the publication date of the *Initiation Notice*. No other parties requested an administrative review of the antidumping duty order. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding in its entirety the administrative review of the antidumping duty order on stainless steel butt-weld pipe fittings from Italy covering the period February 1, 2020, through January 31, 2021.

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of stainless steel butt-weld pipe fittings from Italy during the POR. Antidumping duties shall be assessed at rates equal to the cash deposit rate 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 no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

Notification to Importers

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

Notification Regarding Administrative Protective Orders

This notice also serves as a 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 terms of an APO is a sanctionable violation.

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: May 18, 2021.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2021-10919 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Board of Overseers of the Malcolm Baldrige National Quality Award and Judges Panel of the Malcolm Baldrige National Quality Award

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The Board of Overseers of the Malcolm Baldrige National Quality Award (Board of Overseers) and the Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in open session on Thursday, June 17, 2021, from 11:00 a.m. to 4:00 p.m. Eastern time. The Board of Overseers, appointed by the Secretary of Commerce, reports the results of the Malcolm Baldrige National Quality Award (Award) activities to the Director of the National Institute of Standards and Technology (NIST) each year, along with its recommendations for the improvement of the Award process. The Judges Panel, also appointed by the Secretary of Commerce, ensures the integrity of the Award selection process and recommends Award recipients to the Secretary of Commerce. The purpose of this meeting is to discuss and review information received from the National Institute of Standards and Technology and from the Chair of the Judges Panel. The agenda will include: Baldrige Program Update, Baldrige Foundation Update, Baldrige Judges Panel Update, Ethics Review, Baldrige Award Process, and New Business/Public Comment.

DATES: The meeting will be held on Thursday, June 17, 2021 from 11:00 a.m. Eastern Time until 4:00 p.m. Eastern Time. The meeting will be open to the public.

ADDRESSES: The meeting will be a virtual meeting by webinar. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, phone: 301-975-2361, email robert.fangmeyer@nist.gov.

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(1), 15 U.S.C. 3711a(d)(2)(B) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Board of Overseers and the Judges Panel will meet in open session on Thursday, June 17, 2021 from 11:00 a.m. to 4:00 p.m. Eastern Time. The Board of Overseers (Board), composed of approximately twelve members preeminent in the field of organizational performance excellence and appointed by the Secretary of Commerce, makes an annual report on the results of Award activities to the Director of the National Institute of Standards and Technology (NIST), along with its recommendations for improvement of the Award process. The Judges Panel consists of no less than nine, and not more than twelve, members with balanced representation from U.S. service, manufacturing, small business, nonprofit, education, and health care industries. The Panel includes members who are familiar with the quality improvement operations and competitiveness issues of manufacturing companies, service companies, small businesses, nonprofits, health care providers, and educational institutions. The Judges Panel recommends Malcolm Baldrige National Quality Award recipients to the Secretary of Commerce.

The purpose of this meeting is to discuss and review information received from NIST and from the Chair of the Judges Panel of the Malcolm Baldrige National Quality Award. The agenda will include: Baldrige Program Update, Baldrige Foundation Update, Baldrige Judges Panel Update, Ethics Review, Baldrige Award Process, and New Business/Public Comment. The agenda may change to accommodate the Judges Panel and Board of Overseers business. The final agenda will be posted on the NIST Baldrige Performance Excellence website at <http://www.nist.gov/baldrige/community/overseers.cfm>. The meeting is open to the public.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Board's affairs and/or the Panel of Judges' general process are invited to request a place on the agenda. On June 17, 2021, approximately one-half hour will be reserved in the afternoon for public comments, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the Baldrige Performance

Excellence Program website at <http://www.nist.gov/baldrige/community/overseers.cfm>. Questions from the public will not be considered during this period. Requests must be submitted by email to Robyn Verner at robyn.verner@nist.gov and must be received by 4:00 p.m. Eastern Time, June 3, 2021 to be considered. Speakers who wish to expand upon their oral statements, those who had wished to speak, but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements by email to robyn.verner@nist.gov.

Admittance instructions: All participants will be attending via webinar. Please contact Ms. Verner by telephone at (301) 975-2361 or by email at robyn.verner@nist.gov for detailed instructions on how to join the webinar. All requests must be received by 4:00 p.m. Eastern Time, June 3, 2021.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2021-10885 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XA997]

Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Electronic Monitoring (EM) Program; Notice of EM Program Guidelines

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

ACTION: Notice of availability.

SUMMARY: NMFS is providing guidelines for the development of Electronic Monitoring Service Plans (EMSP) and Vessel Monitoring Plans (VMPs) by EM service providers and vessel owners applying to participate in the Pacific Coast Groundfish EM Program. An EMSP is required as part of an application for an EM service provider permit and endorsement and describes how an EM Service Provider will provide EM services to contracted vessels. A VMP is required as part of an application for a vessel owner seeking authorization to use EM in lieu of a human observer and documents how the EM system will be used to monitor the vessel. NMFS is required to develop EM Program Guidelines and publish notice of their availability in the **Federal Register**.

DATES: Applicable May 24, 2021.

FOR FURTHER INFORMATION CONTACT:

Justin Kavanaugh, EM Program Coordinator, phone: 206–526–4353, justin.kavanaugh@noaa.gov.

Electronic Access

The EM Program Guidelines documents are posted online at: <https://www.fisheries.noaa.gov/permit/electronic-monitoring-program-service-provider-application-and-service-plan>.

SUPPLEMENTARY INFORMATION: The regulations at 50 CFR part 660, subpart J describe the requirements for an EM program for the West Coast Groundfish Trawl Catch Share Program. Vessels participating in the EM program may use EM systems (cameras and associated sensors) in lieu of human observers to meet the requirements of the Catch Share Program for 100-percent at-sea monitoring. Interested vessel owners must submit an application to NMFS, including a VMP that describes how fishing operations on the vessel will be conducted and how the EM system and associated equipment will be configured to effectively monitor fishing activities and document any discards. Required components of the VMP are described in the Federal regulations at 50 CFR 660.604(e)(3)(iii). NMFS will review the VMP to ensure that the equipment installed and the proposed operations of the vessel would effectively monitor vessel operations. NMFS has created VMP Guidelines to provide vessel owners additional information on what NMFS is looking for in a VMP and describes best practices and suggested language to satisfy the required components. Vessel owners may propose and NMFS may consider alternative, but equivalent, methods to meet the requirements of the EM program in the VMP. Through this **Federal Register** notice, NMFS is notifying interested vessel owners of the availability of the VMP Guidelines on its website.

Vessel owners authorized to use EM are required to obtain an EM system from a NMFS-permitted service provider, as well as services to install and maintain the EM system, and to process, store, and report EM data to NMFS. EM service providers interested in providing EM services to participating vessels must apply to NMFS for a permit. EM service providers must develop and submit an EMSP as part of the application for an EM provider permit, and must describe in detail how the applicant will provide EM services to vessels. The required components of an EMSP are described in Federal regulations at 50 CFR

660.603(b)(1)(vii). NMFS will review EMSPs as part of the application to ensure that it meets all required components, and would effectively fulfill the EM service provider responsibilities. NMFS has created EMSP Guidelines that describe the requirements for EM service providers, the required elements of the EMSP, as well as best practices, recommendations, and other information that NMFS will use to evaluate proposed EMSPs and to evaluate the performance of EM service providers in meeting the regulations to achieve the purpose of the EM Program. Specific requirements and standards for EM data processing, reporting, and other services are contained in the EM Program Manual on NMFS's website. The EMSP need only address the regulations at 50 CFR 660.603 "Electronic monitoring provider permits and responsibilities"; additional best practices and recommendations in this document are only examples of how the EM service provider may meet the requirements. If the provider does not utilize the recommended best practices or procedures, the EM service provider should explain in its EMSP how it would otherwise meet the EM Program requirements. An EM service provider may propose alternative, but equivalent methods to any of the recommendations in this document in their EMSP, and NMFS may consider and approve those methods if they achieve the purpose of the EM program as defined at 50 CFR 660.600(b) "EM program purpose".

Through this **Federal Register** notice, NMFS is notifying interested EM service providers of the availability of the EM Program Guidelines and EM Program Manual on its website, as required by 50 CFR 660.600(b).

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

Dated: May 18, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021–10824 Filed 5–21–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB100]

Marianas Trench Marine National Monument; Monument Management Plan; Extension of Public Comment Period

AGENCY: Fish and Wildlife Service (FWS), Interior; National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; extension of comment period.

SUMMARY: The FWS and NOAA are extending by 60 days the comment period for a draft monument management plan (MMP) for the Marianas Trench Marine National Monument (Monument). The draft MMP describes proposed goals, objectives, and strategies for managing the Monument over a 15-year period.

DATES: The public comment period is extended by 60 days to July 26, 2021. Comments must be received by July 26 2021, as specified under **ADDRESSES**. Comments received after this date may not be accepted.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2021–0003, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2021-0003>, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Send written comments to Superintendent, Marianas Trench Marine National Monument, P.O. Box 8134, MOU–3, Dededo, GU 96912.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/

A" in the required fields if you wish to remain anonymous).

The draft MMP includes an environmental assessment (EA) of the potential impacts of the MMP on the human environment. You may review the draft MMP and EA at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT:

Tammy Summers, FWS, (671) 355-5096, or Heidi Hirsh, NOAA, (808) 725-5016.

SUPPLEMENTARY INFORMATION: On February 24, 2021, NMFS published a notice of availability of a draft MMP for the Monument (86 FR 11238).

Presidential Proclamation 8335 (January 12, 2009, 74 FR 1557) requires the Secretaries of the Interior and Commerce to prepare management plans and promulgate implementing regulations that address specific actions necessary for the proper care and management of the Monument.

The draft MMP includes elements similar to a National Wildlife Refuge System Comprehensive Conservation Plan (CCP), and we are conducting the planning process for those elements in a manner similar to the CCP planning and public involvement process. The National Wildlife Refuge System Administration Act of 1966 (Refuge Administration Act, 16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires the FWS to develop a CCP for each national wildlife refuge. This draft MMP would incorporate CCP requirements and would define each agency's management roles and responsibilities.

The draft MMP lays out the goals, objectives, and proposed management activities for the next 15 years, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and consistent with FWS and NMFS policies. The draft MMP includes an environmental assessment to evaluate the potential environmental impacts of implementing the MMP. The FWS and NMFS would review and update the MMP at least every 15 years, in accordance with the Refuge Administration Act.

More information about the Monument's history, wildlife, and habitats is available in a Notice of Intent published on April 5, 2011 (76 FR 18773).

The FWS and NMFS seek comments on the draft MMP and EA. We will consider comments received when deciding whether to approve or modify the MMP. The original public comment period for the notice of availability of the MMP was scheduled to close on

May 25, 2021. In response to a request from Mr. Ralph D.L.G. Torres, Governor of the Commonwealth of the Northern Mariana Islands, the FWS and NMFS are extending the comment period for 60 days, and are accepting public comments through July 26, 2021. The public may submit comments as described under **ADDRESSES**.

Dated: May 18, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021-10814 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB118]

Adjustment of Fees for Seafood Inspection Services

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

ACTION: Notice of a revised fee schedule for seafood inspection services.

SUMMARY: The NMFS Seafood Inspection Program is notifying program participants of a revised fee schedule.

DATES: The revised fee schedule applies to services rendered as of June 1, 2021, until notified otherwise.

FOR FURTHER INFORMATION CONTACT:

Steven Wilson, Office of International Affairs and Seafood Inspection, 301-427-8350 or at steven.wilson@noaa.gov.

SUPPLEMENTARY INFORMATION: The National Marine Fisheries Service (NMFS) operates a voluntary fee-for-service seafood inspection program (Program) under the authorities of the Agricultural Marketing Act of 1946, as amended, the Fish and Wildlife Act of 1956, and the Reorganization Plan No. 4 of 1970. The regulations implementing the Program are contained in 50 CFR part 260. The program offers inspection grading and certification services, including the use of official quality grade marks which indicate that specific products have been federally inspected. Those wishing to participate in the program must request the services and submit specific compliance information. In July 1992, NMFS announced new inspection services, which were fully based on guidelines recommended by the National Academy of Sciences, known as Hazard Analysis Critical Control Point (HACCP).

Under the implementing regulations for the Program, fees are reviewed annually to ascertain that the hourly fees charged are adequate to recover the costs of the services rendered. Any necessary adjustments to fees are made in accordance with the requirements of 50 CFR 260.81 and notice is provided to program participants. This **Federal Register** notice serves to inform program participants of an adjusted fee schedule, effective June 1, 2021.

The Program will increase its fees as outlined in this notice, which will apply until notified otherwise. Fees will be charged to contract and non-contract customers requesting services as listed below. The cost of other applicable services rendered will be recovered through fee collection using the base rate of \$143 per hour.

Revised Fees and Charges for the USDC Seafood Inspection Program

Effective June 1, 2021, per hour fees and charges for fishery products inspection services will be as follows, which represent an increase of 10% from prior levels and will apply until notified otherwise.

Contract Rates

Regular time: Services provided during any 8-hour shift.

Overtime: Services provided outside the inspector's normal work schedule.

In addition to any hourly service charge, a night differential fee equal to 10 percent of the employee's hourly salary will be charged for each hour of service provided after 6 p.m. and before 6 a.m. A guarantee of payment is required for all contracts equal to 3 months of service or \$10,000, whichever is greater.

Non-Contract Rates

Regular time: Services provided within the inspector's normal work schedule, Monday through Friday.

Overtime: Services provided outside the inspector's normal work schedule.

Any services under contract in excess of the contracted hours will be charged at the non-contract rate.

Contract Rates

Non-HACCP Contracts

Regular Time: \$143.00.

Overtime: \$215.00.

Sunday & Holidays: \$286.00.

HACCP/QMP Contracts

HACCP Regular: \$308.00.

HACCP Overtime: \$462.00.

HACCP Sunday & Holidays: \$616.00.

All Non-Contract Work Rates

Regular Time: \$215.00.

Overtime: \$323.00.
Sunday & Holidays: \$430.00.

Certificates

All certificate requests, whether or not a product inspection was conducted, will be billed at a set flat rate of \$99 per request.

Additional information about, and applications for, Program services and fees may be obtained from NMFS (see **FOR FURTHER INFORMATION CONTACT**).

Dated: May 19, 2021.

Alexa Cole,

Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.

[FR Doc. 2021-10891 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB080]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public online meeting.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will convene a webinar meeting of its Groundfish Management Team (GMT) to discuss items on the Pacific Council's June 2021 meeting agenda. This meeting is open to the public.

DATES: The online meeting will be held on Thursday, June 10, 2021, from 9 a.m. to 12 p.m., Pacific Daylight Time. The scheduled ending time for this GMT meeting is an estimate, the meeting will adjourn when business for the day is completed.

ADDRESSES: This meeting will be held online. Specific meeting information, including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see www.pcouncil.org). You may send an email to Mr. Kris Kleinschmidt (kris.kleinschmidt@noaa.gov) or contact him at (503) 820-2412 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

FOR FURTHER INFORMATION CONTACT: Todd Phillips, Staff Officer, Pacific

Council; telephone: (503) 820-2426; email: todd.phillips@noaa.gov.

SUPPLEMENTARY INFORMATION: The primary purpose of the GMT webinar is to prepare for the Pacific Council's June 2021 agenda items. The GMT will discuss items related to groundfish management and administrative Pacific Council agenda items. A detailed agenda for the webinar will be available on the Pacific Council's website prior to the meeting. The GMT may also address other assignments relating to groundfish management. No management actions will be decided by the GMT.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt, (kris.kleinschmidt@noaa.gov; (503) 820-2412), at least 10 days prior to the meeting date.

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

Dated: May 18, 2021.

Diane M. DeJames-Daly,

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

[FR Doc. 2021-10805 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB114]

Pacific Islands Aquaculture Management Program; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: NMFS will convene four public meetings to receive public comments on a Draft Programmatic Environmental Impact Statement (DPEIS) for an aquaculture management program in the Pacific Islands. The

DPEIS outlines potential management alternatives, and analyzes the potential direct, indirect, and cumulative impacts on the environment.

DATES: The virtual meetings will be held between June 15 and June 24, 2021. For specific times, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The public meetings will be held by web conference. Audio and visual portions of the meetings can be accessed at: <https://www.mymeetings.com/nc/join/>.

Conference number: RWXW2188630, Audience passcode: 2249526, Toll free tel: (800) 857-6627, Alternative (toll) tel: (312) 470-7498.

NMFS will also post meeting access information at <https://www.fisheries.noaa.gov/action/potential-aquaculture-management-program-pacific-islands>.

For assistance with the web conference connection, contact Tori Spence McConnell, Sustainable Fisheries, NMFS Pacific Islands Regional Office, tel (808) 725-5186.

You may review the DPEIS and submit written comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov/document/NOAA-NMFS-2021-0044-0003>, click the "Comment" icon, complete the required fields, and enter or attach your comments.

FOR FURTHER INFORMATION CONTACT: Tori Spence McConnell, tel (808) 725-5186.

SUPPLEMENTARY INFORMATION: In accordance with the National Environmental Policy Act and the Magnuson-Stevens Fishery Conservation and Management Act, NMFS prepared a DPEIS for public review and comment. The DPEIS analyzes the potential direct, indirect, and cumulative effects of several offshore aquaculture management alternatives on the human, physical, and biological environment. NMFS and the Western Pacific Fishery Management Council will consider comments received on this DPEIS to develop a final PEIS that would support a future management program for offshore aquaculture in the Pacific Islands.

To provide additional opportunities for the public to comment on the DPEIS, NMFS will hold four public meetings. At each meeting, NMFS will provide a brief presentation about the DPEIS, followed by the opportunity for the public to provide comments. Commenters will be limited to 2 minutes each. If time permits and all commenters have spoken, an opportunity for additional comments

may be offered. NMFS may end any of the meetings before the 2-hour scheduled time if all comments have been received.

The public meeting dates are as follows. All times shown are in Hawaii Standard Time.

1. Tuesday, June 15, 2021, at 4 p.m.
2. Tuesday, June 15, 2021, at 7 p.m.
3. Tuesday, June 22, 2021, at 11 a.m.
4. Thursday, June 24, 2021 at 7 p.m.

Special Accommodations

The meetings are accessible to people with disabilities. Please make direct requests for sign language interpretation or other auxiliary aids to Tori Spence McConnell, tel (808) 725-5186, at least 5 days prior to the first meeting date.

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

Dated: May 19, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021-10916 Filed 5-21-21; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2021-SCC-0041]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Safer Schools and Campuses Best Practices Clearinghouse

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 an extension without change of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before June 23, 2021.

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 information collection request by selecting "Department of Education" under "Currently Under Review," then check "Only Show ICR for Public Comment" checkbox. Comments may also be sent to ICDocketmgr@ed.gov.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Victoria Hammer, 202-260-1438.

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: Safer Schools and Campuses Best Practices Clearinghouse.

OMB Control Number: 1810-0753.

Type of Review: An extension without change of a currently approved collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 300.

Total Estimated Number of Annual Burden Hours: 450.

Abstract: On January 21, 2021 the President issued Executive Order (E.O.) 14000 to assist members of the educational community in each State in safely reopening schools for face-to-face instruction and ensuring schools remain open. E.O. 14000 directs the Department to make widely available and easily accessible a variety of resources from the field and Federal agencies and technical assistance to support their dissemination and use. The hub for these resources will be the Clearinghouse described in E.O. 14000. The Department's Office of Elementary and Secondary Education (OESE) will lead development and implementation of the Clearinghouse in partnership with other ED offices and relevant Federal agencies. At the heart of the Clearinghouse will be the lessons learned and best practices collected from schools, districts, States, and

institutions of higher education from across the country.

Dated: May 19, 2021.

Kate Mullan,

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

[FR Doc. 2021-10921 Filed 5-21-21; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Proposed Agency Information Collection

AGENCY: Office of Small Business Innovation Research and Small Business Technology Transfer (SBIR/STTR), Office of Science, Department of Energy (DOE).

ACTION: Notice and request for comments.

SUMMARY: The DOE SBIR/STTR invites public to comment on a proposed collection of information that DOE is developing for submission to the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995.

DATES: Comments regarding this proposed information collection must be received on or before July 23, 2021. If you anticipate difficulty in submitting comments within that period, contact the person listed in **ADDRESSES** as soon as possible.

ADDRESSES: Written comments may be sent to Claudia Cantoni by email at claudia.cantoni@science.doe.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Claudia Cantoni by email at claudia.cantoni@science.doe.gov or by phone: (240) 255-8590.

SUPPLEMENTARY INFORMATION: Comments are requested on: (a) 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; (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 respondents, including the use of automated collection techniques or other forms of information technology.

This information collection request contains: (1) *OMB No.*: 1910–5166; (2) *Information Collection Request Title*: Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Commercialization Survey; (3) *Type of Request*: Three-year extension; (4) *Purpose*: The DOE needs this information to satisfy the program requirements of the Small Business Act, including requirements established in the SBIR program reauthorization legislation, Public Law 106–554 and Public Law 107–50. This data will be collected by the DOE and provided to the Small Business Administration (SBA) to maintain information about SBIR/STTR awards issued through the two programs. This data will be provided by DOE based on information collected from SBIR/STTR awardees. This data will be used by DOE, SBA, and Congress to assess the commercial impact of these two programs; (5) *Annual Estimated Number of Respondents*: 1,200; (6) *Annual Estimated Number of Total Responses*: 800; (7) *Annual Estimated Number of Burden Hours*: 1,200; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$60,000.

Statutory Authority: Section 9 of the Small Business Act, as amended, codified at 15 U.S.C. 638(g).

Signing Authority

This document of the Department of Energy was signed on May 18, 2021, by Manny Oliver, Director, Office of Small Business Innovation Research and Small Business Technology Transfer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 18, 2021.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2021–10854 Filed 5–21–21; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension; Revision to Currently Approved Collection

AGENCY: U.S. Department of Energy.

ACTION: Notice of request for comments.

SUMMARY: The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years, an information collection request with the Office of Management and Budget (OMB).

DATES: Comments regarding this proposed information collection must be received on or before July 23, 2021. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

ADDRESSES: Written comments may be sent to Jonathan Parthum, GC–62, U.S. Department of Energy, 1000 Independence Ave. SW, Washington, DC 20585, by fax at (202) 586–2805, or by email at jonathan.parthum@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and instructions should be directed by phone to Jonathan Parthum at (202) 586–5120 or by email at jonathan.parthum@hq.doe.gov.

SUPPLEMENTARY INFORMATION: Comments are invited on: (a) Whether the extended collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall 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 on respondents, including through the use of automated collection techniques or other forms of information technology.

This information collection request contains: (1) *OMB No.*: 1910–0800; (2) *Information Collection Request Title*: Legal Collections; (3) *Type of Review*: Renewal and Revision; (4) *Purpose*: To continue to maintain DOE oversight of responsibilities relating to DOE and Contractor invention reporting and related matters; (5) *Annual Estimated Number of Respondents*: 1525; (6) *Annual Estimated Number of Total Responses*: 1830; (7) *Annual Estimated Number of Burden Hours*: 4412.4; (8) *Annual Estimated Reporting and*

Recordkeeping Cost Burden:

\$337,239.73.00.

The revision consists of updates to two documents: DOE F 482.2 and DOE F 2050.11. For DOE F 482.2, the form is modified to add a Patents Rights-Waiver Clause Including U.S. Competitiveness terms and conditions acceptance to the beginning of the document. As for DOE F 2050.11, this form is modified to add the appropriate Paperwork Reduction Act statement that is currently included in each of the other documents within the collection.

Statutory Authority: 42 U.S.C. 5908(a) (b) and (c); 37 CFR part 404; 10 CFR part 784.

Signing Authority: This document of the Department of Energy was signed on May 18, 2021, by Brian Lally, Assistant General Counsel for Technology Transfer and Intellectual Property, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect on this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 18, 2021.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2021–10823 Filed 5–21–21; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Notice of Intent To Prepare a Supplemental Environmental Impact Statement for the Long-Term Management and Storage of Elemental Mercury

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of intent.

SUMMARY: As required by the *Mercury Export Ban Act of 2008*, as amended (MEBA), the U.S. Department of Energy (DOE) must identify a facility or facilities for the long-term management and storage of elemental mercury generated within the United States. To this end, DOE intends to prepare a supplemental environmental impact statement (DOE/EIS–0423–S2; SEIS–II) to supplement both the January 2011

Environmental Impact Statement for the Long-Term Management and Storage of Elemental Mercury (DOE/EIS-0423; 2011 Mercury Storage EIS) and the September 2013 *Supplemental Environmental Impact Statement for the Long-Term Management and Storage of Elemental Mercury* (DOE/EIS-0423-S1; 2013 Mercury Storage SEIS) by updating these previous analyses of potential environmental impacts and analyzing additional alternatives, in accordance with the *National Environmental Policy Act* (NEPA).

ADDRESSES: Questions concerning the SEIS-II development or requests to be placed on the SEIS-II distribution list can be sent to: Mrs. Julia Donkin, NEPA Document Manager, Office of Environmental Management, U.S. Department of Energy, EM-4.22, 1000 Independence Avenue SW, Washington, DC 20585, elementalmercury_nepa@em.doe.gov or (202) 586-5000. Questions related to DOE's elemental mercury program should be directed to Mr. David Haught, Mercury Program Manager, Office of Environmental Management, U.S. Department of Energy, EM-4.22, 1000 Independence Avenue SW, Washington, DC 20585, David.Haught@hq.doe.gov or (202) 586-5000.

FOR FURTHER INFORMATION CONTACT: Additional information regarding the SEIS-II, the 2011 Mercury Storage EIS, 2013 Mercury Storage SEIS, other related documents, and the scope of DOE's elemental mercury program is available online at <https://www.energy.gov/nepa/doeeis-0423-long-term-management-and-storage-elemental-mercury>. For general information concerning DOE's Office of Environmental Management NEPA process, please contact Mr. William Ostrum, Office of Environmental Management NEPA Compliance Officer, U.S. Department of Energy, EM-4.31, 1000 Independence Avenue SW, Washington, DC 20585, William.Ostrum@hq.doe.gov or (202) 586-2513.

SUPPLEMENTARY INFORMATION:

Background

The *Mercury Export Ban Act of 2008* (Pub. L. 110-414), as amended by the *Frank R. Lautenberg Chemical Safety for the 21st Century Act* (Pub. L. 114-182) (MEBA), amends the *Toxic Substances Control Act* (TSCA; 15 U.S.C. 2601-2629) to prohibit the sale, distribution, or transfer by Federal agencies to any other Federal agency, any state or local government agency, or any private individual or entity, of any elemental mercury under the control or

jurisdiction of a Federal agency (with certain limited exceptions). MEBA also amends TSCA to prohibit the export of elemental mercury from the United States (with certain limited exceptions). Section 5 of MEBA, "Long-Term Storage" (42 U.S.C. 6939f), is codified with the *Resource Conservation and Recovery Act* (RCRA; 42 U.S.C. 6901 *et seq.*) and directs DOE to designate a facility or facilities for the long-term management and storage of elemental mercury generated within the United States. MEBA also requires DOE to assess a fee based upon the pro rata costs of long-term management and storage of elemental mercury delivered to the facility or facilities.

The primary sources of elemental mercury in the United States include elemental mercury generated as a byproduct of the gold mining process and mercury reclaimed from recycling and waste recovery activities. In addition, DOE's National Nuclear Security Administration (NNSA) stores approximately 1,200 metric tons of elemental mercury at the Oak Ridge Reservation in Tennessee, which was generated in support of NNSA's mission.

The 2011 Mercury Storage EIS evaluated seven candidate locations for the elemental mercury storage facility, as well as a No Action Alternative. The locations included new facility construction, use of existing facilities, or both. The candidate locations were: DOE Grand Junction Disposal site near Grand Junction, Colorado (new construction); DOE Hanford Site near Richland, Washington (new construction); Hawthorne Army Depot near Hawthorne, Nevada (existing facility); DOE Idaho National Laboratory near Idaho Falls, Idaho (new construction and existing facility); Bannister Federal Complex in Kansas City, Missouri (existing facility); DOE Savannah River Site near Aiken, South Carolina (new construction); and the Waste Control Specialists LLC (WCS) site near Andrews, Texas (new construction and existing facility).

The 2013 Mercury Storage SEIS evaluated three additional alternative locations, at and in the vicinity of the Waste Isolation Pilot Plant near Carlsbad, New Mexico (all new construction). The 2013 Mercury Storage SEIS also updated the analysis of the alternatives presented in the 2011 Mercury Storage EIS.

For the 2011 Mercury Storage EIS and the 2013 Mercury Storage SEIS, DOE estimated that up to approximately 10,000 metric tons of elemental mercury would need to be managed and stored

at the DOE facility during the 40-year period of analysis.

On December 6, 2019, DOE issued a Record of Decision (ROD) to document its designation of the WCS site near Andrews, Texas, for the management and storage of up to 6,800 metric tons of elemental mercury in leased portions of existing buildings, the Container Storage Building and Bin Storage Unit 1, at the WCS site (84 FR 66890). The ROD was supported by DOE's *Supplemental Analysis of the Final Long-Term Management and Storage of Elemental Mercury Environmental Impact Statement* (DOE/EIS-0423-SA-1), which determined that the long-term management and storage of up to 6,800 metric tons of elemental mercury in existing buildings at the WCS facility would not constitute a substantial change from the proposal evaluated in the 2011 Mercury Storage EIS and updated in the 2013 Mercury Storage SEIS. On December 23, 2019, DOE published a final rule to establish the fee for long-term management and storage of elemental mercury (84 FR 70402; Fee Rule).

Two domestic generators of elemental mercury subsequently filed complaints in United States District Court challenging, among other things, the validity of the Fee Rule and the ROD (*Coeur Rochester, Inc. v. Brouillette et al.*, Case No. 1:19-cv-03860-RJL (D.D.C. filed December 31, 2019); *Nevada Gold Mines LLC v. Brouillette et al.*, Case No. 1:20-cv-00141-RJL (D.D.C. filed January 17, 2020)). On August 21, 2020, DOE and Nevada Gold Mines, LLC (NGM) executed a settlement agreement intended to resolve NGM's complaint in its entirety. Consistent with that agreement, on September 3, 2020, DOE filed a motion in the District Court asking the Court to vacate and remand the Fee Rule. The District Court granted the motion to vacate and remand the Fee Rule on September 5, 2020. Given the rulemaking process required to establish a fee for the long-term management and storage of elemental mercury, and the expiration of DOE's current lease with WCS in June 2021, DOE also agreed in the settlement with NGM to withdraw the designation of WCS pursuant to MEBA Section 5(a)(1) as a facility of DOE for the purpose of long-term management and storage of elemental mercury. DOE subsequently withdrew the designation of WCS under MEBA in an amended ROD on October 6, 2020 (85 FR 63105). The District Court granted a joint stipulation to dismiss the litigation from Coeur Rochester, Inc. on April 23, 2021.

Purpose and Need for Action

DOE must designate a facility for the long-term management and storage of elemental mercury generated within the United States, as required by MEBA. MEBA also requires DOE to assess and collect a fee to cover certain costs of long-term management and storage of elemental mercury.

MEBA establishes that by January 1, 2019, a DOE-designated facility shall be operational and accept custody, for the purpose of long-term management and storage, of elemental mercury generated within the United States. Fiscal Year 2021 Appropriations Act Explanatory Statements for Division D, Energy and Water Development and Related Agencies, includes the following statement, “The Department [DOE] is directed to finalize the Fee Rule for mercury storage as expeditiously as possible.”

Proposed Action

DOE proposes to designate one or more facilities for the long-term management and storage of elemental mercury in accordance with MEBA. Facilities must comply with applicable requirements of Section 5(d) of MEBA, “Management Standards for a Facility,” including the requirements of the *Solid Waste Disposal Act* as amended by RCRA, and other state-specific permitting requirements. Consistent with the Supplement Analysis prepared in 2019 but updated to account for accumulation of elemental mercury since then, the SEIS–II will evaluate the potential environmental impacts of an estimated inventory of up to 7,000 metric tons of elemental mercury that could require management and storage during the 40-year period of analysis.

After completion of DOE’s Proposed Action, DOE would establish the fee for long-term management and storage of elemental mercury through rulemaking conducted pursuant to the Administrative Procedure Act (5 U.S.C. 551 *et seq.*). DOE would evaluate the potential environmental impacts of the rulemaking in accordance with NEPA implementing procedures at 10 CFR 1021.213.

Proposed Alternatives

The 2011 Mercury Storage EIS and the 2013 Mercury Storage SEIS evaluated both new construction and the designation of existing facilities for management and storage of elemental mercury. In the SEIS–II, DOE’s range of reasonable alternatives includes existing facilities that could be designated with only minor modifications to meet the permitting requirements for elemental

mercury storage. Construction of new facilities would further negatively impact the schedule for DOE’s receipt of elemental mercury, which was required by MEBA to begin acceptance by January 2019.

Of the four existing facilities evaluated in the 2011 Mercury Storage EIS, two remain as reasonable alternatives. Since 2011, portions of the Bannister Federal Complex in Kansas City have been transferred from DOE to a private entity and rezoned as an urban redevelopment district. Therefore, this facility is no longer considered a reasonable alternative for the storage of elemental mercury. Additionally, the planning basis for the existing facilities at the Idaho National Laboratory Radioactive Waste Management Complex (RWMC) has changed and those facilities are no longer considered a reasonable alternative for storage of elemental mercury. DOE is planning to demolish these facilities and close the RWMC once its current radioactive waste mission is completed. Therefore, the SEIS–II will update the analysis for the Hawthorne Army Depot in Nevada and the WCS site in Texas.

In addition to the two sites identified previously, the SEIS–II will also evaluate other facilities that maintain or would be capable of maintaining a RCRA Part B permit for the long-term management and storage of elemental mercury. DOE used four methods to identify these additional facilities: (1) DOE contacted commercial facilities that had previously certified to DOE that they meet the requirements to accept and store elemental mercury at least until the DOE-designated facility opens (<https://www.energy.gov/em/downloads/permitted-mercury-storage-facility-notifications>); (2) on December 3, 2020, DOE issued basic ordering agreements to companies to conduct nationwide waste management services, including ancillary services such as management and storage of elemental mercury; (3) on October 14, 2020, DOE issued a Sources Sought Synopsis/Request for Information to identify potential offerors to provide leased space and associated services for the management and storage of elemental mercury; and (4) DOE is re-evaluating existing facilities on DOE property that could be repurposed for management and storage of elemental mercury. Past and ongoing procurement actions were used only to assist in the identification of potential reasonable alternatives for consideration in the SEIS. They do not have a bearing on what future procurement actions that DOE would take to contract for services related to

long-term management and storage of elemental mercury.

Through these outreach efforts, DOE has identified the following additional reasonable alternative locations that will be evaluated in the SEIS–II (in addition to those previously evaluated as discussed previously):

- Bethlehem Apparatus in Bethlehem, Pennsylvania;
- Clean Harbors (facilities in Pecatonica, Illinois; Greenbrier, Tennessee; and Tooele, Utah);
- Veolia North America in Gum Springs, Arkansas; and
- Perma-Fix Diversified Scientific Services, Inc., in Kingston, Tennessee.

As part of the SEIS–II, DOE will update the analysis of the No-Action Alternative.

Potential Areas of Environmental Analysis

DOE has tentatively identified the following resource areas for analysis in the SEIS–II. The following list is not intended to be comprehensive or to predetermine the potential impacts to be analyzed: Land use and visual resources; geology and soils; water resources; air quality and noise; ecological resources; cultural and paleontological resources; infrastructure; waste management; occupational and public health and safety; socioeconomic; transportation; and environmental justice.

NEPA Process and Public Participation in the SEIS–II

DOE will prepare the SEIS–II in accordance with the Council on Environmental Quality (CEQ) regulations at 40 CFR parts 1500–1508¹ and DOE NEPA implementing procedures at 10 CFR part 1021. In accordance with 10 CFR 1021.311(f), a public scoping process is not required for a DOE-issued SEIS. DOE will issue a **Federal Register** notice detailing the release of the draft SEIS–II, dates of one or more internet-based public hearings, and directions on submitting public comments. DOE expects to issue the Draft SEIS–II in late 2021.

Signing Authority

This document of the Department of Energy was signed on May 17, 2021, by Mark Gilbertson, Associate Principal Deputy Assistant Secretary for Regulatory and Policy Affairs, pursuant

¹ On July 16, 2020, the CEQ issued a final rule to update its regulations for Federal agencies to implement NEPA (85 FR 43304). The effective date for the new regulations is September 14, 2020. Because the SEIS–II was initiated after that effective date, it will be prepared in accordance with the new CEQ regulations.

to delegated authority from the Secretary of the Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with the requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 19, 2021.

Treena V. Garrett,
Federal Register Liaison Officer, U.S.
Department of Energy.

[FR Doc. 2021-10905 Filed 5-21-21; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Extension

AGENCY: Energy Information Administration (EIA), Department of Energy (DOE).

ACTION: Notice.

SUMMARY: EIA submitted an information collection request for extension as required by the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its Form EIA-111 *Quarterly Electricity Imports and Exports Report*, OMB Control Number 1905-0208. Form EIA-111 collects information on U.S. imports and exports of electricity. Data are used to obtain estimates on the flows of electricity into and out of the United States.

DATES: Comments on this information collection must be received no later than June 23, 2021. 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.

FOR FURTHER INFORMATION CONTACT: If you need additional information, contact Tosha Beckford at (202) 287-6597 or by email at tosha.beckford@eia.gov. The forms and instructions are available on EIA's website at <http://www.eia.gov/survey/changes/electricity/>.

SUPPLEMENTARY INFORMATION: This information collection request contains

(1) *OMB No.:* 1905-0208;

(2) *Information Collection Request Title:* Quarterly Electricity Imports and Exports Report;

(3) *Type of Request:* Three-year extension without change;

(4) *Purpose:* Form EIA-111 collects U.S. electricity import and export data on a quarterly basis. The data are used to measure the flow of electricity into and out of the United States. The import and export data are reported by U.S. purchasers, sellers and transmitters of wholesale electricity, including persons authorized by Order to export electric energy from the United States to foreign countries, persons authorized by Presidential Permit to construct, operate, maintain, or connect electric power transmission lines that cross the U.S. international border, and U.S. Balancing Authorities that are directly interconnected with foreign Balancing Authorities. Such entities report monthly flows of electric energy received or delivered across the border, the cost associated with the transactions, and actual and implemented interchange.

(4a) *Proposed Changes to Information Collection:* No changes;

(5) *Annual Estimated Number of Respondents:* 180;

(6) *Annual Estimated Number of Total Responses:* 720;

(7) *Annual Estimated Number of Burden Hours:* 1,080;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$88,182 (1,080 burden hours times \$81.65 per hour). EIA estimates that respondents will have no additional costs associated with the surveys other than the burden hours and the maintenance of the information as part of the normal course of business.

Comments are invited on whether or not: (a) The proposed collection of information is necessary for the proper performance of agency functions, including whether the information will have a practical utility; (b) EIA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, is accurate; (c) EIA can improve the quality, utility, and clarity of the information it will collect; and (d) EIA can minimize the burden of the collection of information on respondents, such as automated collection techniques or other forms of information technology.

Statutory Authority: 15 U.S.C. 772(b), 42 U.S.C. 7101 *et seq.*

Signed in Washington, DC, on May 18, 2021.

Samson A. Adeshiyan,
Director, Office of Statistical Methods and Research, U. S. Energy Information Administration.

[FR Doc. 2021-10884 Filed 5-21-21; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER21-1916-000]

Assembly Solar III, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced Assembly Solar III, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 7, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Dated: May 17, 2021.
Debbie-Anne A. Reese,
Deputy Secretary.
 [FR Doc. 2021-10851 Filed 5-21-21; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD21-10-000]

Modernizing Electricity Market Design; Supplemental Notice of Technical Conference on Resource Adequacy in the Evolving Electricity Sector: ISO New England Inc

As first announced in the Notice of Technical Conference issued in this proceeding on April 22, 2021, the Federal Energy Regulatory Commission

(Commission) will convene a Commissioner-led technical conference in the above-referenced proceeding on May 25, 2021, from approximately 9:00 a.m. to 4:15 p.m. Eastern time. The conference will be held remotely. Attached to this Supplemental Notice is an agenda for the technical conference. Commissioners may attend and participate in the technical conference.

Discussions at the conference may involve issues raised in proceedings that are currently pending before the Commission. These proceedings include, but are not limited to:

	Docket Nos.
ISO New England Inc	ER21-787-000.
ISO New England Inc	ER21-943-000.
New England Power Generators Ass'n, Inc. v. ISO New England Inc	EL21-26-000.
ISO New England Inc	ER21-1226-000.
ISO New England Inc., New England Power Pool Participants Committee	ER21-1637-000.
Independent Market Monitor for PJM v. PJM Interconnection, L.L.C	EL19-47-000.
Office of the People's Counsel for D.C. et al. v. PJM Interconnection	EL19-63-000.
PJM Interconnection, L.L.C	EL19-100-000.
PJM Interconnection, L.L.C	ER21-278-000 and ER21-278-001.
New York Independent System Operator, Inc	ER20-1718-002.
New York State Public Service Commission, et al. v. New York Independent System Operator, Inc.	EL16-92-004 and ER17-996-004.
New York Independent System Operator, Inc	ER16-1404-005, ER16-1404-006, and ER16-1404-007.
New York Independent System Operator, Inc	ER21-502-000 and ER21-502-001.
New York Independent System Operator, Inc	ER21-1018-000.
Cricket Valley Energy Center LLC and Empire Generating Company, LLC v. New York Independent System Operator, Inc.	EL21-7-000.

The conference will be open for the public to attend remotely. There is no fee for attendance. Information on this technical conference, including a link to the webcast, will be posted on the conference's event page on the Commission's website (<https://www.ferc.gov/news-events/events/technical-conference-regarding-wholesale-markets-administered-iso-new-england>) prior to the event.

The conference will be transcribed. Transcripts will be available for a fee from Ace Reporting at (202) 347-3700.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to accessibility@ferc.gov or call toll free (866) 208-3372 (voice) or (202) 208-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

For more information about this technical conference, please contact

David Rosner at david.rosner@ferc.gov or (202) 502-8479 or Emma Nicholson at emma.nicholson@ferc.gov or (202) 502-8741. For legal information, please contact Meghan O'Brien at meghan.o'brien@ferc.gov or (202) 502-6137. For information related to logistics, please contact Sarah McKinley at sarah.mckinley@ferc.gov or (202) 502-8368.

Dated: May 17, 2021.
Kimberly D. Bose,
Secretary.
 [FR Doc. 2021-10826 Filed 5-21-21; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP21-824-000.

Applicants: Northern Border Pipeline Company.

Description: § 4(d) Rate Filing: Seasonal Rates Invoicing Update to be effective 6/15/2021.

Filed Date: 5/14/21.

Accession Number: 20210514-5090.

Comments Due: 5 p.m. ET 5/26/21.

Docket Numbers: RP21-825-000.

Applicants: Rockies Express Pipeline LLC.

Description: Compliance filing REX 2021 Annual Penalty Charge Reconciliation.

Filed Date: 5/14/21.

Accession Number: 20210514–5179.

Comments Due: 5 p.m. ET 5/26/21.

Docket Numbers: RP21–826–000.

Applicants: Tallgrass Interstate Gas Transmission, LLC.

Description: Compliance filing TIGT 2021 Annual Penalty Charge Reconciliation.

Filed Date: 5/14/21.

Accession Number: 20210514–5180.

Comments Due: 5 p.m. ET 5/26/21.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 17, 2021.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2021–10850 Filed 5–21–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD21–12–000]

Electrification and the Grid of the Future; Notice Inviting Post-Technical Conference Comments

On April 29, 2021, the Federal Energy Regulatory Commission (Commission) convened a technical conference to discuss electrification and the grid of the future.

All interested persons are invited to file post-technical conference comments to address issues raised during the technical conference and identified in the Supplemental Notice of Technical Conference issued April 14, 2021. For reference, the questions included in the Supplemental Notice are included below. Commenters need not answer all of the questions, but commenters are encouraged to organize responses using the numbering and order in the below

questions. Commenters are also invited to reference material previously filed in this docket but are encouraged to avoid repetition or replication of previous material. Comments must be submitted on or before 45 days from the date of this Notice.

Comments may be filed electronically via the internet.¹ Instructions are available on the Commission's website <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1–866–208–3676, or for TTY, (202) 502–8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, submissions sent via the U.S. Postal Service must be addressed to: Federal Energy Regulatory Commission, Office of the Secretary, 888 First Street NE, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Federal Energy Regulatory Commission, Office of the Secretary, 12225 Wilkins Avenue, Rockville, Maryland 20852.

For more information about this Notice, please contact:

Michael Hill (Technical Information),
Office of Energy Policy and
Innovation, (202) 502–8703,
Michael.Hill@ferc.gov
Sarah Greenberg (Legal Information),
Office of the General Counsel, (202)
502–6230, Sarah.Greenberg@ferc.gov

Dated: May 17, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021–10836 Filed 5–21–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3253–015]

Mad River Power Associates; Notice Soliciting Scoping Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Subsequent Minor License.

b. *Project No.:* 3253–015.

c. *Date Filed:* November 3, 2020.

d. *Submitted By:* Mad River Power Associates (MRPA).

e. *Name of Project:* Campton Hydroelectric Project (project).

f. *Location:* On the Mad River in Grafton County, New Hampshire. The

project occupies approximately 0.05 acre of federal land administered by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. Ian Clark, Mad River Power Associates, 1 Pepsi Way, Suite 6n75, Katonah, NY 10536; Phone at (914) 297–7645, or email at info@dichotomycapital.com.

i. *FERC Contact:* Amanda Gill at (202) 502–6773; or email at amanda.gill@ferc.gov.

j. *Deadline for filing scoping comments:* June 17, 2021.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FEROnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Campton Hydroelectric Project (P–3253–015).

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. The application is not ready for environmental analysis at this time.

l. The existing Campton Project is located at the Forest Service's Campton Dam and Pond, and consists of: (1) A 22-foot-wide, 24-foot-high concrete intake structure located approximately 60 feet upstream of the Campton Dam on the east shoreline of Campton Pond, that includes a 25-foot-long, 13-foot-high trashrack with 1.75-inch clear bar

¹ See 18 CFR 385.2001(a)(1)(iii) (2020).

spacing; (2) a 600-foot-long, 78-inch-diameter underground steel penstock that trifurcates into three 48-inch-diameter sections measuring 20 feet, 30 feet, and 43 feet in length, respectively; (3) a 43-foot-long, 30-foot-wide powerhouse located on the east side of the Mad River that contains a 167-kW Francis turbine-generator unit; (4) two 236-kW submersible Flygt turbine-generator units located outside of the powerhouse; (5) an approximately 55-foot-long, 40-foot-wide tailrace; (6) a 200-foot-long transmission line and a 33.5-kilovolt transformer that connects the generators to the electric grid; (7) an Atlantic salmon smolt bypass facility consisting of an 85-foot-long, 20-inch diameter cast iron pipe that empties into an 3.5-foot-deep plunge pool approximately 15 feet downstream of the dam; and (8) appurtenant facilities. The project creates an approximately 600-foot-long bypassed reach of the Mad River.

MRPA currently has a Special Use Permit from the Forest Service for operation and maintenance of the Campton Project. MRPA voluntarily operates the project as a run-of-release facility. Each Flygt turbine unit has a minimum and maximum hydraulic capacity of 74 cubic feet per second (cfs) and 89 cfs, respectively, and the Francis turbine unit has a minimum and maximum hydraulic capacity of 23 cfs and 60 cfs, respectively. When generating electricity, water released from Campton Pond, is diverted through the intake structure and the penstock, to the turbines, where it is then discharged to the project tailrace and the Mad River.

The current license requires: (1) Inflow to be discharged over the spillway to the bypassed reach during periods of non-generation or when inflow is less than 25 cfs; (2) a minimum flow of 4.5 cfs through the smolt bypass facility during periods of generation or when inflow is greater than 25 cfs; and (3) operation of the smolt bypass facility from mid-April to mid-June. The average annual energy production of the project from 2007 through 2018 was 1,170 MWh.

MRPA proposes to: (1) Continue operating the project in a run-of-release mode; (2) replace one of the 236-kW Flygt turbine-generator units with a new 340-kW Flygt turbine-generator unit, for a total installed capacity of 743 kW at the project; (3) release a minimum flow of 29 cfs or inflow, whichever is less, over the dam to the bypassed reach; and (4) close the existing smolt bypass facility. MRPA estimates that the average annual generation of the

proposed project will be approximately 1,900 MWh.

m. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

n. You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. Scoping Process.

Commission staff will prepare either an environmental assessment (EA) or an Environmental Impact Statement (EIS) that describes and evaluates the probable effects, if any, of the licensee's proposed action and alternatives. The EA or EIS will consider environmental impacts and reasonable alternatives to the proposed action. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission prepares an EA or an EIS. Due to concerns with large gatherings related to COVID-19, we do not intend to conduct a public scoping meeting and site visit in this case. Instead, we are soliciting written comments and suggestions on the preliminary list of issues and alternatives to be addressed in the NEPA document, as described in scoping document 1 (SD1), issued May 18, 2021.

Copies of the SD1 outlining the subject areas to be addressed in the NEPA document were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call 1-866-208-3676 or for TTY, (202) 502-8659.

Dated: May 18, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021-10887 Filed 5-21-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC21-68-000.

Applicants: Oleander Power Project, LP.

Description: Response to May 4, 2021 Deficiency Letter of Oleander Power Project, Limited Partnership Power Holding LLC.

Filed Date: 5/14/21.

Accession Number: 20210514-5212.

Comments Due: 5 p.m. ET 5/28/21.

Docket Numbers: EC21-94-000.

Applicants: Constellation Holdings, LLC, Albany Green Energy, LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act, et al. of Constellation Holdings, LLC, et al.

Filed Date: 5/14/21.

Accession Number: 20210514-5215.

Comments Due: 5 p.m. ET 6/4/21.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG21-147-000.

Applicants: Black Rock Wind Force, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status, LLC of Black Rock Wind Force, LLC.

Filed Date: 5/17/21.

Accession Number: 20210517-5077.

Comments Due: 5 p.m. ET 6/7/21.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13-738-008; ER10-1186-011; ER10-1329-011; ER11-2731-004; ER11-3097-012; ER12-421-004.

Applicants: DTE Electric Company, DTE Energy Trading, Inc., DTE Energy Supply, LLC, DTE Garden Wind Farm, LLC, DTE Stoney Corners Wind Farm, LLC, St. Paul Cogeneration, LLC.

Description: Notice of Non-Material Change in Status of DTE MBR Entities.

Filed Date: 5/14/21.

Accession Number: 20210514-5205.

Comments Due: 5 p.m. ET 6/4/21.

Docket Numbers: ER16-2320-007.

Applicants: Pacific Gas and Electric Company.

Description: Compliance filing: TO18 Order on Rehearing Compliance Filing to be effective N/A.

Filed Date: 5/17/21.

Accession Number: 20210517-5091.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER19-2585-003.

Applicants: Florida Power & Light Company.

Description: Compliance filing: Compliance Filing Revising Tariff Records to Reflect Approved Settlement to be effective 4/1/2020.

Filed Date: 5/17/21.

Accession Number: 20210517-5125.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER20-1831-001.

Applicants: UGI Utilities, Inc., PJM Interconnection, L.L.C.

Description: Compliance filing: UGI Utilities, Inc. submits Compliance Filing in ER20-1831 re: Order 864 to be effective 1/27/2020.

Filed Date: 5/17/21.

Accession Number: 20210517-5145.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1670-001.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Tariff Amendment: 2021-05-17_SA 3424 ATC-Wisconsin Electric Power Substitute 1st Rev GIA (J871) to be effective 3/30/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5135.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1905-001.

Applicants: NextEra Energy Transmission MidAtlantic Indiana, Inc., PJM Interconnection, L.L.C.

Description: Tariff Amendment: NEET MidAtlantic IN submits Errata to IA, SA No. 5801 with NIPSCO to be effective 4/2/2021.

Filed Date: 5/14/21.

Accession Number: 20210514-5192.

Comments Due: 5 p.m. ET 6/4/21.

Docket Numbers: ER21-1918-000.

Applicants: Algonquin Energy Services Inc.

Description: § 205(d) Rate Filing: Revisions to AES Market-Based Rate Tariff to be effective 6/30/2021.

Filed Date: 5/14/21.

Accession Number: 20210514-5217.

Comments Due: 5 p.m. ET 6/4/21.

Docket Numbers: ER21-1919-000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Enhancements to PJM Dispatch and Pricing ? The Long-Term Reforms to be effective 11/1/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5042.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1920-000.

Applicants: ALLETE, Inc.

Description: § 205(d) Rate Filing: Certificate of Concurrence (Original TCRA) to be effective 9/1/2015.

Filed Date: 5/17/21.

Accession Number: 20210517-5052.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1921-000.

Applicants: Citadel Energy Marketing LLC.

Description: Baseline eTariff Filing: Baseline new to be effective 5/18/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5056.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1922-000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: 2021-05-17_SA 3028 Ameren IL-Prairie Power Project #20 Taylorville to be effective 7/17/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5064.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1923-000.

Applicants: Black Rock Wind Force, LLC.

Description: Baseline eTariff Filing: Application for Market-Based Rate Authorization and Request for Waivers to be effective 7/17/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5068.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1924-000.

Applicants: ALLETE, Inc.

Description: § 205(d) Rate Filing: Certificate of Concurrence (Amended TCRA) to be effective 2/16/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5070.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1925-000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: Amended LGIA Kramer Junction 8 Project TOT697QFC SA No. 247 to be effective 7/17/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5087.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1926-000.

Applicants: Louisville Gas and Electric Company.

Description: § 205(d) Rate Filing: LGE and KU Rhudes Creek Provisional Large Generator Interconnection Agreement to be effective 5/7/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5115.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1927-000.

Applicants: American Electric Power Service Corporation, Ohio Power Company, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: AEP submits the Buckhorn FA re: ILDSA SA No. 1336 to be effective 7/17/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5123.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1928-000.

Applicants: Diamond Energy East, LLC.

Description: § 205(d) Rate Filing: Notice of Succession and Revised Market-Based Rate Tariffs to be effective 5/18/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5126.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1929-000.

Applicants: Diamond Energy NE, LLC.

Description: § 205(d) Rate Filing: Notice of Succession and Revised Market-Based Rate Tariffs to be effective 5/18/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5129.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1930-000.

Applicants: Diamond Energy NY, LLC.

Description: § 205(d) Rate Filing: Notice of Succession and Revised Market-Based Rate Tariffs to be effective 5/18/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5134.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1931-000.

Applicants: UGI Utilities Inc., PJM Interconnection, L.L.C.

Description: Compliance filing: UGI Utilities, Inc. Submits Single-Issue Audit Compliance Filing to be effective 7/19/2021.

Filed Date: 5/17/21.

Accession Number: 20210517-5153.

Comments Due: 5 p.m. ET 6/7/21.

Docket Numbers: ER21-1932-000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA, SA No. 5473; Queue No. AC1-054 to be effective 8/27/2019.

Filed Date: 5/17/21.

Accession Number: 20210517-5155.

Comments Due: 5 p.m. ET 6/7/21.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's

Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: May 17, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-10849 Filed 5-21-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2934-031]

New York State Electric & Gas Corporation; Notice of Application for Amendment of License, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Proceeding:* Request for temporary amendment of Article 402.

b. *Project No.:* 2934-031.

c. *Date Filed:* March 31, 2021, and supplemented April 22, 2021.

d. *Licensee:* New York State Electric & Gas Corporation.

e. *Name of Project:* Upper Mechanicville Hydroelectric Project.

f. *Location:* The project is located on the Hudson River in Saratoga and Rensselaer counties, New York.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Licensee Contact:* Mr. David W. Dick, New York State Electric & Gas Corporation, 89 East Avenue, Rochester, NY 14649, (585) 724-8535, david_dick@rge.com.

i. *FERC Contact:* Jeremy Jessup, (202) 502-6779, Jeremy.Jessup@ferc.gov.

j. *Deadline for filing comments, motions to intervene, and protests,* is 30 days from the issuance date of this notice by the Commission.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using

the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P-2934-031. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The applicant proposes to temporarily amend Article 402 of the license until December 2023. The licensee has identified that the majority of the inflatable crest gate bladders have reached their service life and require replacement. The licensee is proposing to lower the impoundment elevation requirement from 72 inches or greater above the fixed spillway to 50 inches or greater above the fixed spillway. The licensee states this will limit the continuous load on the fully inflated bladders until the replacement and upgrade of the remaining bladders. The licensee will continue to operate the project in run-of-river mode and provide the seasonal minimum bypass flow beginning on May 1, 2021.

l. *Locations of the Application:* This filing may be viewed on the

Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: May 18, 2021.

Kimberly D. Bose,

Secretary.

[FR Doc. 2021-10888 Filed 5-21-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. ER21–1923–000]

Black Rock Wind Force, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced Black Rock Wind Force, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 7, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number

field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208–3676 or TTY, (202) 502–8659.

Dated: May 17, 2021.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2021–10848 Filed 5–21–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. ER21–1921–000]

Citadel Energy Marketing LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced Citadel Energy Marketing LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 7, 2021.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling

link to log on and submit the intervention or protests.

Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208–3676 or TTY, (202) 502–8659.

Dated: May 17, 2021.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2021–10847 Filed 5–21–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. RM93–11–000]

Revisions to Oil Pipeline Regulations, Pursuant to the Energy Policy Act of 1992; Notice of Annual Change in the Producer Price Index for Finished Goods

The Commission's regulations include a methodology for oil pipelines to change their rates through use of an index system that establishes ceiling levels for such rates. The Commission bases the index system, found at 18 CFR 342.3, on the annual change in the Producer Price Index for Finished Goods (PPI–FG), plus point seven eight percent (PPI–FG + 0.78). The Commission determined in an *Order Establishing Index Level*,¹ issued

¹ 173 FERC ¶ 61,245, at P 63 (2020), *reh'g pending*.

December 17, 2020, that PPI-FG + 0.78 is the appropriate oil pricing index factor for pipelines to use for the five-year period commencing July 1, 2021.

The regulations provide that the Commission will publish annually an index figure reflecting the final change in the PPI-FG after the Bureau of Labor Statistics publishes the final PPI-FG in May of each calendar year. The annual average PPI-FG index figures were 205.7 for 2019 and 202.9 for 2020.²

Thus, the percent change (expressed as a decimal) in the annual average PPI-FG from 2019 to 2020, plus 0.78 percent, is negative 0.005812.³ Oil pipelines must multiply their July 1, 2020, through June 30, 2021, index ceiling levels by positive 0.994188⁴ to compute their index ceiling levels for July 1, 2021, through June 30, 2022, in accordance with 18 CFR 342.3(d). For guidance in calculating the ceiling levels for each 12-month period beginning January 1, 1995,⁵ see *Explorer Pipeline Company*, 71 FERC ¶ 61,416, at n.6 (1995).

In addition to publishing the full text of this Notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print this Notice via the internet through FERC's Home Page (<http://www.ferc.gov>) using the eLibrary link. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field and follow other directions on the search page. At this time, the Commission has suspended access to the Commission's Public Reference Room due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19) issued by the President on March 13, 2020.

User assistance is available for eLibrary and other aspects of FERC's website during normal business hours. For assistance, please contact the Commission's Online Support at 1-866-

208-3676 (toll free) or 202-502-6652 (email at FERCOnlineSupport@ferc.gov), or the Public Reference Room at 202-502-8371, TTY 202-502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

Dated: May 14, 2021.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2021-10860 Filed 5-21-21; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-R9-2021-05; FRL-10023-76-Region 9]

Industrial Waste Processing Site, Fresno, California; Notice of Proposed CERCLA Settlement Agreement and Order on Consent

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), notice is hereby given of a proposed administrative settlement with Pacific Tent & Awning (Pacific Tent), for payment of costs of investigation and remediation at the Industrial Waste Processing (IWP) Site located at 7140 North Harrison Street, Fresno, California. The Environmental Protection Agency (EPA) enters the settlement pursuant to Section 122(h)(1) of CERCLA. The settlement provides for Pacific Tent's payment of \$21,000, plus interest, towards costs incurred by EPA and the United States in investigating and remediating contamination resulting from reclamation of solvents from printing operations, glycols from fluids used in natural gas dehydration, and lead solder and zinc from waste solder flux generated by the metal can manufacturing industry during IWP's operations at the Site in 1967-1981. The settlement includes a covenant not to sue pursuant to Sections 106 or 107(a) of CERCLA. For thirty (30) days following the date of publication of this Notice in the **Federal Register**, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate the proposed settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public

inspection at 75 Hawthorne Street, San Francisco, CA 94105.

DATES: Comments must be submitted on or before June 23, 2021.

ADDRESSES: The proposed settlement is available for public inspection at EPA Region IX, 75 Hawthorne Street, San Francisco, California. A copy of the proposed settlement may be obtained from David H. Kim, EPA Region IX, 75 Hawthorne Street, ORC-3, San Francisco, CA 94105, telephone number 415-972-3882. Comments should reference the IWP Site, Fresno, California and should be addressed to Mr. Kim at the above address.

FOR FURTHER INFORMATION CONTACT: David H. Kim, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; phone: (415) 972-3882; fax: (415) 947-3570; email: kim.david@epa.gov.

Enrique Manzanilla,

Director, Superfund Division, U.S. EPA, Region IX.

[FR Doc. 2021-10892 Filed 5-21-21; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 17-97; DA 21-546; FRS 27843]

Call Authentication Trust Anchor

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: In this document, the Wireline Competition Bureau (Bureau) provides information and seeks comment on adopting a Protective Order similar to that used by the Bureau in other proceedings, with modifications appropriate in the context of the Robocall Mitigation Database. It does so pursuant to direction from the Federal Communications Commission (Commission) to establish a publicly accessible database in which robocall mitigation certifications can be listed, and to issue a protective order regarding the treatment of any confidential and highly confidential information included in said certifications.

DATES: Comments are due on or before June 3, 2021; reply Comments are due on or before June 8, 2021.

ADDRESSES: Comments and reply comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking*

² Bureau of Labor Statistics (BLS) publishes the final figure in mid-May of each year. This figure is publicly available from the Division of Industrial Prices and Price Indexes of the BLS, at 202-691-7705, and in print in August in Table 1 of the annual data supplement to the BLS publication *Producer Price Indexes* via the internet at <http://www.bls.gov/ppi/home.htm>. To obtain the BLS data, scroll down to "PPI Databases" and click on "Top Picks" of the Commodity Data including "headline" FD-ID indexes (Producer Price Index—PPI). At the next screen, under the heading "PPI Commodity Data," select the box, "Finished goods—WPUFD49207," then scroll to the bottom of this screen and click on Retrieve data.

³ $[202.9 - 205.7] / 205.7 = (-0.013612) + 0.0078 = (-0.005812)$

⁴ $1 - 0.005812 = 0.994188$.

⁵ For a listing of all prior multipliers issued by the Commission, see the Commission's website, <https://www.ferc.gov/industries-data/oil/general-information/oil-pipeline-index>.

Proceedings, 63 FR 24121 (1998). Interested parties may file comments or reply comments, identified by WC Docket No. 17–97 by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing ECFS: <https://www.fcc.gov/ecfs/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.

- 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.

- 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 45 L Street NE, 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, 35 FCC Rcd 2788 (Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

FOR FURTHER INFORMATION CONTACT: For further information, please contact Michael Nemcik, Competition Policy Division, Wireline Competition Bureau, at Michael.Nemcik@fcc.gov or at (202) 418–2343.

SUPPLEMENTARY INFORMATION: This is a summary of the Bureau's Public Notice seeking comment on a Protective Order for the Robocall Mitigation Database collection in WC Docket No. 17–97, DA 21–546, released on May 10, 2021. The full document is available for public inspection at the following internet address: <https://docs.fcc.gov/public/attachments/DA-21-546A1.pdf>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format, etc.) send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice) or (202) 418–0432 (TTY).

Introduction. On September 29, 2020, in its continuing effort to combat illegal

robocalls, the Federal Communications Commission (Commission) adopted a Second Report and Order which, among other things, required all voice service providers to file certifications with the Commission regarding their efforts to stem the origination of illegal robocalls on their networks. The Commission further directed the Wireline Competition Bureau (Bureau) to establish a publicly accessible database in which such certifications would be listed, and to issue a protective order regarding the treatment of any confidential and highly confidential information included in said certifications. Consistent with this direction, the Bureau now provides information and seeks comment on adopting a Protective Order similar to that used by the Bureau in other proceedings, with modifications appropriate in the context of the Robocall Mitigation Database.

The Commission's rules require voice service providers to certify that their traffic is either signed with STIR/SHAKEN caller ID authentication technology or subject to a robocall mitigation program. Voice service providers that certify that some or all of their traffic is subject to a robocall mitigation program are also required to detail in their certifications the reasonable steps they have taken to avoid originating illegal robocall traffic. In establishing this public database, the Commission stated its goals were to promote transparency and to allow and encourage industry to self-police by making robocall mitigation plans visible to other voice service providers and the public at large. A party could, for example, review a robocall mitigation plan to determine whether it wishes to do business with the voice service provider or to report insufficient robocall mitigation efforts to the Commission. At the same time, recognizing the potential sensitivity of this information, the Commission directed the Bureau to adopt a Protective Order governing submission of and access to confidential and highly confidential information included with the certifications. We seek comment below on the procedures for submitting and accessing confidential and highly confidential information submitted in conjunction with this proceeding.

Submission of Information. We propose to adopt in the Protective Order a process for submitting confidential information described in the Public Notice announcing the Robocall Mitigation Database. In that Public Notice, we explained that filers are “able to request that any materials or information submitted to the

Commission in their certifications be withheld from public inspection.” We further explained that, to submit a confidential filing, a voice service provider “must first submit a confidentiality request in WC Docket No 17–97 through the Commission's Electronic Comment Filing System (ECFS)” and “will then be able to submit redacted (*i.e.*, public) and unredacted (*i.e.*, non-public) copies of its robocall mitigation program description via the Commission's portal.” Having considered the issue further, we propose formalizing this approach in the Protective Order. Rather than ask for redacted copies of confidential and highly confidential documents to be filed through the Commission's Electronic Comment Filing System (ECFS), our proposed Protective Order would direct voice service providers to file a request for confidentiality in ECFS and then submit any redacted copies of documents directly through the portal accompanying the database. This proposed Protective Order would also direct providers to file unredacted copies of confidential and highly confidential documents through the database's portal, which differs from the typical Protective Order process of submitting these documents to the Secretary's Office and designated Bureau staff. We seek comment on these proposals and whether we should modify the process described in the earlier Public Notice.

Access to Information. We seek comment on which parties should and should not ultimately be granted access to the confidential and highly confidential information included by voice service providers in their certifications. We propose only allowing access to limited categories of entities and individuals and only after such entities or individuals complete an appropriate process. We propose that entities or individuals that may seek to obtain access include: Federal, state, local, and Tribal governmental entities involved in robocall enforcement; the registered industry traceback consortium; the STIR/SHAKEN Governance Authority; and intermediate providers and voice service providers who accept call traffic directly from a voice service provider listed in the database and request to review what actions that provider is taking to combat the origination of illegal robocalls. For this final group, we propose limiting access to the requesting party's outside counsel and consultants, as well as the employees and support personnel of these outside firms. We propose limiting

access to these groups to balance the Commission's goals of promoting transparency in robocall mitigation efforts and protecting providers' sensitive information from competitors and bad actors attempting to circumvent these mitigation efforts. We seek comment on this proposed scope of eligible reviewing parties, and whether a broader or narrower group would better balance the goals of promoting transparency and protecting sensitive information. We also propose adopting the standard process for obtaining access to confidential and highly confidential information used by the Bureau in other proceedings. This process would require any person other than support personnel seeking access to confidential or highly confidential information pursuant to the Protective Order to sign and date an Acknowledgement of Confidentiality agreeing to be bound by the terms and conditions of the Protective Order, and to file the Acknowledgment with the Commission and deliver a copy to the filing provider.

Other Protective Order Provisions. Beyond the changes proposed above, we propose adopting the standard provisions found in other Commission Protective Orders. For example, we propose adopting standard provisions governing the designation of information as confidential or highly confidential, challenges to designations, the procedure for objecting to the disclosure of confidential or highly confidential information, and the review of confidential and highly confidential documents. Additionally, we propose adopting similar appendices, including one which contains an Acknowledgement of Confidentiality, and another which details what information and documents can be designated as highly confidential. We seek comment on whether and how we should modify these provisions or appendices in the context of the Robocall Mitigation Database.

Ex Parte Rules. 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 presenters 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 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.

Federal Communications Commission.

Pamela Arluk,

Chief, Competition Policy Division, Wireline Competition Bureau.

[FR Doc. 2021-10879 Filed 5-21-21; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0931; FRS 28019]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it can

further reduce the information collection burden for small business concerns with fewer than 25 employees.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before June 23, 2021.

ADDRESSES: Comments should be sent 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. Your comment must be submitted into www.reginfo.gov per the above instructions for it to be considered. In addition to submitting in www.reginfo.gov also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of

information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might "further reduce the information collection burden for small business concerns with fewer than 25 employees."

OMB Control Number: 3060-0931.

Title: Section 80.103, Digital Selective Calling (DSC) Operating Procedures—Maritime Mobile Identity (MMSI).

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; business or other for-profit entities and Federal Government.

Number of Respondents and Responses: 40,000 respondents; 40,000 responses.

Estimated Time per Response: .25 hours.

Frequency of Response: On occasion reporting requirement and third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is in 47 U.S.C. 154, 303, 307(e), 309 and 332 of the Communications Act of 1934, as amended. The reporting requirement is contained in international agreements and ITU-R M.541.9.

Total Annual Burden: 10,000 hours.

Total Annual Cost: No cost.

Privacy Impact Assessment: Yes. The FCC maintains a system of records notice (SORN), FCC/WTB-1, "Wireless Services Licensing Records" that covers the collection, purpose(s), storage, safeguards, and disposal of the PII that marine VHF radio licensees maintain under 47 CFR 80.103.

Nature and Extent of Confidentiality: There is a need for confidentiality with respect to all owners of Marine VHF radios with Digital Selective Calling (DSC) capability in this collection. The licensee records will be publicly available and routinely used in accordance with subsection (b) of the Privacy Act of 1974. FRN numbers and material which is afforded confidential treatment pursuant to a request made under 47 CFR 0.459 of the Commission's rules will not be available

for public inspection. Any personally identifiable information (PII) that individual applicants provide is covered *14752 by a system of records, FCC/WTB-1, "Wireless Services Licensing Records", and these and all other records may be disclosed pursuant to the Routine Uses as stated in the SORN.

Needs and Uses: The information collected is necessary to require owners of marine VHF radios with Digital Selective Calling (DSC) capability to register information such as the name, address, type of vessel with a private entity issuing marine mobile service identities (MMSI). The information would be used by search and rescue personnel to identify vessels in distress and to select the proper rescue units and search methods.

The requirement to collect this information is contained in international agreements with the U.S. Coast Guard and private sector entities that issue MMSI's.

The information is used by private entities to maintain a database used to provide information about the vessel owner in distress using marine VHF radios with DSC capability. If the data were not collected, the U.S. Coast Guard would not have access to this information which would increase the time and effort needed to complete a search and rescue operation.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2021-10806 Filed 5-21-21; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-1696]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed

extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by June 23, 2021.

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.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html>.

FOR FURTHER INFORMATION CONTACT:

William Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request*: Revision of a currently approved collection; *Title of Information Collection*: Appointment of Representative; *Use*: This form would be completed by beneficiaries, providers and suppliers (typically their billing clerk, or billing company), and any party who wish to appoint a representative to assist them with their initial Medicare claims determinations, and filing appeals on Medicare claims. The authority for collecting this information is under 42 CFR 405.910(a) of the Medicare claims appeal procedures.

The information supplied on the form is reviewed by Medicare claims and appeals adjudicators. The adjudicators make determinations whether the form was completed accurately, and if the form is correct and accepted, the form is appended to the claim or appeal that it pertains to. *Form Number*: CMS-1696 (OMB control number: 0938-0950); *Frequency*: Annually; *Affected Public*: Private Sector, Business or other for-profits; *Number of Respondents*: 270,544; *Total Annual Responses*: 270,544; *Total Annual Hours*: 67,637. (For policy questions regarding this collection contact Katherine E. Hosna at 410-786-4993.)

Dated: May 19, 2021.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2021-10911 Filed 5-21-21; 8:45 am]

BILLING CODE 4120-01-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; RFA-RM-

20-016: Harnessing Data Science for Health Discovery and Innovation in Africa Research Training Program.

Date: June 22, 2021.

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: Karen Nieves Lugo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 3148, MSC 7770, Bethesda, MD 20892, (301) 594-9088, karen.nieveslugo@nih.gov.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group Genomics, Computational Biology and Technology Study Section.

Date: June 23-24, 2021.

Time: 9:00 a.m. to 8:00 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.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Integrative Myocardial Physiology/Pathophysiology A Study Section.

Date: June 23-24, 2021.

Time: 9:00 a.m. to 6:30 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: Abdelouahab Aitouche, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4222, MSC 7814, Bethesda, MD 20892, 301-435-2365, aitouchea@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA-RM-20-015: Harnessing Data Science for Health Discovery and Innovation in Africa—Research Hubs.

Date: June 23-25, 2021.

Time: 9:30 a.m. to 7:30 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: Seetha Bhagavan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5194, MSC 7846, Bethesda, MD 20892, (301) 237-9838, bhagavas@csr.nih.gov.

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Neurodifferentiation, Plasticity, Regeneration and Rhythmicity Study Section.

Date: June 23-24, 2021.

Time: 11:00 a.m. to 9:00 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: Joanne T. Fujii, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4184, MSC 7850, Bethesda, MD 20892, (301) 435-1178, fujii@csr.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393-93.396, 93.837-93.844, 93.846-93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 19, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-10893 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of an Exclusive Patent License: Methods and Compositions for Adoptive Cell Therapy

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Cancer Institute, an institute of the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an Exclusive Patent License to practice the inventions embodied in the Patents and Patent Applications listed in the Supplementary Information section of this Notice to Lyell Immunopharma, Inc. ("Lyell"), located in South San Francisco, CA.

DATES: Only written comments and/or applications for a license which are received by the National Cancer Institute's Technology Transfer Center on or before June 8, 2021 will be considered.

ADDRESSES: Requests for copies of the patent applications, inquiries, and comments relating to the contemplated Exclusive Patent License should be directed to: Andrew Burke, Ph.D., Senior Technology Transfer Manager, NCI Technology Transfer Center, Telephone: (240) 276-5484; Facsimile: (240) 276-5504; Email: andy.burke@nih.gov.

SUPPLEMENTARY INFORMATION:

Intellectual Property

E-109-2020: High-Throughput Generation of iPSC Carrying Antigen Specific TCRs From Tumor Infiltrating Lymphocytes

1. US Provisional Patent Application 63/068,458 filed August 21, 2020 (E-109-2020-0-US-01).

The patent rights in these inventions have been assigned and/or exclusively licensed to the government of the United States of America.

The prospective exclusive license territory may be worldwide, and the fields of use may be limited to the following:

“Manufacture and commercialization of adoptive T cell therapy products generated from autologously-derived, induced pluripotent stem cells for the treatment of cancer in humans.”

E-109-2020 generally discloses methods of producing induced pluripotent stem cells from isolated tumor infiltrating lymphocytes which express antigen-specific T cell receptors.

This Notice is made in accordance with 35 U.S.C. 209 and 37 CFR part 404. The prospective exclusive license will be royalty bearing, and the prospective exclusive license may be granted unless within fifteen (15) days from the date of this published Notice, the National Cancer Institute receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404.

In response to this Notice, the public may file comments or objections. Comments and objections, other than those in the form of a license application, will not be treated confidentially, and may be made publicly available.

License applications submitted in response to this Notice will be presumed to contain business confidential information and any release of information from these license applications will be made only as required and upon a request under the Freedom of Information Act, 5 U.S.C. 552.

Dated: April 29, 2021.

Richard U. Rodriguez,

Associate Director, Technology Transfer Center, National Cancer Institute.

[FR Doc. 2021-10819 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****Government-Owned Inventions; Availability for Licensing**

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT:

Amy F. Petrik, Ph.D., 240-627-3721; amy.petrik@nih.gov. Licensing information and copies of the U.S. patent application listed below may be obtained by communicating with the indicated licensing contact at the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD, 20852; tel. 301-496-2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished patent applications.

SUPPLEMENTARY INFORMATION: Technology description follows:

Antibodies With Potent and Broad Neutralizing Activity Against Antigenically Diverse and Highly Transmissible SARS-CoV-2 Variants

Emergence of highly transmissible SARS-CoV-2 variants of concern that are resistant to current therapeutic antibodies highlights the need for continuing discovery of broadly reactive antibodies.

Scientists at the Vaccine Research Center of the National Institute of Allergy and Infectious Diseases discovered and characterized a group of human monoclonal antibodies that target unique epitopes on the receptor binding domain of SARS-CoV-2 spike protein. These antibodies ultra-potently neutralize >12 variants of SARS-CoV-2, including P1, B.1.429, B.1.1.7 and B.1.351, as shown in a pseudovirus neutralization assay. These antibodies target 3 distinct epitopes in the receptor binding domain of the spike protein and function by blocking ACE2 binding. These antibodies are not impacted by spike mutations that knockout binding to other therapeutic antibodies,

including E484K, N439K, Y453F, L452R and K417N. Several antibodies are able to simultaneously bind to the spike protein and are compatible for use in combination therapies. In *in vitro* assays, these combinations were shown to decrease the appearance of escape mutants suggesting the potential to mitigate resistance development when used as combination therapy.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404.

Potential Commercial Applications

- Treatment of SARS-CoV-2 infection

Competitive Advantages

- Ultra-potent neutralization of currently identified SARS-CoV-2 variants
- Combinations show the potential to mitigate resistance
- Mechanism of Action—These antibodies bind to block ACE2 receptor binding to the SARS-CoV-2 spike protein

Development Stage: Preclinical Research.

Inventors: John Misasi (VRC, NIAID), Lingshu Wang (VRC, NIAID), John Mascola (VRC, NIAID), Daniel Douek (VRC, NIAID), Nancy Sullivan (VRC, NIAID), Amy Renseir Henry (VRC, NIAID), Tongqing Zhou (VRC, NIAID), Peter Kwong (VRC, NIAID), Wei Shi (VRC, NIAID), Yi Zhang (VRC, NIAID), Eu Sung Yang (VRC, NIAID), Mario Roederer (VRC, NIAID), Rosemarie Mason (VRC, NIAID), Amarendra Pegu (VRC, NIAID).

Publications: Wang, L. *et al.*, (2021). Antibodies with potent and broad neutralizing activity against antigenically diverse and highly transmissible SARS-CoV-2 variants. *BioRxiv*.

Intellectual Property: HHS Reference Number E-037-2021 includes U.S. Provisional Patent Application Number 63/147,419 filed February 9, 2021.

Licensing Contact: To license this technology, please contact Amy F. Petrik, Ph.D., 240-627-3721; amy.petrik@nih.gov.

Dated: April 27, 2021.

Surekha Vathyam,

Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2021-10821 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Musculoskeletal Rehabilitation Sciences Study Section, June 17, 2021, 10:00 a.m. to June 18, 2021, 07:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on May 18, 2021, 86 FR 26928.

Chi-Wing Chow, Ph.D., *chi-wing.chow@nih.gov*, will be the new Contact person, replacing Maria Nurminskaya as Scientific Review Officer. Meeting date and location remain the same. The meeting is closed to the public.

Dated: May 19, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-10912 Filed 5-21-21; 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Understanding the Role of the M. Tuberculosis Granuloma in Tuberculosis (TB) Disease and Treatment Outcomes (R01 Clinical Trial Not Allowed).

Date: June 23–24, 2021.

Time: 10:00 a.m. to 2:00 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 3G13, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Brenda Lange-Gustafson, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G13, Rockville, MD 20852, 240-669-5047, *bgustafson@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: May 18, 2021.

Tyeshia M. Roberson,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-10869 Filed 5-21-21; 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 contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Early Phase Clinical Trial Units (EPCTU): Task Area B/Sample Task Order B (N01).

Date: June 14, 2021.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G62, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Eleazar Cohen, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G62, Rockville, MD 20852, (240) 669-5081, *ecohen@niaid.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology,

and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: May 18, 2021.

Tyeshia M. Roberson,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-10871 Filed 5-21-21; 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 Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Advisory Committee to the Director, National Institutes of Health.

These meetings will be held as virtual meetings and are open to the public. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations to view the meeting, should notify the Contact Person listed below in advance of the meeting. The meetings will be videocast and can be accessed from the NIH Videocasting and Podcasting website (<http://videocast.nih.gov/>).

Name of Committee: Advisory Committee to the Director, National Institutes of Health.

Date: June 10, 2021.

Time: 12:00 p.m. to 5:30 p.m.

Agenda: NIH Director's Report, Update on COVID-19 Science, ACD Working Group Updates, Other Business of the Committee.

Place: National Institutes of Health, Building 1, One Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Name of Committee: Advisory Committee to the Director, National Institutes of Health.

Date: June 11, 2021.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: Update on COVID-19 Science, ACD Working Group Updates, Other Business of the Committee.

Place: National Institutes of Health, Building 1, One Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Gretchen Wood, Staff Assistant, National Institutes of Health, Office of the Director, One Center Drive, Building 1, Room 126, Bethesda, MD 20892, 301-496-4272, *Woodgs@od.nih.gov*.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: <http://acd.od.nih.gov>, where an agenda and any additional information for the meeting will be posted when available.

This notice is being published less than 15 days prior to the meeting due to scheduling difficulties.

(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 19, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-10907 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Integrative Health Special Emphasis Panel; NCCIH Training and Education Review Panel (CT).

Date: June 17th–18th, 2021.

Time: 10:00 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: NIH/NCCIH Democracy II, 6707 Democracy Blvd., Bethesda, MD 20817 (Virtual Meeting).

Contact Person: Patrick Colby Still, Ph.D., Scientific Review Officer, Office of Scientific Review, Division of Extramural Activities, NCCIH/NIH, 6707 Democracy Boulevard, Suite 401, Bethesda, MD 20892–5475, patrick.still@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: May 18, 2021.

Tyeshia M. Roberson,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-10870 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT:

Peter Soukas, J.D., 301-496-2644; peter.soukas@nih.gov. Licensing information and copies of the patent applications listed below may be obtained by communicating with the indicated licensing contact at the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852; tel. 301-496-2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished patent applications.

SUPPLEMENTARY INFORMATION: Technology description follows.

Recombinant Chimeric Bovine/Human Parainfluenza Virus 3 Expressing SARS-CoV-2 Spike Protein and Its Use

Description of Technology

Vaccines for SARS-CoV-2 are increasingly available under emergency use authorizations; however, indications are currently limited to individuals twelve (12) years or older. They also involve intramuscular immunization, which does not directly stimulate local immunity in the respiratory tract, the primary site of SARS-CoV-2 infection, shedding and spread. While the major burden of COVID-19 disease is in adults, infection and disease also occur in infants and young children, contributing to viral transmission. Therefore, the development of safe and effective pediatric COVID-19 vaccines

is important. Ideally, a vaccine should be effective as a single dose, should induce mucosal immunity with the ability to restrict SARS-CoV-2 infection and respiratory shedding, and should easily coordinate with vaccines for other illnesses, such as HPIV3.

The live-attenuated vaccine candidates are based on a recombinant chimeric bovine/human parainfluenza virus 3 (rB/HPIV3) vector expressing prefusion-stabilized versions of the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) Spike (S) protein. The B/HPIV3–SARS CoV-2 vaccine candidates are designed to be administered intranasally by drops or spray to infants and young children. The vaccines are expected to induce durable and broad systemic and respiratory mucosal immunity against SARS-CoV-2 and HPIV3. Immunogenicity and protective efficacy against SARS-CoV-2 challenge was confirmed in experimental animals including non-human primates. Based on experience with this B/HPIV3 platform and other live-attenuated PIV vaccine candidates in previous pediatric clinical studies, the present candidates are anticipated to be well-tolerated in humans, including infants and young children, and are available for clinical evaluation. The National Institute of Allergy and Infectious Diseases has extensive experience and capability in evaluating live-attenuated respiratory virus vaccine candidates in pediatric clinical studies, including PIV vaccine candidates, and opportunity for collaboration exists.

This technology is available for nonexclusive licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404, as well as for further development and evaluation under a research collaboration.

Potential Commercial Applications

- Viral diagnostics
- Vaccine research

Competitive Advantages

- Ease of manufacture
- B cell and T cell activation
- Low-cost vaccines
- Intranasal administration/needle-free delivery

Development Stage

- *In vivo* data assessment (animal)

Inventors: Ursula Buchholz (NIAID), Shirin Munir (NIAD), Cyril Le Nouen (NIAID), Xueqiao Liu (NIAID), Cindy Luongo (NIAID), Peter Collins (NIAID).

Intellectual Property: HHS Reference No. E-239-2020-0—U.S. Provisional

Application No. 63/180,534, filed April 27, 2021.

Licensing Contact: Peter Soukas, J.D., 301-496-2644; peter.soukas@nih.gov.

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize for development of a vaccine for respiratory or other infections. For collaboration opportunities, please contact Peter Soukas, J.D., 301-496-2644; peter.soukas@nih.gov.

Dated: May 10, 2021.

Surekha Vathyam,

Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2021-10818 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-Day Comment Request: Electronic Individual Development Plan (eIDP) (National Eye Institute)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995 to provide opportunity for public comment on proposed data collection projects, the National Eye Institute of the National Institutes of Health will publish periodic summaries of propose projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, submit

comments in writing, or request more information on the proposed project, contact: Dr. Cesar E. Perez-Gonzalez, Training Director, Office of the Scientific Director, National Eye Institute, NIH, Building 31, Room 6A22, MSC 0250, Bethesda, Maryland 20892 or call non-toll-free number (301) 451-6763 or Email your request, including your address to: cesarp@nei.nih.gov. Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires: Written comments and/or suggestions from the public and affected agencies are invited to address one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function 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.

Proposed Collection Title: Electronic Individual Development Plans, 0925-NEW, expiration date XX/XX/XXXX, National Eye Institute (NEI), National Institutes of Health (NIH).

Need and Use of Information Collection: The National Eye Institute's (NEI) Office of the Scientific Director (OSD) goal is to train the next generation of vision researchers and ophthalmologists. Trainees who participate in NEI research come with different levels of education (student, postbaccalaureate, predoctoral including graduate and medical students, postdoctoral fellows) and for different amounts of time (6 months to 5 years). Training at the NEI focuses on scientific and professional skill

development. To enhance their chances of obtaining their ideal career, completing an annual Individual Development Plan (IDP) is an important step in helping a trainee's career and professional development and is standard practice in graduate and postdoctoral education. An IDP is an effective tool for trainees to think about their career goals and skills needed to achieve them during their time at the NEI. Trainees work together with their research mentor to organize and summarize their research projects, consider career goals, and set training goals and expectations, both for the mentee and mentor.

This information collection request is to implement an electronic Individual Development Plan (eIDP). The data collected comes from a detailed questionnaire focused on responses to professional goals and expectations while the they are at the NEI. It is expected that the trainees will complete the eIDP annually and by doing so, it will help enhance the effectiveness of their training by setting clear goals that can be monitored not only by the trainee themselves but also by their mentor, the Training Director, and their Administrative Officer. In addition to this eIDP, the system will also implement an electronic exit survey. The data collected comes from a detailed questionnaire focused on responses to questions focused on trainee mentoring and professional experiences at the NEI as well as their plans after they depart. It is expected that the trainees will complete at the end of their tenure and that by doing so, the NEI Training Program can learn about ways to improve career development opportunities for future trainees as well as learn more about trainee job choices to better advise fellows. Additionally, we can use the survey to help determine mentor effectiveness and help identify problems in mentoring at the NEI.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 450.

ESTIMATED ANNUALIZED BURDEN HOURS

	Type of respondent	Number of respondents	Number of responses per respondent	Average time per response (in hours)	Total annual burden hour
eIDP	Individuals	150	1	2	300
Exit Survey Part 1	Individuals	150	1	30/60	75
Exit Survey Part 2	Individuals	150	1	30/60	75

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

	Type of respondent	Number of respondents	Number of responses per respondent	Average time per response (in hours)	Total annual burden hour
Total	150	150	.....	450	

Dated: May 11, 2021.

Cesar E. Perez-Gonzalez,

*Training Director, National Eye Institute,
National Institutes of Health.*

[FR Doc. 2021–10820 Filed 5–21–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Heart, Lung, and Blood Advisory Council, June 08, 2021, 10:00 a.m. to June 08, 2021, 05:00 p.m., NIH, Rockledge 1, 6705 Rockledge Dr, Bethesda, MD 20892 which was published in the **Federal Register** on May 05, 2021, 294922.

The notice is amended to change the time of the meeting's public portion to 12:00 p.m. through 5:00 p.m. The meeting is partially closed to the public.

Dated: May 19, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021–10894 Filed 5–21–21; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 30 Day Comment Request; The Impact of Clinical Research Training and Medical Education at the Clinical Center on Physician Careers in Academia and Clinical Research (Clinical Center)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, for opportunity for public comment on proposed data collection projects, the Clinical Center, the National Institutes of Health (NIH) will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 30 days of the date of this publication.

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.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, contact: Robert M. Lembo, MD, Office of Clinical Research Training and Medical Education, NIH Clinical Center, National Institutes of Health, 10 Center Drive, Room 1N252C, Bethesda, MD 20892–1158, or call non-toll-free number (301) 496–2636, or Email your request, including your address to: robert.lembo@nih.gov. Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** February 25, 2021 on pages 11550–11551 (86 FR 11550) and allowed 60 days for public comment. No public comments were received. The purpose of this notice is to allow an additional 30 days for public comment. The Clinical Center, National Institutes of Health, may not conduct or sponsor, and the respondent is not required to

respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection: The Impact of Clinical Research Training and Medical Education at the Clinical Center on Physician Careers in Academia and Clinical Research, 0925–0602.

Expiration Date: 11/30/2022, REVISION, Clinical Center (CC), National Institutes of Health (NIH).

Need and Use of Information Collection: The information collected will allow continued assessment of the value of the training provided by the Office of Clinical Research Training and Medical Education (OCRTME) at the NIH Clinical Center and the extent to which this training promotes (a) patient safety; (b) research productivity and independence; and (c) future career development within clinical, translational, and academic research settings. The information received from respondents is presented to, evaluated by, and incorporated into the ongoing operational improvement efforts of the Director of the Office of Clinical Research Training and Education, and the Chief Executive Officer of the NIH Clinical Center. This information will enable the ongoing operational improvement efforts of the OCRTME and its commitment to providing clinical research training and medical education of the highest quality to each trainee.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours 478.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hours requested
CRTP/MRSP Alumni Survey	Post Doctoral Students	704	1	20/60	235

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hours requested
Summer Internship Program Alumni Survey	Pre Doctoral Students ..	280	1	20/60	93
Graduate Medical Education Graduate Survey	Physicians	350	1	20/60	117
Clinical Electives Program 1 Year Alumni Surveys.	Physicians	100	1	20/60	33
Total .....	.....	.....	1,434	.....	478

Dated: May 11, 2021.

Frederick D. Vorck, Jr.,

Project Clearance Liaison, NIH Clinical Center, National Institutes of Health.

[FR Doc. 2021-10815 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of an Exclusive Patent License: P2Y14 Receptor Antagonists To Treat Kidney and Lung Inflammation

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: National Institute of Diabetes and Digestive and Kidney Diseases, an institute of the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an Exclusive Patent License to practice the inventions embodied in the Patents and Patent Applications listed in the **SUPPLEMENTARY INFORMATION** section of this notice to Kantum Pharma Inc. (Kantum), located in Boston, Massachusetts.

DATES: Only written comments and/or applications for a license which are received by the National Institute of Diabetes and Digestive and Kidney Diseases' Technology Advancement Office on or before June 8, 2021 will be considered.

ADDRESSES: Requests for copies of the patent application, inquiries, and comments relating to the contemplated Exclusive Patent License should be directed to: Betty B. Tong, Ph.D., Senior Licensing and Patenting Manager, NIDDK Technology Advancement Office, Telephone: 301-451-7836; Email: tongb@mail.nih.gov.

SUPPLEMENTARY INFORMATION:

Intellectual Property

1. HHS Ref. No.: E-213-2015-0;
Entitled: Triazole Derivatives as

P2Y14 Receptor Antagonists;
Inventors: Kenneth Jacobson, Ph.D.
et al

- (i) U.S. Patent No. 10,683,277; HHS Ref. No.: E-213-2015-0-US-05; Issue Date: June 16, 2020
 - (ii) EP Patent Application 16774825.0; HHS Ref. No.: E-213-2015-0-EP-04; Filing Date: April 19, 2018
 - (iii) Chinese Patent No. ZL 201680064441.5; HHS Ref. No.: E-213-2015-0-CN-03; Issue Date: March 19, 2021
2. HHS Reference No. E-028-2018-1; Entitled: P2Y14 Receptor Antagonists Containing a Biaryl Core; Inventors: Kenneth Jacobson, Ph.D. *et al*
 - (i) Australian Patent Application 2019218256; HHS Ref. No.: E-028-2018-1-AU-02; Filing Date: July 28, 2020
 - (ii) Canadian Patent Application 3,090,788; HHS Ref. No.: E-028-2018-1-CA-03; Filing Date: August 7, 2020
 - (iii) Chinese Patent Application 201980012696.0; HHS Ref. No.: E-028-2018-1-CN-04; Filing Date: August 10, 2020
 - (iv) EP Patent Application 19707559.1; HHS Ref. No.: E-028-2018-1-EP-05; Filing Date: July 20, 2020
 - (v) Japanese Patent Application 2020-542580; HHS Ref. No.: E-028-2018-1-JP-06; Filing Date: August 6, 2020
 - (vi) U.S. Patent Application 16/967,177; HHS Ref. No.: E-028-2018-1-US-07; Filing Date: August 4, 2020
 3. HHS Reference No. E-051-2021-0; Entitled: Heterocyclic P2Y14 Receptor Antagonists; Inventors: Kenneth Jacobson, Ph.D. *et al*
 - (i) U.S. Provisional Patent Application No.: 62/643,015; HHS Ref. No.: E-051-2021-0-US-01; Filing Date: January 18, 2021

The patent rights in these inventions have been assigned to the government of the United States of America.

The prospective exclusive license' territory may be worldwide and the field of use may be limited to "Commercial development of P2Y14 receptor antagonists for the prevention and treatment of conditions or diseases associated with inflammation in the kidney and lung in humans, as claimed in the Licensed Patent Rights".

The inventions pertain to the composition and use of selective antagonists for the P2Y14 receptor, a purinergic G protein-coupled receptor that is activated by extracellular UDP-glucose and related nucleotides. These P2Y14R antagonists can be developed as potential drug for the treatment of inflammation and other disorders associated with P2Y14R regulated functions.

This notice is made in accordance with 35 U.S.C. 209 and 37 CFR part 404. The prospective exclusive license will be royalty bearing, and the prospective exclusive license may be granted unless within fifteen (15) days from the date of this published notice, the National Institute of Diabetes and Digestive and Kidney Diseases receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404.

In response to this Notice, the public may file comments or objections. Comments and objections, other than those in the form of a license application, will not be treated confidentially, and may be made publicly available. License applications submitted in response to this Notice will be presumed to contain business confidential information and any release of information in these license applications will be made only as required and upon a request under the *Freedom of Information Act*, 5 U.S.C. 552.

Dated: May 5, 2021.

Charles D. Niebylski,

*Director, Technology Advancement Office,
National Institute of Diabetes and Digestive
and Kidney Diseases.*

[FR Doc. 2021-10816 Filed 5-21-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0182]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625- 0093

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting
comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0093, Facilities Transferring Oil or Hazardous Materials in Bulk—Letter of Intent and Operations Manual; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG-2021-0182]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice at <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG-2021-0182], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email

alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0093.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 14333, March 15, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Facilities Transferring Oil or Hazardous Materials in Bulk—Letter of Intent and Operations Manual.

OMB Control Number: 1625-0093.

Summary: A Letter of Intent is a notice to the Coast Guard Captain of the Port that an operator intends to operate a facility that will transfer bulk oil or hazardous materials to or from vessels. An Operations Manual (OM) is also required for this type of facility. The OM establishes procedures to follow when conducting transfers and in the event of a spill.

Need: Under 33 U.S.C. 1321 and Executive Order 12777 the Coast Guard is authorized to prescribe regulations to prevent the discharge of oil and hazardous substances from facilities and to contain such discharges. The Letter of Intent regulation is contained in 33 CFR 154.110 and the OM regulations are contained in 33 CFR part 154 subpart B.

Forms: None.

Respondents: Operators of facilities that transfer oil or hazardous materials in bulk.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has increased from 21,803 hours to 37,609 hours a year, due to an increase in the estimated annual number of responses.

*Authority:*The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10829 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0179]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0128

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0128, Prospect Questionnaire, Chat Now Questionnaire, and the Officer Program Application; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG-2021-0179]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703

Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG-2021-0179], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website's

instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0128.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 14332, March 15, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Prospect Questionnaire, Chat Now Questionnaire, and the Officer Program Application.

OMB Control Number: 1625-0128.

Summary: This collection contains the recruiting website gocoastguard.com Prospect Questionnaire (CGRC-1130), Chat Now Questionnaire (CGRC-1132), and the Officer Program Application (CGRC-1131) that are used to screen active duty, reserve, enlisted, and officer applicants.

Need: The information is needed to initiate the recruiting and commissioning of active duty, reserve, enlisted, and officer members. 14 U.S.C. 2701 authorizes the United States Coast Guard to recruit personnel for military service. The information requested on the gocoastguard.com website is collected in accordance with Section 503 of Title 10 U.S.C. and may be used to identify and process individuals interested in applying for enlistment or commission into the United States Coast Guard or Coast Guard Reserve.

Forms: Online Application plus hard copy of the Prospect Questionnaire (CGRC-1130), and/or the Officer Program Application (CGRC-1131) if a prospect does not use gocoastguard.com, but contacts a recruiter directly.

Respondents: Approximately 50,000 applicants apply annually to initiate the screening process.

Frequency: Applicants may apply more than once, by initially completing the Chat Now Questionnaire (CGRC-1132) to answer questions on eligibility and may apply for both enlisted and officer programs through the Prospect Questionnaire (CGRC-1130) and/or Officer Program Application (CGRC-1131).

Hour Burden Estimate: The estimated burden remains 97,686 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10830 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0174]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0097

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0097, Plan Approval and Records for Marine Engineering Systems; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG-2021-0174]. Written comments and recommendations to OIRA for the proposed information

collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection’s purpose, the Collection’s likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG-2021-0174], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0097.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13571, March 9, 2021) required by 44 U.S.C. 3506(c)(2). We received one unrelated comment in response to our 60-day notice. The commenter submitted a statement which is unrelated to this collection of information for plan approval and records for marine engineering systems. No changes have been made to the information collections request. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Plan Approval and Records for Marine Engineering Systems.

OMB Control Number: 1625-0097.

Summary: This collection of information requires an owner or builder of a commercial vessel to submit to the U.S. Coast Guard for review and approval, plans pertaining to marine engineering systems to ensure that the vessel will meet regulatory standards.

Need: Under 46 U.S.C. 3306, the Coast Guard is authorized to prescribe vessel

safety regulations including those related to marine engineering systems. Title 46 CFR Subchapter F prescribes those requirements. The rules provide the specifications, standards and requirements for strength and adequacy of design, construction, installation, inspection, and choice of materials for machinery, boilers, pressure vessels, safety valves, and piping systems upon which safety of life is dependent.

Forms: None.

Respondents: Owners and builders of commercial vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 5,793 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10833 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0176]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0034

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0034, Ships' Stores Certification for Hazardous Materials Aboard Ships; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket

number [USCG-2021-0176]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this

request, [USCG-2021-0176], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0034.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13568, March 9, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Ships' Stores Certification for Hazardous Materials Aboard Ships.

OMB Control Number: 1625-0034.

Summary: The information is used by the Coast Guard to ensure that personnel aboard ships are made aware of the proper usage and stowage instructions for certain hazardous materials. Provisions are made for waivers of products in special Department of Transportation (DOT) hazard classes.

Need: Title 46 U.S.C. 3306 authorizes the Coast Guard to prescribe regulations for the transportation, stowage, and use of ships' stores and supplies of a

dangerous nature. Part 147 of 46 CFR prescribes the regulations for hazardous ships' stores.

Forms: None.

Respondents: Owners and operators of ships, and suppliers and manufacturers of hazardous materials used on ships.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 4 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10838 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0050]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0022

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0022, Application for Tonnage Measure of Vessels; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG-2021-0050]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), ATTN: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG-2021-0050], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material

cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION**

CONTACT section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0022.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13572, March 9, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Application for Tonnage Measure of Vessels.

OMB Control Number: 1625-0022.

Summary: The information is used by the Coast Guard to determine a vessel's tonnage. Tonnage in turn helps to determine licensing, inspection, safety requirements, and operating fees.

Need: Under 46 U.S.C. 14104 certain vessels must be measured for tonnage. Coast Guard regulations for this measurement are contained in 46 CFR part 69.

Forms:

- CG-5397, Application for Simplified Measurement.

Respondents: Owners of vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 15,094 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10831 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0173]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0113

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0113, Crewmember Identification Documents; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG-2021-0173]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG-2021-0173], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email

alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0113.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13570, March 9, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Crewmember Identification Documents.

OMB Control Number: 1625-0113.

Summary: This information collection covers the requirement that crewmembers on vessels calling at U.S. ports must carry and present on demand an identification that allows the identity of crewmembers to be authoritatively validated.

Need: Title 46 U.S.C. 70111 mandated that the Coast Guard establish regulation about crewmember identification. The regulations are in 33 CFR part 160, subpart D.

Forms: None.

Respondents: Crewmembers, and operators of certain vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 32,955 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10837 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****[Docket No. USCG–2021–0172]****Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625–0103****AGENCY:** Coast Guard, DHS.**ACTION:** Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0103, Mandatory Ship Reporting System for Northeast and Southeast Coasts of the United States; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG–2021–0172]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:**Public Participation and Request for Comments**

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection’s purpose, the Collection’s likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2021–0172], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have

provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0103.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13572, March 9, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Mandatory Ship Reporting System for Northeast and Southeast Coasts of the United States.

OMB Control Number: 1625–0103.

Summary: The information is needed to reduce the number of ship collisions with endangered northern right whales. Coast Guard rules at 33 CFR part 169 establish two mandatory ship-reporting systems off the northeast and southeast coasts of the United States.

Need: The collection involves ships’ reporting by radio to a shore-based authority when entering the area covered by the reporting system. The ship will receive, in return, information to reduce the likelihood of collisions between themselves and northern right whales—an endangered species—in the areas established with critical-habitat designation.

Forms: None.

Respondents: Operators of certain vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 137 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021–10832 Filed 5–21–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****[Docket No. USCG–2021–0178]****Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625–0020****AGENCY:** Coast Guard, DHS.**ACTION:** Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0020, Security Zones, Regulated Navigation Areas, and Safety Zones; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG–2021–0178]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:**Public Participation and Request for Comments**

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection’s purpose, the Collection’s likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2021–0178], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and

submissions to the Coast Guard in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0020.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 14333, March 15, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Security Zones, Regulated Navigation Areas, and Safety Zones.

OMB Control Number: 1625–0020.

Summary: The Coast Guard collects this information only when someone seeks a security zone, regulated navigation area, or safety zone. It uses the information to assess the need to establish one of these areas.

Need: Section 70034 and 70051 of 46 U.S.C., and parts 6 and 165 of 33 CFR give the Coast Guard Captain of the Port (COTP) the authority to designate security zones in the U.S. for as long as the COTP deems necessary to prevent damage or injury. Section 70001 of 46 U.S.C. authorizes the Coast Guard to prescribe rules to control vessel traffic in areas he or she deems hazardous because of reduced visibility, adverse weather, or vessel congestion. Section 70011 of 46 U.S.C. authorizes the Coast Guard to establish rules to allow the designation of safety zones where access is limited to authorized persons, vehicles, or vessels to protect the public from hazardous situations.

Forms: None.

Respondents: Federal, State, and local government agencies, owners and operators of vessels and facilities.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has increased from 224 hours to 928 hours a year, due to an increase in the estimated annual number of respondents.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10828 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2021-0177]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0100

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0100, Advanced Notice of Vessel Arrival; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG-2021-0177]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG-6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593-7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202-475-3528, or fax 202-372-8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG-2021-0177], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to

the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625-0100.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13569, March 9, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Advanced Notice of Vessel Arrival.

OMB Control Number: 1625-0100.

Summary: The Ports and Waterways Safety Act authorizes the Coast Guard to require pre-arrival messages from any vessel entering a port or place in the United States.

Need: This information is required under 33 CFR 146 and 33 CFR 160 subpart C to control vessel traffic, develop contingency plans, and enforce regulations.

Forms: None.

Respondents: Vessel owners and operators.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 104,515 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021-10835 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****[Docket No. USCG–2021–0175]****Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625–0044****AGENCY:** Coast Guard, DHS.**ACTION:** Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0044, Outer Continental Shelf Activities; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before June 23, 2021.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at <https://www.regulations.gov>. Search for docket number [USCG–2021–0175]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to <https://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.

A copy of the ICR is available through the docket on the internet at <https://www.regulations.gov>. Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:**Public Participation and Request for Comments**

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection’s purpose, the Collection’s likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2021–0175], and must be received by June 23, 2021.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to <https://www.regulations.gov> and will include any personal information you have

provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the <https://www.reginfo.gov>, comment-submission web page. OIRA posts its decisions on ICRs online at <https://www.reginfo.gov/public/do/PRAMain> after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0044.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (86 FR 13573, March 9, 2021) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Outer Continental Shelf Activities.

OMB Control Number: 1625–0044.

Summary: The Outer Continental Shelf Lands Act, as amended, authorizes the Coast Guard to promulgate and enforce regulations promoting the safety of life and property on Outer Continental Shelf (OCS) facilities. These regulations are located in 33 CFR subchapter N.

Need: The information is needed to ensure compliance with the safety regulations related to OCS activities. The regulations contain reporting and recordkeeping requirements for annual inspections of OCS facilities, employee citizenship records, station bills, and emergency evacuation plans.

Forms:

- CG–5432, Fixed OCS Facility Inspection Report.

Respondents: Operators of facilities and vessels engaged in activities on the OCS.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 9,582 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended.

Dated: May 18, 2021.

Kathleen Claffie,
Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2021–10834 Filed 5–21–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency**

[Docket ID FEMA-2021-0002; Internal Agency Docket No. FEMA-B-2131]

Proposed Flood Hazard Determinations**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.**ACTION:** Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before August 23, 2021.**ADDRESSES:** The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respectiveCommunity Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.You may submit comments, identified by Docket No. FEMA-B-2131, to Rick Sacibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacibit@fema.dhs.gov.**FOR FURTHER INFORMATION CONTACT:** Rick Sacibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.**SUPPLEMENTARY INFORMATION:** FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are

provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Washington County, Arkansas and Incorporated Areas Project: 20-06-0069S Preliminary Date: December 17, 2020	
City of Elkins	City Hall, 1874 Stokenbury Road, Elkins, AR 72727.
City of Elm Springs	City Hall, 289 Jayroe Avenue, Elm Springs, AR 72728.
City of Farmington	City Hall, 354 West Main Street, Farmington, AR 72730.
City of Fayetteville	Development Services Building, 125 West Mountain Street, Fayetteville, AR 72701.
City of Goshen	City Hall, 124 Church Street, Goshen, AR 72735.
City of Greenland	City Hall, 8 East Ross Street, Greenland, AR 72701.
City of Johnson	City Hall, 2904 Main Drive, Johnson, AR 72704.

Community	Community map repository address
City of Lincoln	City Hall, 101 East Bean Street, Lincoln, AR 72744.
City of Prairie Grove	City Hall, 975 East Douglas Street, Prairie Grove, AR 72753.
City of Springdale	Engineering Department, 269 East Randall Wobbe Lane, Springdale, AR 72764.
City of Tontitown	Tontitown City Hall, 235 East Henri De Tonti Boulevard, Springdale, AR 72762.
City of West Fork	City Hall, 164 North Centennial Avenue, West Fork, AR 72774.
City of Winslow	City Hall, 108 North Winslow Boulevard, Winslow, AR 72959.
Unincorporated Areas of Washington County	Washington County Planning Department, 2615 South Brink Drive, Fayetteville, AR 72701.
Athens-Clarke County, Georgia (All Jurisdictions) Project: 18-04-0003S Preliminary Date: July 29, 2020	
Athens-Clarke County	Athens-Clarke County Planning Department Building, 120 West Dougherty Street, Athens, GA 30601.
City of Winterville	City Hall, 125 North Church Street, Winterville, GA 30683.
Oconee County, Georgia and Incorporated Areas Project: 18-04-0003S Preliminary Date: July 29, 2020	
City of Watkinsville	City Hall, 191 VFW Drive, Watkinsville, GA 30677.
Town of North High Shoals	North High Shoals Town Hall, 260 Hillsboro Road, Bishop, GA 30621.
Unincorporated Areas of Oconee County	Oconee County Code Enforcement, 1291 Greensboro Highway, Room A108, Watkinsville, GA 30677.
Baltimore County, Maryland (Unincorporated Areas) Project: 11-03-2204S Preliminary Date: August 12, 2020	
Unincorporated Areas of Baltimore County	Baltimore County Office Building, 111 West Chesapeake Avenue, Room 205, Towson, MD 21204.
Washington County, Mississippi and Incorporated Areas Project: 20-04-0045S Preliminary Date: December 30, 2020	
City of Greenville	City Hall, Planning Department, 340 Main Street, Greenville, MS 38701.
Unincorporated Areas of Washington County	Washington County Planning Department, 900 Washington Avenue, Greenville, MS 38701.

[FR Doc. 2021-10901 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****[Docket ID FEMA-2021-0002; Internal Agency Docket No. FEMA-B-2134]****Proposed Flood Hazard Determinations****AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.**ACTION:** Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting

Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before August 23, 2021.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/>

prelimdownload and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2134, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard

determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any

request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location https://hazards.fema.gov/femaportal/prelim_download and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison. (Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Daviess County, Kentucky and Incorporated Areas Project: 16-04-8580S Preliminary Date: November 12, 2020	
City of Owensboro	Owensboro Metropolitan Planning Commission, 200 East 3rd Street, Owensboro, KY 42302.
Unincorporated Areas of Daviess County	Owensboro Metropolitan Planning Commission, 200 East 3rd Street, Owensboro, KY 42302.
McLean County, Kentucky and Incorporated Areas Project: 16-04-8580S Preliminary Date: November 12, 2020	
City of Calhoun	McLean County Courthouse, 210 Main Street, Calhoun, KY 42327.
City of Livermore	City Hall, 105 West 3rd Street, Livermore, KY 42352.
Unincorporated Areas of McLean County	McLean County Courthouse, 210 Main Street, Calhoun, KY 42327.
Ohio County, Kentucky and Incorporated Areas Project: 16-04-8580S Preliminary Date: November 12, 2020	
Unincorporated Areas of Ohio County	Ohio County Community Center, 130 East Washington Street, Hartford, KY 42347.
Webster County, Kentucky and Incorporated Areas Project: 16-04-8580S Preliminary Date: November 12, 2020	
City of Sebree	Municipal Building, 36 Veterans Way, Sebree, KY 42455.
Unincorporated Areas of Webster County	Webster County Courthouse, 25 U.S. Highway 41-A South, Dixon, KY 42409.
City of Alexandria, Virginia (Independent City) Project: 14-03-3327S Preliminary Date: September 30, 2020	
City of Alexandria	City Hall, 301 King Street, Room 4130, Alexandria, VA 22314.
Arlington County, Virginia (All Jurisdictions) Project: 14-03-3327S Preliminary Date: September 18, 2020	
Unincorporated Areas of Arlington County	Arlington County Department of Environmental Services, 2100 Clarendon Boulevard, Suite 705, Arlington, VA 22201.

Community	Community map repository address
City of Falls Church, Virginia (Independent City) Project: 14-03-3327S Preliminary Date: September 18, 2020	
City of Falls Church	Public Works Building, 300 Park Avenue, Suite 100 West, Falls Church, VA 22046.

[FR Doc. 2021-10902 Filed 5-21-21; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2021-0002; Internal Agency Docket No. FEMA-B-2136]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the

dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be

submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Michael M. Grimm,

Assistant Administrator for Risk Management, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Alabama:						
Calhoun	City of Oxford (20-04-1850P).	The Honorable Alton Craft, Mayor, City of Oxford, P.O. Box 3383, Oxford, AL 36203.	Public Works Department, 42 Public Works Drive, Oxford, AL 36203.	https://msc.fema.gov/portal/advanceSearch .	Aug. 28, 2021	010023
Lee	City of Auburn (20-04-4301P).	The Honorable Ron Anders, Jr., Mayor, City of Auburn, 144 Tichenor Avenue, Suite 1, Auburn, AL 36830.	City Hall, 144 Tichenor Avenue, Auburn, AL 36830.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	010144
Lee	City of Opelika (20-04-2856P).	The Honorable Gary Fuller, Mayor, City of Opelika, P.O. Box 390, Opelika, AL 36803.	Public Works Department, 700 Fox Trail, Opelika, AL 36803.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	010145
Lee	Unincorporated areas of Lee County (20-04-04-4301P).	The Honorable Bill English, Chairman, Lee County Commission, P.O. Box 666, Opelika, AL 36803.	Lee County Building Inspection Department, 100 Orr Avenue, Opelika, AL 36804.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	010250
Shelby	City of Helena (21-04-0379P).	The Honorable J. Brian Puckett, Mayor, City of Helena, 846 Highway 52 East, Helena, AL 35080.	City Hall, 816 Highway 52 East, Helena, AL 35080.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	010294
St. Clair	City of Margaret (20-04-4313P).	The Honorable Jeffery G. Wilson, Mayor, City of Margaret, P.O. Box 100, Margaret, AL 35953.	St. Clair County Flood Management Department, 165 5th Avenue, Suite 100, Ashville, AL 35953.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	010393
St. Clair	Unincorporated areas of St. Clair County (20-04-4313P).	The Honorable Paul Manning, Chairman, St. Clair County Commission, 165 5th Avenue, Suite 100, Ashville, AL 35953.	St. Clair County Flood Management Department, 165 5th Avenue, Suite 100, Ashville, AL 35953.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	010290
Colorado:						
Arapahoe	City of Aurora (21-08-0025P).	The Honorable Mike Coffman, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.	Engineering Department, 15151 East Alameda Parkway, Aurora, CO 80012.	https://msc.fema.gov/portal/advanceSearch .	Aug. 27, 2021	080002
Arapahoe	Unincorporated areas of Arapahoe County (21-08-0025P).	The Honorable Nancy Jackson, Chair, Arapahoe County Board of Commissioners, 5334 South Prince Street, Littleton, CO 80120.	Arapahoe County Public Works and Development Department, 6924 South Lima Street, Centennial, CO 80112.	https://msc.fema.gov/portal/advanceSearch .	Aug. 27, 2021	080011
Jefferson	City of Arvada (20-08-0711P).	The Honorable Marc Williams, Mayor, City of Arvada, 8101 Ralston Road, Arvada, CO 80002.	Engineering Division, 8101 Ralston Road, Arvada, CO 80002.	https://msc.fema.gov/portal/advanceSearch .	Aug. 13, 2021	085072
Weld	City of Windsor (21-08-0099P).	The Honorable Paul Rennemeyer, Mayor, Town of Windsor, 301 Walnut Street, Windsor, CO 80550.	City Hall, 301 Walnut Street, Windsor, CO 80550.	https://msc.fema.gov/portal/advanceSearch .	Aug. 30, 2021	080264
Weld	Unincorporated areas of Weld County (21-08-0099P).	The Honorable Steve Moreno, Chairman, Weld County Board of Commissioners, P.O. Box 758, Greeley, CO 80631.	Weld County Administration Building, 1150 O Street, Greeley, CO 80631.	https://msc.fema.gov/portal/advanceSearch .	Aug. 30, 2021	080266
Connecticut: New London.	Town of Waterford (20-01-1005P).	The Honorable Robert J. Brule, First Selectman, Town of Waterford, Board of Selectmen, 15 Rope Ferry Road, Waterford, CT 06385.	Town Hall, 15 Rope Ferry Road, Waterford, CT 06385.	https://msc.fema.gov/portal/advanceSearch .	Aug. 6, 2021	090107
Delaware:						
Sussex	City of Seaford (20-03-1397P).	The Honorable David Genshaw, Mayor, City of Seaford, P.O. Box 1100, Seaford, DE 19973.	City Hall, 414 High Street, Seaford, DE 19973.	https://msc.fema.gov/portal/advanceSearch .	Aug. 18, 2021	100048
Sussex	Unincorporated areas of Sussex County (20-03-1397P).	The Honorable Michael H. Vincent, President, Sussex County Council, P.O. Box 589, Georgetown, DE 19947.	Sussex County Administrative Building, 2 The Circle, Georgetown, DE 19947.	https://msc.fema.gov/portal/advanceSearch .	Aug. 18, 2021	100029
Florida:						

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Marion	City of Ocala (20-04-4466P).	The Honorable Kent Guinn, Mayor, City of Ocala, 110 Southeast Watula Avenue, Ocala, FL 34471.	Building Department, 110 Southeast Watula Avenue, Ocala, FL 34471.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	120330
Pinellas	Town of Belleair (21-04-0918P).	Mr. J.P. Murphy, Manager, Town of Belleair, 901 Ponce de Leon Boulevard, Belleair, FL 33756.	Building Department, 901 Ponce de Leon Boulevard, Belleair, FL 33756.	https://msc.fema.gov/portal/advanceSearch .	Aug. 5, 2021	125088
Georgia: Columbia	Unincorporated areas of Columbia County (21-04-0847P).	The Honorable Douglas Duncan, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809.	Columbia County Engineering Services Department, 630 Ronald Reagan Drive, Building A, Evans, GA 30809.	https://msc.fema.gov/portal/advanceSearch .	Aug. 19, 2021	130059
Maryland: Howard	Unincorporated areas of Howard County (21-03-0437P).	The Honorable Calvin Ball, Howard County Executive, 3430 Court House Drive, Ellicott City, MD 21043.	Howard County Stormwater Management Division, Bureau of Environmental Services, 9801 Broken Land Parkway, Columbia, MD 21046.	https://msc.fema.gov/portal/advanceSearch .	Aug. 20, 2021	240044
New Mexico: Bernalillo.	Unincorporated areas of Bernalillo County (20-06-2787P).	The Honorable Charlene E. Pyskoty, Chair, Bernalillo County Board of Commissioners, 1 Civic Plaza Northwest, Albuquerque, NM 87102.	Bernalillo County Public Works Department, 2400 Broadway Boulevard, Albuquerque, NM 87102.	https://msc.fema.gov/portal/advanceSearch .	Aug. 27, 2021	350001
North Carolina: Orange.	City of Mebane (21-04-0010P).	The Honorable Ed Hooks, Mayor, City of Mebane, 106 East Washington Street, Mebane, NC 27302.	Planning Department, 106 East Washington Street, Mebane, NC 27302.	https://msc.fema.gov/portal/advanceSearch .	Jul. 15, 2021	370390
Pennsylvania: Lackawanna ...	Borough of Dickson City (21-03-0435P).	The Honorable Robert W. MacCallum, Mayor, Borough of Dickson City, 901 Enterprise Street, Dickson City, PA 18519.	Borough Hall, 901 Enterprise Street, Dickson City, PA 18519.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	420528
Lackawanna ...	Borough of Moscow (21-03-0435P).	The Honorable Arthur Pencek, President, Borough of Moscow Council, 123 Van Brunt Street, Moscow, PA 18444.	Borough Hall, 123 Van Brunt Street, Moscow, PA 18444.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	420534
Lackawanna ...	Borough of Olyphant (21-03-0435P).	The Honorable John Sedlak, Jr., Mayor, Borough of Olyphant, 113 Willow Avenue, Olyphant, PA 18447.	Borough Hall, 113 Willow Avenue, Olyphant, PA 18447.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	420536
Lackawanna ...	Township of Clifton (21-03-0435P).	The Honorable Theodore Stout, Chairman, Township of Clifton Board of Supervisors, 361 State Road 435, Clifton, PA 18424.	Township Hall, 361 State Road 435, Clifton, PA 18424.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	421751
Montgomery ...	Township of Upper Merion (20-03-1496P).	Mr. Anthony Hamaday, Manager, Township of Upper Merion, 175 West Valley Forge Road, King of Prussia, PA 19406.	Township Hall, 175 West Valley Forge Road, King of Prussia, PA 19406.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	420957
Texas: Collin	City of Murphy (20-06-3201P).	The Honorable Scott Bradley, Mayor, City of Murphy, 206 North Murphy Road, Murphy, TX 75094.	City Hall, 206 North Murphy Road, Murphy, TX 75094.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	480137
Denton and Tarrant.	City of Fort Worth (21-06-0261P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, Engineering Vault, 200 Texas Street, Fort Worth, TX 76102.	https://msc.fema.gov/portal/advanceSearch .	Aug. 16, 2021	480596
Guadalupe	City of Seguin (20-06-3659P).	The Honorable Donna Dodgen, Mayor, City of Seguin, 205 North River Street, Seguin, TX 78155.	City Hall, 205 North River Street, Seguin, TX 78155.	https://msc.fema.gov/portal/advanceSearch .	Aug. 19, 2021	485508

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Guadalupe	Unincorporated areas of Guadalupe County (20–06–3659P).	The Honorable Kyle Kutscher, Guadalupe County Judge, 211 West Court Street, Seguin, TX 78155.	Guadalupe County Engineering Department, 2605 North Guadalupe Street, Seguin, TX 78155.	https://msc.fema.gov/portal/advanceSearch .	Aug. 19, 2021	480266
Harris	Unincorporated areas of Harris County (20–06–3120P).	The Honorable Lina Hidalgo, Harris County Judge, 1001 Preston Street, Suite 911, Houston, TX 77002.	Harris County Permit Office, 1005 Northwest Freeway, Suite 120, Houston, TX 77092.	https://msc.fema.gov/portal/advanceSearch .	Aug. 23, 2021	480287
Rockwall	City of Royse City (20–06–3180P).	The Honorable Clay Ellis, Mayor, City of Royse City, 305 North Arch Street, Royse City, TX 75189.	Engineering Department, 305 North Arch Street, Royse City, TX 75189.	https://msc.fema.gov/portal/advanceSearch .	Aug. 13, 2021	480548

[FR Doc. 2021–10900 Filed 5–21–21; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[FWS–HQ–ES–2021–N023; FF09E41000 212 FXES11130900000]

Endangered and Threatened Species; Issuance of Enhancement of Survival and Incidental Take Permits for Safe Harbor Agreements, Candidate Conservation Agreements, Habitat Conservation Plans, and Recovery Activities, January 1, 2020, Through December 31, 2020**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Notice.

SUMMARY: We, the U.S. Fish and Wildlife Service, in accordance with the Endangered Species Act (ESA), provide a list to the public of permits issued under the ESA. With some exceptions, the ESA prohibits take of listed species unless a Federal permit is issued that authorizes or exempts the taking under the ESA. We provide this list to the public as a summary of our permit issuances for candidate conservation agreements with assurances, safe harbor agreements, habitat conservation plans, and recovery activities for calendar year 2020.

FOR FURTHER INFORMATION CONTACT: For general information about the ESA permit process, contact Amanda Murnane, via phone at 703–358–2469, via email at amanda_murnane@fws.gov, or via the Federal Relay Service at 800–877–8339. For information on specific permits, see the contact information below in Permits Issued.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, in accordance with section 10(d) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*), as amended,

provide a list to the public of the permits issued under section 10(a)(1)(A) and 10(a)(1)(B) of the ESA. With some exceptions, the ESA prohibits take of listed species unless a Federal permit is issued that authorizes the taking, or the take is exempted through section 7 of the ESA. Under section 10(a)(1)(A) of the ESA, we issue enhancement of survival permits in conjunction with candidate conservation agreements with assurances (CCAAs) and safe harbor agreements (SHAs). Section 10(a)(1)(A) also authorizes recovery permits. Section 10(a)(1)(B) permits authorize take of listed species incidental to otherwise lawful activities associated with habitat conservation plans (HCPs). We provide this list to the public as a summary of our permit issuances for CCAAs, SHAs, HCPs, and recovery permits for calendar year 2020.

Background

Under the authority of section 10(a)(1)(A) of the ESA, we have issued enhancement of survival permits to conduct activities that provide a conservation benefit for endangered or threatened species, or for unlisted species should they become listed in the future, in response to permit applications that we received in conjunction with a SHA or a CCAA. Recovery permits have been issued under ESA section 10(a)(1)(A) to allow for take as part of activities intended to foster the recovery of listed species, typically for scientific research in order to understand better the species' long-term survival needs.

Under ESA section 10(a)(1)(B), we may issue permits for any taking otherwise prohibited by ESA section 9 if such taking is incidental to, and not the purpose of, carrying out an otherwise lawful activity (known as an incidental take permit (ITP)) and the permit applicant submits a habitat conservation plan (HCP) that meets the permit issuance criteria under section 10(a)(2)(B). Typically, applicants seek

an ITP to conduct activities such as residential and commercial development, infrastructure development or maintenance, and energy development projects that range in scale from small to landscape-level planning efforts.

The permits associated with SHAs, CCAAs, HCPs, and recovery activities that we issued between January 1 and December 31, 2020, are listed in the tables below.

Under section 10(a)(1)(A), we issued each permit only after we determined that it was applied for in good faith, that granting the permit would not be to the disadvantage of the listed species, or to the unlisted species should it be listed; that the proposed activities would benefit the recovery or the enhancement of survival of the species; and that the terms and conditions of the permits were consistent with the purposes and policy set forth in the ESA. Under section 10(a)(1)(B), we issued permits only after we determined that the applicant is eligible and has submitted a complete application and HCP that fully meets the permit issuance criteria consistent with section 10(a)(2)(B).

Permits Issued

Hawaii, Idaho, Oregon (Except for the Klamath Basin), Washington, American Samoa, Commonwealth of the Northern Mariana Islands, Guam, and the Pacific Trust Territories

The following permits, sorted in the table below by type of permit or agreement and date issued, were issued by the Regional office responsible for section 10 permitting in the States and territories listed above.

HCPs, CCAAs, and SHAs

For more information about any of the following HCP, CCAA, or SHA permits, contact the field office that issued the permit by telephone at the appropriate telephone number: Oregon Fish and Wildlife Office (OR): 503–231–6179;

Washington Fish and Wildlife Office
(WA): 360-753-9440; Pacific Islands
(HI): 808-792-9400.

Recovery Permits

For more information about any of the
recovery permits in the following table,

contact the Recovery Permit Coordinator
by email at PermitsR1ES@fws.gov or by
telephone at 503-231-6131.

Permit No.	Permit type	Permittee	Date issued and state	Plan or agreement name
TE-074138D-0.	HCP	Hawaii Department of Transportation.	5/26/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074389D-0.	HCP	Kauai Coffee Company, LLC	5/26/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074390D-0.	HCP	NCL (Bahamas) LTD	6/10/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074391D-0.	HCP	County of Kauai	5/26/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074392D-0.	HCP	SOF-XI Kauai PV Hotel LP	5/26/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074393D-0.	HCP	Essex House Condominium Corporation.	5/26/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074394D-0.	HCP	Kauai Blue Inc, dba Sheraton Kauai.	5/26/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-074388D-0.	HCP	Alexander & Baldwin Inc	6/10/2020 HI	Kauai Seabird Habitat Conservation Plan.
TE-013242D-0.	HCP	Skookumchuck Wind Energy, LLC.	2/5/2020 WA	Skookumchuck Wind Energy Project Habitat Conservation Plan.
TE-089773D-0.	HCP	Arnold Irrigation District	12/31/2020OR	Deschutes Basin Habitat Conservation Plan.
TE-067596D-0.	HCP	Duane DeChaux	5/15/2020 WA	DeChaux Habitat Conservation Plan for the Yelm Subspecies of the Mazama Pocket Gopher, Thurston County, Washington.
TE-081283D-0.	HCP	Puget Sound Energy	9/21/2020 WA	Habitat Conservation Plan for Taylor's checkerspot butterfly and three subspecies of the Mazama pocket gopher, Puget Sound Energy in Thurston County, Washington.
TE-067749D-0.	SHA	Lincoln Soil and Water Conservation District.	12/15/2020 OR	Safe Harbor Agreement for Oregon Silverspot Butterfly Central Coast Populations in Lane County, Oregon.
TE-074135D-0.	SHA	David T. Ketrenos	4/14/2020 WA	Template Safe Harbor Agreement for Columbia Basin Pygmy Rabbit.
TE-076161D-0.	CCAA	Pacific West Timber Co. (Oregon).	6/8/2020 OR	Template CCAA for Fisher in Oregon.
TE-076163D-0.	CCAA	Franklin-Clarkson Timber Co., LLC.	6/8/2020 OR	Template CCAA for Fisher in Oregon.
TE-079857D-0.	CCAA	Siskiyou Timberlands LLC ...	8/26/2020 OR	Template CCAA for Fisher in Oregon.
TE-798744-9	Recovery	Kootenai Tribe of Idaho	1/29/2020	N/A.
TE-025955C ..	Recovery	Price, Melissa R	2/12/2020	N/A.
TE-050644	Recovery	Washington Department of Fish and Wildlife.	2/24/2020	N/A.
TE-049208B ..	Recovery	Summers, Tammy M	3/9/2020	N/A.
TE-094776A ..	Recovery	Idaho Cooperative Fish and Wildlife Research Unit.	3/9/2020	N/A.
TE-008598C ..	Recovery	The Institute for Bird Populations.	4/9/2020	N/A.
TE-136964	Recovery	Washington Department of Natural Resources.	4/16/2020	N/A.
TE-081239B ..	Recovery	Washington Department of Natural Resources.	4/16/2020	N/A.
TE-071541A ..	Recovery	Confederated Tribes of Warm Springs.	4/16/2020	N/A.
TE-739923	Recovery	Hawaii Volcanoes National Park.	5/1/2020	N/A.
TE-064022A ..	Recovery	Confederated Tribes of Warm Springs.	5/1/2020	N/A.
TE-055327D ..	Recovery	U.S. Forest Service	5/7/2020	N/A.
TE-069838D ..	Recovery	Shoshone-Bannock Tribes ..	5/11/2020	N/A.
TE-227268	Recovery	Columbia River Inter-Tribal Fish Commission.	5/11/2020	N/A.
TE-002670A ..	Recovery	Robertson, Ian C	5/20/2020	N/A.
TE-066355D ..	Recovery	U.S. Geological Survey	5/22/2020	N/A.
TE-074340D ..	Recovery	National Council for Air and Stream Improvement, Inc.	5/26/2020	N/A.
TE-075138D ..	Recovery	Idaho State University	5/27/2020	N/A.
TE-022702C ..	Recovery	Intermountain Bird Observatory.	6/10/2020	N/A.
TE-005885	Recovery	Seattle City Light	6/10/2020	N/A.

Permit No.	Permit type	Permittee	Date issued and state	Plan or agreement name
TE-067157D ..	Recovery	Oregon State University	6/22/2020	N/A.
TE-071611D ..	Recovery	Lesica, Peter C	6/24/2020	N/A.
TE-077073D ..	Recovery	Choudhury, Anindo	6/26/2020	N/A.
TE-048278D ..	Recovery	Archipelago Research and Conservation.	9/17/2020	N/A.
TE-066445D ..	Recovery	Redman, Jessica B	10/15/2020	N/A.
TE-071614D ..	Recovery	Hawaii Marine Mammal Alliance, Inc..	10/27/2020	N/A.
TE-826600	Recovery	Price, Melissa R	10/29/2020	N/A.
TE-072088A ..	Recovery	NOAA Pacific Islands Fisheries Science Center.	11/20/2020	N/A.
TE-019045C ..	Recovery	Hawaii Department of Land and Natural Resources.	12/2/2020	N/A.
TE-040123A ..	Recovery	U.S. Army Garrison—Pohakuloa Training Area.	12/3/2020	N/A.
TE-077753D ..	Recovery	Ocean Rescue Foundation ..	12/3/2020	N/A.
TE-048278D ..	Recovery	Archipelago Research and Conservation.	12/9/2020	N/A.

Arizona, New Mexico, Oklahoma, and Texas

The following permits, sorted in the table below by type of permit or agreement and date issued, were issued by the Regional office responsible for section 10 permitting in the States listed above.

HCPs and CCAAs

For more information about any of the following HCP or CCAA permits, contact the HCP or CCAA Permit Coordinator by email at FW2_HCP_Permits@fws.gov or by telephone at 505-248-6651.

Recovery Permits

For more information about any of the following recovery permits, contact the Recovery Permit Coordinator by email at PermitsR2ES@fws.gov or by telephone at 505-248-6649.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-60265B-2	HCP	Mike Austin, Vice President of Operations, Contango Resources.	1/14/2020	Amendment to the Oil and Gas Industry Conservation Plan.
TE-59403D-0	HCP	Mark T. Cunningham, Senior Vice President, Cushing Connect Pipeline Holdings, LLC.	1/14/2020	Amendment to the Oil and Gas Industry Conservation Plan.
TE-35947D-0	HCP	Alan S. Rudeck, Jr	1/28/2020	Diamond Spring Wind Project.
TE-13632C-1	HCP	Michael Rucker, Manager, Scout Clean Energy LLC.	2/19/2020	Heart of Texas Wind.
TE-49742B-0	HCP	Jay Prudhomme-Vice President Operations, Merit Energy Company, LLC.	7/2/2020	Amendment to the Oil and Gas Industry Conservation Plan.
TE-34898D-0	HCP	Governor J. Michael Chavarria, Pueblo of Santa Clara.	10/6/2020	Low-Effect Habitat Conservation Plan for the Four Corners Water Development Project, Pueblo of Santa Clara, Rio Arriba County, New Mexico.
TE-75109D-0	HCP	Tommy Peak, Hughes County District No. 3.	11/30/2020	Habitat Conservation Plan for NS-374 Bridge Over Leader Creek Local No. 048-D3.
TE-82379D-0	HCP	Chad Norris, Texas Parks and Wildlife Department.	10/29/2020	Low-Effect Habitat Conservation Plan for Balmorhea State Park Management Plan, Texas Parks and Wildlife Department.
TE-55322A-2	CCAA	Gene Richardson, American Conservation Foundation.	9/20/2020	Transfer of the Texas Conservation Plan for Dunes Sagebrush Lizard.
TE-066229	Recovery	Whitenton Group, Inc	12/7/2020	N/A.
TE-799103	Recovery	Hicks & Company	11/9/2020	N/A.
TE-776123	Recovery	Texas A & M University—Galveston.	10/29/2020	N/A.
TE-087759D ..	Recovery	GEI Consultants Inc	11/10/2020	N/A.
TE-181762	Recovery	Sea Turtle, Inc	11/4/2020	N/A.
TE-068530D ..	Recovery	Devitt, Thomas James	10/6/2020	N/A.
TE-821356	Recovery	U.S. Geological Survey—Grand Canyon Monitoring & Research Center.	12/10/2020	N/A.
TE-840727	Recovery	National Park Service	12/4/2020	N/A.
TE-083109D ..	Recovery	Byrd, Chase C	11/4/2020	N/A.
TE-081979D ..	Recovery	Collins, Dr. Scott F	10/6/2020	N/A.
TE-082008D ..	Recovery	Mcdorman, Joshua Colt	11/4/2020	N/A.
TE-040886B ..	Recovery	Zahratka, Jennifer L	8/21/2020	N/A.
TE-794593	Recovery	Texas State Aquarium	8/18/2020	N/A.
TE-086559	Recovery	Jones, Ricky Lee	11/20/2020	N/A.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-032428C ..	Recovery	Habitat Management Inc	9/11/2020	N/A.
TE-080520D ..	Recovery	Bryant, Jennifer Ann	11/20/2020	N/A.
TE-064311A ..	Recovery	Arizona Department of Emergency and Military Affairs.	9/11/2020	N/A.
TE-063202B ..	Recovery	Chambers, Carol L	8/12/2020	N/A.
TE-081148C ..	Recovery	Beauregard, Nicholas David	10/30/2020	N/A.
TE-079006D ..	Recovery	Lazo, Walker G	11/24/2020	N/A.
TE-037780	Recovery	Jewett Mining LLC	12/18/2020	N/A.
TE-081872D ..	Recovery	Hucks, Katrina D	11/4/2020	N/A.
TE-022190	Recovery	Arizona-Sonora Desert Mu- seum.	12/31/2020	N/A.
TE-063195B ..	Recovery	Stoner, Kathryn E	6/3/2020	N/A.
TE-027791B ..	Recovery	National Park Service—Mon- tezuma Castle and Tuzigoot Monuments.	10/2/2020	N/A.
TE-233205	Recovery	Bonn, Thomas Dean	9/9/2020	N/A.
TE-833851	Recovery	City of Austin—Watershed Protection Department.	7/21/2020	N/A.
TE-052561B ..	Recovery	Teague, Trevor N	9/18/2020	N/A.
TE-025816D ..	Recovery	Jacobs Engineering Group ..	11/3/2020	N/A.
TE-0195191 ...	Recovery	Baer Engineering and Envi- ronmental Consulting, Inc.	9/18/2020	N/A.
TE-091552	Recovery	Homesley, Zane N	9/18/2020	N/A.
TE-054802B ..	Recovery	Philips-Schaap, Megan Eliz- abeth.	9/18/2020	N/A.
TE-058243B ..	Recovery	Hill, Austin E	9/18/2020	N/A.
TE-075848D ..	Recovery	Hudbay Minerals	10/16/2020	N/A.
TE-820730	Recovery	New Mexico Energy, Min- erals & Natural Resources Department.	8/21/2020	N/A.
TE-0676811 ...	Recovery	U.S. Fish and Wildlife Serv- ice, Region 2.	5/30/2020	N/A.
TE-054791	Recovery	Marshall, Bryce L	4/28/2020	N/A.
TE-075601D ..	Recovery	Horner, Kaitlyn Marie	9/18/2020	N/A.
TE-075678D ..	Recovery	Sonoran Institute	12/4/2020	N/A.
TE-075679D ..	Recovery	Ramirez, Alex	6/8/2020	N/A.
TE-085077A ..	Recovery	Zara Environmental LLC	5/28/2020	N/A.
TE-043777A ..	Recovery	Sea Life US, LLC	9/30/2020	N/A.
TE-064710A ..	Recovery	Jackson, Jacob Thomas	5/28/2020	N/A.
TE-0830177 ...	Recovery	University of Texas Marine Science Institute.	4/8/2020	N/A.
TE-082067D ..	Recovery	Hoback, William Wyatt	8/18/2020	N/A.
TE-022545B ..	Recovery	Hanington, Michelle R	11/4/2020	N/A.
TE-063200B ..	Recovery	Audubon Arizona	10/16/2020	N/A.
TE-042958	Recovery	Southwest Research NP	7/8/2020	N/A.
TE-074315D ..	Recovery	Hogue, Chaylum Harvey	9/18/2020	N/A.
TE-037418B ..	Recovery	Brown and Gay Engineers, Inc.	6/3/2020	N/A.
TE-081982D ..	Recovery	Bohannon, Austin M.A	8/19/2020	N/A.
TE-024625A ..	Recovery	Leonard, Wendy Jae	6/11/2020	N/A.
TE-0829995 ...	Recovery	Dallas Zoo and Aquarium ...	6/22/2020	N/A.
TE-037047A ..	Recovery	Sea World of Texas LLC	4/15/2020	N/A.
TE-835139	Recovery	Hawks Aloft, Inc	6/17/2020	N/A.
TE-146407	Recovery	Belaire Environmental, Inc ...	6/9/2020	N/A.
TE-071777D ..	Recovery	Lisignoli, Jenny L	6/30/2020	N/A.
TE-074321D ..	Recovery	Weaver, Sara Patricia	5/28/2020	N/A.
TE-028891A ..	Recovery	Tristan, Timothy E	7/9/2020	N/A.
TE-084473	Recovery	Pueblo of Santa Ana	5/11/2020	N/A.
TE-226653	Recovery	Transition Zone Horticultural Institute Inc.	10/19/2020	N/A.
TE-035147A ..	Recovery	Newstead, David John	6/19/2020	N/A.
TE-063522B ..	Recovery	Laney Environmental Con- sulting.	6/19/2020	N/A.
TE-023162B ..	Recovery	Herman, Eric L	7/22/2020	N/A.
TE-069979D ..	Recovery	Mata, Barbi Elizabeth	8/21/2020	N/A.
TE-834782	Recovery	Westland Resources, Inc	9/18/2020	N/A.
TE-069973D ..	Recovery	Whitney, James Edward	4/7/2020	N/A.
TE-082498	Recovery	National Park Service—Flag- staff Area National Monu- ments.	10/21/2020	N/A.
TE-819541	Recovery	Bric, LLC	6/5/2020	N/A.
TE-051928B ..	Recovery	Moczygemba, Kevin John ...	6/9/2020	N/A.
TE-067302D ..	Recovery	Edwards, Christine E	6/19/2020	N/A.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-059231C ..	Recovery	Moulton, Laurel Lynne	3/3/2020	N/A.
TE-065027D ..	Recovery	McBride Biotracking LLC	6/19/2020	N/A.
TE-065030D ..	Recovery	The Peregrine Fund, Inc	10/2/2020	N/A.
TE-039466	Recovery	U.S. Geological Survey— Idaho Cooperative Fish & Wildlife Research Unit.	3/18/2020	N/A.
TE-075531D ..	Recovery	National Cave and Karst Re- search Institute.	9/15/2020	N/A.
TE-0168185 ...	Recovery	Cox/McLain Environmental Consulting, Inc.	7/24/2020	N/A.
TE-0195248 ...	Recovery	Morrison, Michael L	6/8/2020	N/A.
TE-063651A ..	Recovery	Power Engineers, Inc	2/14/2020	N/A.
TE-035437B ..	Recovery	U.S. Forest Service Santa Fe National Forest.	3/9/2020	N/A.
TE-0155413 ...	Recovery	Itzkowitz, Murray	5/27/2020	N/A.
TE-063430D ..	Recovery	Hamilton, Gregor L	3/2/2020	N/A.
TE-797127	Recovery	U.S. Army Corps of Engi- neers—Albuquerque Dis- trict.	11/13/2020	N/A.
TE-802211	Recovery	Texas State University	6/8/2020	N/A.
TE-144755	Recovery	Reagan Smith Energy Solu- tions, Inc.	10/2/2020	N/A.
TE-063904D ..	Recovery	Lewis, Chancey D	6/10/2020	N/A.
TE-829996	Recovery	Houston Zoo, Inc	4/10/2020	N/A.
TE-063216D ..	Recovery	Porter, James Mark	3/6/2020	N/A.
TE-030430B ..	Recovery	University of Houston—Clear Lake/Environmental Insti- tute of Houston.	5/28/2020	N/A.
TE-064624B ..	Recovery	Johnson, Cassidy Brown	4/10/2020	N/A.
TE-819471	Recovery	SWCA Environmental Con- sultants.	1/24/2020	N/A.
TE-836329	Recovery	Blanton & Associates, Inc	2/24/2020	N/A.
TE-059909D ..	Recovery	Bell, Leslie Paige	6/22/2020	N/A.
TE-057462D ..	Recovery	Souther, Sara	4/17/2020	N/A.
TE-059882D ..	Recovery	Demarco, Jaime L	2/14/2020	N/A.
TE-822908	Recovery	Caesar Kleberg Wildlife Re- search Institute.	12/8/2020	N/A.
TE-044542B ..	Recovery	Olsson Associates	4/27/2020	N/A.
TE-059554D ..	Recovery	Stanek, Jenna E	3/6/2020	N/A.
TE-004439	Recovery	Albuquerque Biological Park	6/22/2020	N/A.
TE-0819558 ...	Recovery	U.S. Forest Service—Na- tional Forests and Grass- lands in Texas.	6/26/2020	N/A.
TE-057477D ..	Recovery	WSP Parsons Brinckerhoff ..	3/6/2020	N/A.
TE-056331D ..	Recovery	Center of Excellence	3/24/2020	N/A.
TE-094245B ..	Recovery	Powers, Jarrod James	3/20/2020	N/A.
TE-082744D ..	Recovery	Gido, Keith B	9/1/2020	N/A.
TE-060125	Recovery	Salt River Project	4/6/2020	N/A.
TE-034460C ..	Recovery	Grouse Mountain Environ- mental Consultants, LLC.	1/24/2020	N/A.
TE-078347	Recovery	U.S. Fish and Wildlife Serv- ice, Region 2.	3/20/2020	N/A.
TE-067183D ..	Recovery	Gido, Keith B	6/19/2020	N/A.
TE-008394B ..	Recovery	U.S. Forest Service	10/14/2020	N/A.
TE-819491	Recovery	Ecosphere Environmental Services.	3/25/2020	N/A.
TE-026711	Recovery	U.S. Forest Service— Coconino National Forest.	8/24/2020	N/A.
TE-028787B ..	Recovery	Lawrence, Cindy	11/6/2020	N/A.
TE-043754A ..	Recovery	Turner Endangered Species Fund, LLC.	2/24/2020	N/A.
TE-160521	Recovery	Tetra Tech, Inc	4/6/2020	N/A.
TE-819473	Recovery	Grand Canyon National Park	3/6/2020	N/A.
TE-037155	Recovery	Bio-West, Inc	5/27/2020	N/A.
TE-039544	Recovery	Forstner, Michael R.J	6/3/2020	N/A.
TE-025790D ..	Recovery	Stark, Kaitlin Ann	4/10/2020	N/A.
TE-060111B ..	Recovery	Robb, Natalie J	1/21/2020	N/A.
TE-0798920 ...	Recovery	City of Austin, Balcones Canyonlands Preserve.	1/27/2020	N/A.
TE-0116382 ...	Recovery	Peoria Tribe of Indians of Oklahoma.	7/8/2020	N/A.
TE-044547B ..	Recovery	Dixon, Thomas Pingul	9/25/2020	N/A.
TE-009926	Recovery	Gulf South Research Cor- poration.	2/5/2020	N/A.

Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin

The following permits, sorted in the table below by type of permit or agreement and date issued, were issued by the Regional office responsible for section 10 permitting in the States listed above.

HCPs and CCAAs

For more information about any of the following HCP or CCAA permits, contact the field office that issued the permit by telephone: Illinois-Iowa Ecological Services Field Office (IL), at 309-757-5800, or Bloomington Ecological Services Field Office (IN), at 812-334-4261.

Recovery Permits

For more information about any of the following recovery permits, contact the Recovery Permit Coordinator by email at PermitsR3ES@fws.gov or by telephone at 612-713-5343.

Permit No.	Permit type	Permittee	Date issued and state	Plan or agreement name
TE-74464D-0	CCAA	University of Illinois-Chicago	4/3/2020 IL	Nationwide Candidate Conservation Agreement for Monarch Butterfly on Energy and Transportation Lands.
TE-69307D-0	HCP	Blue Creek Wind Farm	3/13/2020 IN	Indiana Bat and Northern Long-Eared Bat Habitat Conservation Plan for Blue Creek Wind Farm, Van Wert and Paulding Counties, Ohio.
TE-68782D-0	HCP	Paulding Wind Farm II LLC; Paulding Wind Farm III LLC; Paulding Wind Farm IV LLC.	5/8/2020 IN	Indiana Bat and Northern Long-Eared Bat Final Habitat Conservation Plan for Timber Road II, III, and IV Wind Farms, Paulding County, Ohio.
TE-80697D-0	HCP	Hog Creek Wind Project, LLC.	8/13/2020 IN	Indiana Bat and Northern Long-Eared Bat Habitat Conservation Plan for Hog Creek Wind Project, Hardin County, Ohio.
TE-85460D-0	HCP	Michigan Department of Natural Resources.	11/5/2020 IN	Multi-state Mitchell's Satyr and Poweshiek Skipperling Habitat Conservation Plan.
TE-85464D-0	HCP	Indiana Department of Natural Resources.	11/5/2020 IN	Multi-state Mitchell's Satyr and Poweshiek Skipperling Habitat Conservation Plan.
TE-041671D ..	Recovery	Carlson, Brian R	12/31/2020	N/A.
TE-081936D ..	Recovery	Damm, Jason P	10/19/2020	N/A.
TE-081935D ..	Recovery	Prewitt, Aaron M	9/30/2020	N/A.
TE-026953C ..	Recovery	Goodell, Karen	9/14/2020	N/A.
TE-028559D ..	Recovery	Radford's Run Wind Farm, LLC.	7/31/2020	N/A.
TE-085231B ..	Recovery	Kalamazoo Nature Center ...	6/29/2020	N/A.
TE-194099	Recovery	Hoggarth, Michael A	9/30/2020	N/A.
TE-144832	Recovery	Detroit Zoological Society ...	5/8/2020	N/A.
TE-031055B ..	Recovery	Armstrong, Kory M	7/10/2020	N/A.
TE-075495D ..	Recovery	Tip of the Mitt Watershed Council.	7/9/2020	N/A.
TE-075401D ..	Recovery	U.S. Geological Survey, Upper Midwest Environmental Sciences Center.	9/29/2020	N/A.
TE-071730A ..	Recovery	Missouri Department of Conservation.	6/25/2020	N/A.
TE-062311A ..	Recovery	Gilmore, Mary Brigid	8/25/2020	N/A.
TE-120259	Recovery	Missouri Department of Conservation.	9/25/2020	N/A.
TE-043541A ..	Recovery	Cuthbert, Francesca J	6/2/2020	N/A.
TE-070877D ..	Recovery	Jo Daviess Conservation Foundation.	5/27/2020	N/A.
TE-007730A ..	Recovery	Redwing Ecological Services, Inc.	5/28/2020	N/A.
TE-073584A ..	Recovery	Illinois Natural History Survey.	5/27/2020	N/A.
TE-053616C ..	Recovery	Illinois Natural History Survey.	5/28/2020	N/A.
TE-070019D ..	Recovery	Little Traverse Bay Bands of Odawa Indians.	7/8/2020	N/A.
TE-089558A ..	Recovery	Romeling, Shannon Elizabeth.	5/5/2020	N/A.
TE-069825D ..	Recovery	Michigan State University	7/13/2020	N/A.
TE-072093B ..	Recovery	Winterringer, Rebecca	9/30/2020	N/A.
TE-054397C ..	Recovery	Titus, Keifer L	7/21/2020	N/A.
TE-013580D ..	Recovery	Wilson, Julia R	12/22/2020	N/A.
TE-067351D ..	Recovery	The Nature Conservancy in Iowa.	5/18/2020	N/A.
TE-068533D ..	Recovery	Toso, Luke B	3/25/2020	N/A.
TE-065859D ..	Recovery	Schuplin, Benjamin A	7/15/2020	N/A.
TE-070020D ..	Recovery	Nextera Energy Bluff Point, LLC.	7/30/2020	N/A.
TE-065584D ..	Recovery	Pearse, Ian S	4/9/2020	N/A.
TE-033473D ..	Recovery	Sitting Up Perez, Antoinette R.	2/27/2020	N/A.

Permit No.	Permit type	Permittee	Date issued and state	Plan or agreement name
TE-063118D ..	Recovery	Starbuck, Clarissa Ann	3/9/2020	N/A.
TE-062046D ..	Recovery	Sirajuddin, Pallavi	11/10/2020	N/A.
TE-062048D ..	Recovery	Kalina, Carly RW	7/31/2020	N/A.
TE-062001D ..	Recovery	Narem, Diane M	3/10/2020	N/A.
TE-043605A ..	Recovery	Cox, Daniel R	1/23/2020	N/A.
TE-060813D ..	Recovery	Lally, Nichole D	7/20/2020	N/A.
TE-006801A ..	Recovery	Pittsburgh Wildlife & Environmental, Inc.	9/9/2020	N/A.
TE-060750D ..	Recovery	Geheber, Aaron Dean	1/23/2020	N/A.
TE-038085B ..	Recovery	Mountain State Biosurveys, LLC.	6/29/2020	N/A.
TE-033467D ..	Recovery	McAlexander, Aaron M	4/30/2020	N/A.
TE-053584D ..	Recovery	U.S. Geological Service Columbia Environmental Research Center.	2/6/2020	N/A.
TE-038856A ..	Recovery	Skelly and Loy, Inc	7/8/2020	N/A.

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, Commonwealth of Puerto Rico, and the U.S. Virgin Islands

The following permits, sorted in the table below by type of permit or agreement and date issued, were issued

by the Regional office responsible for section 10 permitting in the States and territories listed above.

HCPs

For more information about any of the following HCPs, contact the HCP Permit Coordinator by email at PermitsR4ES@fws.gov

[fws.gov](https://www.fws.gov) or by telephone at 404-679-7310.

Recovery Permits

For more information about any of the following recovery permits, contact the Recovery Permit Coordinator by email at PermitsR4ES@fws.gov or by telephone at 404-679-7097.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-056400D ..	HCP	Wooley, Dean M	2/28/2020	Habitat Conservation Plan for the Threatened Florida Scrub-Jay, on Three Single Family Residential Lots, Brevard County, Florida.
TE-076013D ..	HCP	Freedom Construction USA, LLC.	9/18/2020	Freedom Construction USA—2201 Conway Drive, for Florida Scrub-Jay.
TE-076784D ..	HCP	ICI Homes, Inc	9/18/2020	Low-Effect Habitat Conservation Plan for the Florida Scrub-Jay on the Hampton Oaks Project Site, City of Deltona, Volusia County, Florida.
TE-811813	HCP	The County of Volusia	1/15/2020	Habitat Conservation Plan—A Plan for the Protection of Sea Turtles on the Beaches of Volusia County, Florida.
TE-080706	HCP	Steel Bridge Properties LLC	2/27/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-082159	HCP	LLC. Cody & Finlay	8/7/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-078729	HCP	Stephens, Robert L	3/27/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-131384	HCP	Gellness, Bradley A	2/14/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-155085	HCP	JLKS Real Estate LLC	5/28/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-155086	HCP	Jeff Valentine	11/20/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-218284	HCP	Harris, Brian G	4/10/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-018285	HCP	Harris, Brian G	3/20/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-076238B ..	HCP	Phillips, John L	3/27/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-083974C ..	HCP	Fitzgerald, Tracy E	4/9/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-084363C ..	HCP	City of Gulf Shores	7/14/2020	Habitat Conservation Plan Gulf Place East Parking Lot, Gulf Shores, Alabama.
TE-046239D ..	HCP	Steel Bridge Properties LLC	6/18/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-033502D ..	HCP	Creek Holdings LLC	2/4/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-065747D ..	HCP	Tapp, Samuel Dwayne	2/4/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-087973C ..	HCP	Hychefam, LLC	6/2/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-065746D ..	HCP	Acadian Designs, LLC	3/18/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-048280D ..	HCP	Brett Real Estate Robinson Development Co. Inc.	3/20/2020	Phoenix VI & VII Habitat Conservation Plan for Alabama Beach Mouse.
TE-070841D ..	HCP	McAleer, Charles H	3/30/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-039674D ..	HCP	Miller, Michael B	3/30/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-071873D ..	HCP	Foulks, Howard Edmond	4/6/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-048827D ..	HCP	Andrews, Tina	4/20/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-048830D ..	HCP	Andrews, Tina	4/20/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-048834D ..	HCP	Murphy, Bonnie L	4/20/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-039645D ..	HCP	Miller, Michael B	4/20/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-075501D ..	HCP	Giggy, Larry	5/13/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-075510D ..	HCP	Rook, Cary E	6/18/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-077805D ..	HCP	Maxwell, Stephen Royce	7/23/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-048276D ..	HCP	Williams, Karl E	7/27/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-077839D ..	HCP	Wilden, Anne G	8/7/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-081348D ..	HCP	Shuler, John and Brenda	8/19/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-084890D ..	HCP	Carmichael, Sean & Dawn ..	10/5/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-081541D ..	HCP	Pearson, Kathryn L	10/5/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-082546D ..	HCP	Voyles, Timothy Paul	12/4/2020	Habitat Conservation Plan for Alabama Beach Mouse under the General Conservation Plan.
TE-063246D ..	HCP	Mccrory, Timothy P	11/19/2020	Low-Effect Habitat Conservation Plan Sea Glades at St. Andrew Bay for Parcels Gulf Beach S/D "C".
TE-021091C ..	HCP	Cemex Construction Materials Florida, LLC.	11/17/2020	Cemex Construction Materials Florida. Habitat Conservation Plan Dude Ranch Road Relocation Project Polk County, Florida.
TE-057069D ..	HCP	Holland Development Inc	4/13/2020	Clermont Site Habitat Conservation Plan for the Sand Skink.
TE-069951C ..	HCP	K. Hovnanian at Mystic Dunes, LLC.	4/17/2020	Four Seasons Phase 2C, Habitat Conservation Plan for the Sand Skink and Blue-tailed Mole Skink.
TE-062782D ..	HCP	Asma & Asma	6/19/2020	Lookout Hill Habitat Conservation Plan for the Sand Skink.
TE-062775D ..	HCP	VK Avalon Groves LLC	6/19/2020	Serenoa AA Phases 3 & 4 Habitat Conservation Plan for the Sand Skink.
TE-068779D ..	HCP	School Board of Polk County	6/25/2020	Habitat Conservation Plan for the Sand Skink and Blue-tailed Mole Skink for School Board of Polk County.
TE-062777D ..	HCP	Lennar Homes	7/6/2020	Springhill Phase 3A Habitat Conservation Plan for the Sand Skink.
TE-076779D ..	HCP	Titan Liberty Lake Underhill IV and Village i-545.	9/18/2020	Habitat Conservation Plan for Titan Liberty Lake Underhill JV and Village I-545, Orange County, Florida.
TE-075283D ..	HCP	BB Groves, LLC	9/18/2020	Accolades Project Habitat Conservation Plan for the Sand Skink.
TE-076035D ..	HCP	Withers, LLC	9/18/2020	Withers North Habitat Conservation Plan for the Sand Skink.
TE-077447D ..	HCP	Tampa Electric Company	10/6/2020	Tampa Electric Company Pace Road Substation Habitat Conservation Plan for Sand Skink and Blue-tailed Mole Skink.
TE-056402D ..	HCP	Summergate Development LLC.	4/6/2020	Habitat Conservation Plan for Summergate Territo Project Site, Lake County, Florida.
TE-054008D ..	HCP	Ernie Caldwell Properties, LLC.	4/17/2020	Habitat Conservation Plan for Standard Sand, 120 North Polk County, Florida.
TE-062785D ..	HCP	Michael Collard Properties Inc.	6/19/2020	Habitat Conservation Plan for Lane Park Commons, City of Tavares, Lake County, Florida.
TE-075515D ..	HCP	Cemex Construction Materials Florida, LLC.	9/17/2020	Habitat Conservation Plan, Lake Wales South Mine project, Polk County Florida.
TE-066783A ..	HCP	Conservation Resource Partners, LLC.	11/10/2020	Red Hills Salamander Occurrence and Habitat Assessment.
TE-016399D ..	HCP	Vulcan Materials Company, Florida Rock Division.	4/1/2020	Habitat Conservation Plan for Sand Skink on the Borders Property for Future Mining.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-059400D ..	Recovery	Brezil, Stephen A	1/7/2020	N/A.
TE-062718D ..	Recovery	Nightshade, Scarlett R	1/9/2020	N/A.
TE-062077D ..	Recovery	Gateway City Reptiles, Inc ..	1/7/2020	N/A.
TE-062553D ..	Recovery	Puigdomenech, Jerald Anthony.	1/23/2020	N/A.
TE-062555D ..	Recovery	Puigdomenech, Jerald Anthony.	1/23/2020	N/A.
TE-059341D ..	Recovery	Watts, Jared L	2/7/2020	N/A.
TE-067244D ..	Recovery	Cavinder, William Lee	3/5/2020	N/A.
TE-061222D ..	Recovery	Amazing Animals, Inc	2/25/2020	N/A.
TE-056579D ..	Recovery	San Antonio Zoological Gardens & Aquarium.	2/27/2020	N/A.
TE-070042D ..	Recovery	Hendershot, Daniel Nathan	3/17/2020	N/A.
TE-070049D ..	Recovery	Marshall, Samuel D	3/17/2020	N/A.
TE-064896D ..	Recovery	Lackey, Matthew	4/6/2020	N/A.
TE-070200D ..	Recovery	Witonsky, Michael	3/17/2020	N/A.
TE-071363D ..	Recovery	Daniel, Christopher Ross	4/8/2020	N/A.
TE-070072D ..	Recovery	Crandall, Joseph R	5/19/2020	N/A.
TE-076664D ..	Recovery	Barrett, Dalton Evan	6/18/2020	N/A.
TE-054490D ..	Recovery	Sherman, Howard V	7/2/2020	N/A.
TE-076782D ..	Recovery	Dossena, Christopher F	8/5/2020	N/A.
TE-077117D ..	Recovery	Kuhl, Jeffrey Todd	7/21/2020	N/A.
TE-076783D ..	Recovery	Musselwhite, Kent E	7/20/2020	N/A.
TE-078998D ..	Recovery	Alexander, Jeric	8/24/2020	N/A.
TE-081413D ..	Recovery	Tinker, Jordan C	8/25/2020	N/A.
TE-081415D ..	Recovery	Pillars, Jordyn Rachelle	8/25/2020	N/A.
TE-079527D ..	Recovery	Patimetha, Pakorn	8/24/2020	N/A.
TE-077916D ..	Recovery	Bertani, Paul J	8/24/2020	N/A.
TE-081284D ..	Recovery	Jack, David A	8/24/2020	N/A.
TE-081416D ..	Recovery	Shenesky, Billy Jason	9/4/2020	N/A.
TE-078179D ..	Recovery	Graham, William Nathan	9/3/2020	N/A.
TE-076719D ..	Recovery	Herbitter, Alexander Bruce ..	9/29/2020	N/A.
TE-081882D ..	Recovery	Johnston, Brad Ayers	9/18/2020	N/A.
TE-085029D ..	Recovery	Perez, Shanti Ana	9/28/2020	N/A.
TE-083054D ..	Recovery	Bustillo, Todd C	10/27/2020	N/A.
TE-088361D ..	Recovery	Danielson, Todd Eric	11/5/2020	N/A.
TE-083154D ..	Recovery	Buynovsky, Jason J	10/30/2020	N/A.
TE-084998D ..	Recovery	Massey, Daniel J	11/25/2020	N/A.
TE-078884D ..	Recovery	Gotcher, Thomas Clifford	11/25/2020	N/A.
TE-085453D ..	Recovery	Kang, Monica J	12/3/2020	N/A.
TE-084525D ..	Recovery	Nelson, Thomas L	12/3/2020	N/A.
TE-085001D ..	Recovery	Presas, Arturo T	12/4/2020	N/A.
TE-085449D ..	Recovery	Curgan, Stephen David	12/3/2020	N/A.
TE-081869D ..	Recovery	McGowan, Scott T	12/3/2020	N/A.
TE-085297D ..	Recovery	Johnston, Brad Ayers	12/3/2020	N/A.
TE-088402D ..	Recovery	Pepper, Alex H	12/23/2020	N/A.
TE-088412D ..	Recovery	Turner, Michael D	12/23/2020	N/A.
TE-085451D ..	Recovery	Lecompte, Jeffrey J	12/23/2020	N/A.
TE-088404D ..	Recovery	Kuhl, Jeffrey Todd	12/23/2020	N/A.
TE-086098D ..	Recovery	Monahan, Todd G	12/23/2020	N/A.
TE-085450D ..	Recovery	Fava, Samuel Anthony	12/17/2020	N/A.
TE-086020D ..	Recovery	Fava, Samuel Anthony	12/23/2020	N/A.
TE-086097D ..	Recovery	Miller, Kelli K	12/23/2020	N/A.
TE-022690	Recovery	Meadowview Biological Research Station.	10/21/2020	N/A.
TE-117405	Recovery	Tennessee Valley Authority	11/23/2020	N/A.
TE-100070	Recovery	U.S. Forest Service—National Forests in Alabama.	3/10/2020	N/A.
TE-064740	Recovery	Fort Stewart Fish and Wildlife Branch.	8/16/2020	N/A.
TE-007748	Recovery	U.S. Forest Service	5/21/2020	N/A.
TE-035594A ..	Recovery	Alabama Power Company	12/18/2020	N/A.
TE-038642A ..	Recovery	Avian Research and Conservation Institute.	3/31/2020	N/A.
TE-824723	Recovery	Bowman, Reed	6/4/2020	N/A.
TE-061981B ..	Recovery	The Peregrine Fund	6/17/2020	N/A.
TE-060988	Recovery	Fort Jackson U.S. Army	12/18/2020	N/A.
TE-064767C ..	Recovery	Collins, John H	8/11/2020	N/A.
TE-075925	Recovery	Shaw Air Force Base, Dept of Defense.	7/31/2020	N/A.
TE-070041D ..	Recovery	Witter, Kristina Deanne	12/13/2020	N/A.
TE-142806	Recovery	Cox, James Allan	12/15/2020	N/A.
TE-040792	Recovery	U.S. Forest Service—Savannah River Site.	12/15/2020	N/A.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-697819	Recovery	Fish & Wildlife Service, Interior Regions 2 and 4.	8/7/2020	N/A.
TE-801914	Recovery	Savannah River Ecology Lab.	10/20/2020	N/A.
TE-008606C ..	Recovery	Jacksonville Zoological Society.	10/20/2020	N/A.
TE-078919A ..	Recovery	Brevard Zoo	7/20/2020	N/A.
TE-042496D ..	Recovery	Garvin, Mary C	1/24/2020	N/A.
TE-083085	Recovery	Archbold biological station ...	2/5/2020	N/A.
TE-002200B ..	Recovery	Atlanta Botanical Garden	7/29/2020	N/A.
TE-060238B ..	Recovery	Georgia Museum of Natural History.	9/29/2020	N/A.
TE-108584	Recovery	Nehus, Tim J	2/21/2020	N/A.
TE-059798B ..	Recovery	Daguna Consulting, LLC	2/24/2020	N/A.
TE-0171516 ...	Recovery	Copperhead Environmental Consulting, Inc.	6/12/2020	N/A.
TE-002165C ..	Recovery	Stout, Isaac Jack	5/28/2020	N/A.
TE-063179	Recovery	Edwards-Pitman Environmental, Inc.	5/27/2020	N/A.
TE-081756A ..	Recovery	Robinson, Jason B	4/22/2020	N/A.
TE-089074	Recovery	Corblu Ecology Group, LLC	7/7/2020	N/A.
TE-129703	Recovery	HMB Professional Engineers, Inc.	6/26/2020	N/A.
TE-056749B ..	Recovery	Moore, Patrick R	4/27/2020	N/A.
TE-056746B ..	Recovery	Johnson, Joseph S	8/15/2020	N/A.
TE-100012	Recovery	Alabama Coastal Foundation.	2/18/2020	N/A.
TE-032394A ..	Recovery	Florida Dept. Of Environmental Protection.	4/23/2020	N/A.
TE-035313B ..	Recovery	Willcox, Emma Victoria	4/27/2020	N/A.
TE-056588D ..	Recovery	Melville, Martin John	5/26/2020	N/A.
TE-011542	Recovery	Conservation Fisheries, Inc	5/15/2020	N/A.
TE-056515D ..	Recovery	Meade, Leslie S	6/8/2020	N/A.
TE-065875D ..	Recovery	Pruitt, William A	7/2/2020	N/A.
TE-052113D ..	Recovery	Bingham, Devin T	6/19/2020	N/A.
TE-068453D ..	Recovery	Edelman, Andrew J	9/17/2020	N/A.
TE-067197D ..	Recovery	Black, Tyler Ray	10/1/2020	N/A.
TE-050089D ..	Recovery	Mulero Oliveras, Eneilis S ...	9/29/2020	N/A.
TE-012392A ..	Recovery	The Institute for Marine Mammal Studies.	10/29/2020	N/A.
TE-066005D ..	Recovery	Johnson, Joseph Tyler	12/15/2020	N/A.
TE-139474	Recovery	FTN Associates, Ltd	2/28/2020	N/A.
TE-021570C ..	Recovery	Tennessee Wildlife Resources Agency.	3/31/2020	N/A.
TE-077197C ..	Recovery	U.S. Army Corps of Engineers.	2/3/2020	N/A.
TE-834070	Recovery	Point Defiance Zoo & Aquarium.	3/5/2020	N/A.
TE-064856	Recovery	Farris, Trent Alan	4/24/2020	N/A.
TE-061239D ..	Recovery	Smithsonian National Zoological Park.	6/10/2020	N/A.
TE-049280D ..	Recovery	The Nature Conservancy	6/11/2020	N/A.
TE-078650B ..	Recovery	Schmidt, Cassie Poindexter	6/19/2020	N/A.
TE-065334A ..	Recovery	Molano-Flores, Brenda	2/6/2020	N/A.
TE-053898D ..	Recovery	Diaz-Soltero, Hilda	8/12/2020	N/A.
TE-087176	Recovery	Eisenhour, David J	10/20/2020	N/A.
TE-057120C ..	Recovery	Altamaha Environmental consulting, LLC.	6/10/2020	N/A.
TE-077258	Recovery	University of Florida	2/4/2020	N/A.
TE-046056C ..	Recovery	Ceilley, David W	6/3/2020	N/A.
TE-049227D ..	Recovery	Riverside Environmental Consulting.	1/22/2020	N/A.
TE-049506D ..	Recovery	Judy, Daniel J	4/22/2020	N/A.
TE-050300D ..	Recovery	Wilson, Edward Thomas	4/24/2020	N/A.
TE-059340D ..	Recovery	Long, Ashley Marie	7/31/2020	N/A.
TE-059343D ..	Recovery	Barrios Gonzalez, Marla M ..	9/28/2020	N/A.
TE-056968D ..	Recovery	Andrews, Kimberly M	8/11/2020	N/A.

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia

The following permits, sorted in the table below by type of permit or

agreement and date issued, were issued by the Regional office responsible for section 10 permitting in the States listed above.

HCPs

For more information about any of the following HCP, contact the HCP Permit

Coordinator by telephone at 413–253–8200.

Recovery Permits

For more information about any of the following recovery permits, contact the Recovery Permit Coordinator by email at PermitsR5ES@fws.gov or by telephone at 413–253–8212.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE–56381D–0	HCP	North Allegheny Wind, LLC	5/6/2020	Habitat Conservation Plan for the North Allegheny Wind Facility.
TE–79704D–0	HCP	Copenhagen Wind Farm LLC.	7/16/2020	Indiana Bat and Northern Long-eared Bat Habitat Conservation Plan for the Copenhagen Wind Farm.
TE–86012D–0	HCP	Albany Pine Bush Preserve Commission.	10/15/2020	Habitat Conservation Plan for the Karner Blue Butterfly and the Frosted Elfin in the Albany Pine Bush Preserve.
TE–89771D–0	HCP	Pennsylvania Game Commission and Pennsylvania Department of Conservation and Natural Resources.	12/23/2020	Forestry Habitat Conservation Plan on Pennsylvania State Game Lands.
TE–086602C ..	Recovery	White Sulphur Springs National Fish Hatchery.	2/11/2020	N/A.
TE–061005D ..	Recovery	Hepner, Mark Jameson	6/8/2020	N/A.
TE–001086D ..	Recovery	Virginia Department of Game and Inland Fisheries.	11/4/2020	N/A.
TE–076982D ..	Recovery	Roulston, T'ai Honda	11/4/2020	N/A.
TE–086602C ..	Recovery	White Sulphur Springs National Fish Hatchery.	12/16/2020	N/A.

Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming

The following permits, sorted in the table below by type of permit or agreement and date issued, were issued by the Regional office responsible for

section 10 permitting in the States listed above.

HCPs and CCAAs

For more information about any of the following HCP or CCAA permits, contact the HCP or CCAA Permit Coordinator by telephone at 303–236–7905.

Recovery Permits

For more information about any of the following recovery permits, contact the Recovery Permit Coordinator by email at PermitsR6ES@fws.gov, or by telephone at 303–236–4224.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE–042567B ..	CCAA	Longreach Buffalo Co, LLC	9/17/2020	Greater Sage Grouse Umbrella CCAA for Wyoming Ranch Management.
TE–034609	HCP	Spp Montana, LLC	3/26/2020	Native Fish Habitat Conservation Plan.
TE–070004	HCP	Stimson Lumber Company ..	5/6/2020	Native Fish Habitat Conservation Plan.
TE–057437D ..	Recovery	Carden, Timothy P	3/20/2020	N/A.
TE–012893D ..	Recovery	Halpin, Alisa Lynn	7/16/2020	N/A.
TE–0183430 ..	Recovery	Headwaters Corporation	7/31/2020	N/A.
TE–073201	Recovery	Bureau of Land Management.	11/16/2020	N/A.
TE–080647	Recovery	Wildlife Specialties	1/10/2020	N/A.
TE–066330D ..	Recovery	Martin & Nicholson Environmental Consultants, LLC.	3/23/2020	N/A.
TE–066521B ..	Recovery	Western biology, LLC	5/7/2020	N/A.
TE–053607D ..	Recovery	Colorado Parks and Wildlife	1/10/2020	N/A.
TE–073239C ..	Recovery	U.S. Army Corps of Engineers.	1/10/2020	N/A.
TE–0145090 ...	Recovery	National Park Service	1/27/2020	N/A.
TE–067729	Recovery	Kansas State University	1/27/2020	N/A.
TE–183432	Recovery	Friends of the Zoo, Inc., Kansas City, Missouri.	5/7/2020	N/A.
TE–037953D ..	Recovery	University of Wyoming	1/29/2020	N/A.
TE–026376D ..	Recovery	Forrest, Steven C	3/10/2020	N/A.
TE–000670A ..	Recovery	South Dakota Game, Fish and Parks.	3/6/2020	N/A.
TE–006665B ..	Recovery	Utah Division of Wildlife	3/10/2020	N/A.
TE–056902B ..	Recovery	Bureau of Reclamation	3/20/2020	N/A.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-069300	Recovery	Nebraska Game and Parks Commission.	3/20/2020	N/A.
TE-042721B ..	Recovery	City of Fort Collins Natural Areas Department.	3/25/2020	N/A.
TE-067251D ..	Recovery	Haun, Kelly C	5/7/2020	N/A.
TE-0232905 ...	Recovery	Como Park Zoo and Conservatory.	5/7/2020	N/A.
TE-045150	Recovery	Hoback, Wyatt W.	8/18/2020	N/A.
TE-091149	Recovery	Confederated Salish and Kootenai Tribes.	1/16/2020	N/A.
TE-0207946 ...	Recovery	Bureau of Reclamation	8/31/2020	N/A.
TE-069340D ..	Recovery	Severson, Andrea Marie	3/24/2020	N/A.
TE-074320D ..	Recovery	Brown, Nathanael L	4/7/2020	N/A.
TE-074317D ..	Recovery	Wyoming Natural Diversity Database.	5/7/2020	N/A.
TE-056102	Recovery	Real West Natural Resource Consulting.	6/8/2020	N/A.

Alaska

The following permit was issued by the Regional office responsible for

section 10 permitting in Alaska. For more information about this recovery permit, contact the Permit Coordinator,

by email at PermitsR7ES@fws.gov or by telephone at 907-786-3323.

Permit No.	Permit type	Permittee	Date issued	Plan or agreement name
TE-36906D-1	Recovery	University of Alaska, Fairbanks: Institute of Arctic Biology.	2/7/2020	N/A.

California, Nevada, and the Klamath Basin Portion of Oregon

The following permits, sorted in the table below by type of permit or agreement and date issued, were issued by the Regional office responsible for

section 10 permitting in the States and region listed above.

HCPs and SHAs

For more information about any of the follow HCP permits contact the HCP Permit Coordinator by email at dan_cox@fws.gov.

Recovery Permits

For more information about any of the following recovery permits, contact the Recovery Permit Coordinator by email at PermitsR8ES@fws.gov or by telephone at 916-414-6464.

Permit No.	Permit type	Permittee	Date Issued	Plan or agreement name
TE-89152D	HCP	Aera Energy LLC	12/28/2020	Block 12 Development Project Habitat Conservation Plan.
TE- 88501D	HCP	Chips LLC	12/2/2020	General Conservation Plan for Cultivation Activities.
TE-78131D	HCP	Sun Valley Ranch, LLC	8/31/2020	General Conservation Plan for Cultivation Activities.
TE-89654D	HCP	Canyon Produce LLC	12/23/2020	Los Alamos Conservation Plan for Cultivation Activities.
TE-80615D	HCP	Singh, Stephanie R	8/5/2020	Low-Effect Habitat Conservation Plan for the Morro Shoulderband Snail.
TE-75277D	HCP	Yellow Foxtrot II, LLC	8/20/2020	General Conservation Plan for Cultivation Activities.
TE-82650D	HCP	Stanilaus Regional Water Authority.	9/20/2020	Surface Water Supply Project Final Low-Effect Habitat Conservation Plan.
TE-83597D	HCP	Indemitsu Renewables	11/12/2020	Central 40 Solar Project Low-Effect Habitat Conservation Plan.
TE-78196D	HCP	Castlerock Family Farms II, LLC.	8/31/2020	General Conservation Plan for Cultivation Activities.
TE-74215D	HCP	Newera, LLC	4/20/2020	General Conservation Plan for Cultivation Activities.
TE-77814D	HCP	Pacific Gas and Electric	6/29/2020	Multiple Region Operations and Maintenance Habitat Conservation Plan.
TE-78704D	HCP	County of San Bernardino Flood Control District.	7/13/2020	Upper Santa Ana River Wash Habitat Conservation Plan.
TE-78703D	HCP	San Bernardino Valley Water Conservation District.	7/13/2020	Upper Santa Ana River Wash Habitat Conservation Plan.
TE-56762D	HCP	Oak Hills Estate, LLC	4/20/2020	Oak Hills Estate Habitat Conservation Plan.
TE-71171D	HCP	The Sunrise Gardens Project Owner, LLC.	3/17/2020	Low-Effect Habitat Conservation Plan for the Coastal California Gnatcatcher; Sunrise Project, City of San Marcos, San Diego County, California.

Permit No.	Permit type	Permittee	Date Issued	Plan or agreement name
TE-88628D	HCP	County of Placer; City of Lincoln; Placer County Water Agency; South Placer Regional Transportation Authority; Placer Conservation Authority.	12/3/2020	Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan.
TE-80620D	HCP	Upitis, Andris/12 Rancho San Carlos.	8/14/2020	12 Rancho San Carlos (Ocho West) Low-Effect Habitat Conservation Plan.
TE-84089D	HCP	Sierra Pacific Land & Timber Company (SPL&T).	9/30/2020	Habitat Conservation Plan for Northern and California Spotted Owl Sierra Pacific Industries Forestland Management Program in the Klamath, Cascade, and Sierra Nevada Mountains, California.
TE-56304D	HCP	DBO Development #30 LLC/ South of Tioga.	3/23/2020	Low-Effect Habitat Conservation Plan, South of Tioga Project.
TE-73508D	HCP	County of Santa Cruz Probation Department.	4/1/2020	Santa Cruz County Juvenile Hall HCP.
TE-15742D	HCP	City of Rancho Palos Verdes	4/14/2020	Rancho Palos Verdes HCP.
TE-88630D	HCP	Rooney Ranch, LLC	12/31/2020	Rooney Ranch Wind Repowering Project Final Habitat Conservation Plan.
TE-72863D	HCP	GTE Mobilenet of California, L.P.	4/1/2020	Low-Effect Habitat Conservation Plan for the Verizon Wireless Telecommunications Facility Expansion Project.
TE-067064	Recovery	Messett, Lindsay A	10/15/2020	N/A.
TE-19822D	Recovery	Richardson, Sarah Renee ..	6/12/2020	N/A.
TE-067065	Recovery	Deluna, Adam James	4/23/2020	N/A.
TE-19822D	Recovery	Aguayo, Jonathan	4/1/2020	N/A.
TE-067066	Recovery	Cooper Hill, Alicia Ornelas ..	10/15/2020	N/A.
TE-19822D	Recovery	Ryan, Thomas P	4/22/2020	N/A.
TE-067067	Recovery	U.S. Navy	3/20/2020	N/A.
TE-19822D	Recovery	Point Reyes Bird Observatory.	3/2/2020	N/A.
TE-067068	Recovery	Clark, Kevin B	3/19/2020	N/A.
TE-19822D	Recovery	Bernal, Lorena L	3/17/2020	N/A.
TE-067069	Recovery	Vettes, Brennan C	1/10/2020	N/A.
TE-19822D	Recovery	Ortega, Brock A	3/25/2020	N/A.
TE-067070	Recovery	Preite, Srianne B	5/13/2020	N/A.
TE-19822D	Recovery	Aecom Technical Services ..	1/21/2020	N/A.
TE-067071	Recovery	East Bay Regional Park District.	2/10/2020	N/A.
TE-19822D	Recovery	Heredia, Amber O	2/11/2020	N/A.
TE-067072	Recovery	Mayta, Sheri	10/15/2020	N/A.
TE-19822D	Recovery	Liu, Leonard Y	10/15/2020	N/A.
TE-067066	Recovery	Martinelli, Erin Lindsey	5/27/2020	N/A.
TE-19822D	Recovery	Easley, Todd Anthony	8/4/2020	N/A.
TE-067067	Recovery	Barrera, Sarah Jane	10/15/2020	N/A.
TE-19822D	Recovery	San Bernardino Valley Water Conservation District.	5/27/2020	N/A.
TE-067068	Recovery	Olmos, Erik F	6/3/2020	N/A.
TE-19822D	Recovery	Wagner, Nicholas Ronald	4/1/2020	N/A.
TE-067069	Recovery	Congedo, Christina Elise	7/1/2020	N/A.
TE-19822D	Recovery	Pretera, Wendy J	4/22/2020	N/A.
TE-067070	Recovery	Quilley, Ryan G	3/4/2020	N/A.
TE-19822D	Recovery	Sweet, Lynn C	3/28/2020	N/A.
TE-067071	Recovery	Cunningham, Dawn Marie ..	12/17/2020	N/A.
TE-19822D	Recovery	Prado, Victoria E	8/21/2020	N/A.
TE-067072	Recovery	Westervelt Ecological services, LLC.	8/21/2020	N/A.
TE-19822D	Recovery	Laulikitnont, Pim	8/21/2020	N/A.
TE-067073	Recovery	Leis, Michelle Marie	8/21/2020	N/A.
TE-19822D	Recovery	McLean, Katherine Matilda ..	7/10/2020	N/A.
TE-067066	Recovery	Garten, Kyla M	6/2/2020	N/A.
TE-19822D	Recovery	Scampavia, Margaret Rei	4/21/2020	N/A.
TE-067067	Recovery	Herrera, Lisa Ann	8/4/2020	N/A.
TE-19822D	Recovery	Noce, Donna M.	4/2/2020	N/A.
TE-067068	Recovery	Bonzey, Nicholas S	4/22/2020	N/A.
TE-19822D	Recovery	Swaim, Karen E.	8/25/2020	N/A.
TE-067069	Recovery	Creekside Center for Earth Observation.	6/2/2020	N/A.
TE-19822D	Recovery	Lewellen, Cherie Jane	7/1/2020	N/A.
TE-067070	Recovery	Allen, Jason W	6/2/2020	N/A.
TE-19822D	Recovery	Didonato, Joseph E	2/7/2020	N/A.
TE-067071	Recovery	Brown, Katie R	2/7/2020	N/A.
TE-19822D	Recovery	Wyckoff, Anna Christel	2/7/2020	N/A.

Permit No.	Permit type	Permittee	Date Issued	Plan or agreement name
TE-067072	Recovery	Schliebe, Matthew C	1/10/2020	N/A.
TE-19822D	Recovery	Marty, Jaymee T	2/7/2020	N/A.
TE-067073	Recovery	Sennett, Allie E	5/13/2020	N/A.
TE-19822D	Recovery	Dakin, Robin Elizabeth	1/10/2020	N/A.
TE-067074	Recovery	Johnson, Pieter TJ	5/1/2020	N/A.
TE-19822D	Recovery	Koehler, Jonathan T	1/10/2020	N/A.
TE-067067	Recovery	Kann "aka Rogers", Richard U.	1/10/2020	N/A.
TE-19822D	Recovery	Ford, Andrew J	4/2/2020	N/A.
TE-067068	Recovery	Terry, Dana E	1/8/2020	N/A.
TE-19822D	Recovery	Rogers, Ariana	1/10/2020	N/A.
TE-067069	Recovery	Eda C. Eggeman	1/8/2020	N/A.
TE-19822D	Recovery	U.S. Geological Survey—Western Ecological Research Center.	6/18/2020	N/A.
TE-067070	Recovery	Seaworld LLC	5/15/2020	N/A.
TE-19822D	Recovery	Smith, Katherine Rose	5/11/2020	N/A.
TE-067071	Recovery	U.S. Geological Survey	10/16/2020	N/A.
TE-19822D	Recovery	Zoological Society of San Diego.	5/28/2020	N/A.
TE-067072	Recovery	River Design Group, Inc	5/8/2020	N/A.
TE-19822D	Recovery	Zoological Society of San Diego.	12/10/2020	N/A.
TE-067073	Recovery	Tremor, Scott B	4/22/2020	N/A.
TE-19822D	Recovery	Ward, Darren M	6/3/2020	N/A.
TE-067074	Recovery	Paymard, Marshall	4/22/2020	N/A.
TE-19822D	Recovery	Lahti, Megan E	7/2/2020	N/A.
TE-067075	Recovery	Bakker, Jasmine Jordana	2/7/2020	N/A.
TE-19822D	Recovery	Pollett, Kathleen Louise	7/1/2020	N/A.
TE-067068	Recovery	Northcoast Regional Land Trust.	3/4/2020	N/A.
TE-19822D	Recovery	Bighorn Institute	5/20/2020	N/A.
TE-067070	Recovery	California Military Department.	3/20/2020	N/A.
TE-19822D	Recovery	Shoemaker, Kevin T	8/19/2020	N/A.
TE-067071	Recovery	U.S. Geological Survey	9/4/2020	N/A.
TE-19822D	Recovery	Stoelting, Ricka E	12/17/2020	N/A.
TE-067072	Recovery	Hinderle, Danna	3/31/2020	N/A.
TE-19822D	Recovery	Cleveland, Cindy M	8/4/2020	N/A.
TE-067073	Recovery	Warzecha, Bernhard	8/4/2020	N/A.
TE-19822D	Recovery	Huang, Joseph L	4/21/2020	N/A.
TE-067074	Recovery	Grimaldo, Lenny F	1/29/2020	N/A.
TE-19822D	Recovery	City of Eureka	4/21/2020	N/A.
TE-067075	Recovery	Castanon, Chennie S	3/20/2020	N/A.
TE-19822D	Recovery	U.S. Forest Service—Eldorado National Forest.	3/3/2020	N/A.
TE-067076	Recovery	Henderson, Lisa A	3/26/2020	N/A.
TE-19822D	Recovery	Department of Army, fort Irwin National Training Center.	1/8/2020	N/A.
TE-067069	Recovery	Joshua Tree National Park	10/2/2020	N/A.
TE-19822D	Recovery	Hyland, Mason D	1/8/2020	N/A.

Availability of Documents

You may request copies of the **Federal Register** documents publishing the receipt of applications for these permits from the office that issued the permit (see contact information above). Documents and other information submitted with these applications are also available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552), by any party who submits a written request for a copy of such documents.

Authority

We provide this notice under the authority of section 10 of the ESA (16 U.S.C. 1531 *et seq.*).

Gary Frazer,

Assistant Director for Ecological Services.

[FR Doc. 2021-10839 Filed 5-21-21; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GC21NF00GWP2800; OMB Control Number 1028-XXXX]

Agency Information Collection Activities; Michindoh Glacial Aquifer Groundwater Study

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we,

the U.S. Geological Survey (USGS) are proposing a new information collection of groundwater level measurements to enhance understanding of the regional groundwater system.

DATES: Interested persons are invited to submit comments on or before July 23, 2021.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to U.S. Geological Survey, Information Collections Officer, 12201 Sunrise Valley Drive, MS 159, Reston, VA 20192; or by email to gs-info_collections@usgs.gov. Please reference OMB Control Number 1028–xxxx in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact David Lampe by email at dclampe@usgs.gov or by telephone at 317–416–7448.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the USGS; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the USGS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the USGS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

Abstract: Synoptic water level measurements are a type of measurement where data is collected from many wells over a short period of time. As part of the effort to collect synoptic measurements of the Michindoh Aquifer, the USGS is relying on the participation of property owners from across the region. Those identified as having a selected water well located on their property will be contacted via a postcard. They will then be asked to sign a permission form allowing the USGS to complete groundwater level measurement in their well during Fall 2021 and Spring 2022. This will involve USGS scientists accessing the well and lowering a sanitized electric or steel tape into the well to determine the current water depth below land surface. The measurement that is collected will also be provided to the property owner at the time of collection.

The USGS will attempt to measure approximately 150 to 200 wells within eleven counties in the tri-state region. This large number of measurements over a short period of time will provide the USGS with a snapshot-like understanding of regional water levels. This information will be critical for comprehending the behavior of the entire aquifer system and will be used to model regional groundwater depth.

Title of Collection: Michindoh Glacial Aquifer Groundwater Study.

OMB Control Number: 1028–NEW.

Form Number: U.S. Geological Survey Manual 500.11.1.

Type of Review: New.

Respondents/Affected Public: Individuals/households.

Total Estimated Number of Annual Respondents: 400.

Total Estimated Number of Annual Responses: 250.

Estimated Completion Time per Response: 15 minutes.

Total Estimated Number of Annual Burden Hours: 100 hours.

Respondent's Obligation: Voluntary.

Frequency of Collection: Annually (Twice).

Total Estimated Annual Nonhour Burden Cost None: None.

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

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Michael S. Griffin,

Director.

[FR Doc. 2021–10876 Filed 5–21–21; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[212A2100DD/AAKC001030/
AOA501010.999900253G]

Indian Gaming; Approval of Tribal-State Class III Gaming Compacts in the State of Arizona

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the approval of the class III gaming compacts between each of the following Tribes and the State of Arizona (State): The Ak-Chin Indian Community; Cocopah Tribe of Arizona; Colorado River Indian Tribes of the Colorado River Indian Reservation; Fort McDowell Yavapai Nation; Fort Mojave Indian Tribe of Arizona, California & Nevada; Gila River Indian Community of the Gila River Indian Reservation; Havasupai Tribe of the Havasupai Reservation; Hualapai Indian Tribe of the Hualapai Indian Reservation; Kaibab Band of Paiute Indians; Navajo Nation; Pascua Yaqui Tribe of Arizona; Quechan Tribe of the Fort Yuma Indian Reservation; Salt River Pima-Maricopa Indian Community of the Salt River Reservation; San Carlos Apache Tribe of the San Carlos Reservation; San Juan Southern Paiute Tribe of Arizona; Tohono O'odham Nation of Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation; Yavapai-Apache Nation of the Camp Verde Indian Reservation; and the Zuni Tribe of the Zuni Reservation.

DATES: The compacts take effect on May 24, 2021.

FOR FURTHER INFORMATION CONTACT: Ms. Paula L. Hart, Director, Office of Indian Gaming, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, paula.hart@bia.gov, (202) 219–4066.

SUPPLEMENTARY INFORMATION: Under section 11 of the Indian Gaming Regulatory Act (IGRA), Public Law 100–497, 25 U.S.C. 2701 *et seq.*, the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. As required by 25 CFR 293.4, all compacts and amendments are subject to review and approval by the Secretary. The Compacts permit various types of gaming, including video devices, house banked card games, off-track pari-mutuel wagering, dealer controlled electronic games, sports

wagering, fantasy sports contests, and live table games on the Tribes' Indian lands. The Compacts include provisions requiring the Tribes to pay the State from the Tribes' net win in exchange for substantial exclusivity in the State and for regulatory costs. The Compacts provide that the Tribes will have the responsibility to administer and enforce regulatory requirements. The Compacts are approved.

Bryan Newland,

Principal Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 2021–10877 Filed 5–21–21; 8:45 am]

BILLING CODE 4337–15–P

NATIONAL INDIAN GAMING COMMISSION

Notice of Approved Class III Tribal Gaming Ordinances

AGENCY: National Indian Gaming Commission.

ACTION: Notice.

SUMMARY: The purpose of this notice is to inform the public of Class III tribal gaming ordinances approved by the Chairman of the National Indian Gaming Commission.

DATES: This notice is applicable May 24, 2021.

FOR FURTHER INFORMATION CONTACT: Tearanie McCain, Office of General Counsel at the National Indian Gaming Commission, 202–632–7003, or by facsimile at 202–632–7066 (not toll-free numbers).

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act (IGRA) 25 U.S.C. 2701 *et seq.*, established the National Indian Gaming Commission (Commission). Section 2710 of IGRA authorizes the Chairman of the Commission to approve Class II and Class III tribal gaming ordinances. Section 2710(d)(2)(B) of IGRA, as implemented by NIGC regulations, 25 CFR 522.8, requires the Chairman to publish, in the **Federal Register**, approved Class III tribal gaming ordinances and the approvals thereof.

IGRA requires all tribal gaming ordinances to contain the same requirements concerning tribes' sole proprietary interest and responsibility for the gaming activity, use of net revenues, annual audits, health and safety, background investigations and licensing of key employees and primary management officials. The Commission, therefore, believes that publication of each ordinance in the **Federal Register** would be redundant and result in unnecessary cost to the Commission.

Thus, the Commission believes that publishing a notice of approved Class III tribal gaming ordinances in the **Federal Register** is sufficient to meet the requirements of 25 U.S.C. 2710(d)(2)(B). Beginning September 30, 2021, the NIGC will publish the notice of approved gaming ordinances quarterly, by March 31, June 30, September 30, and December 31 of each year.

Every approved tribal gaming ordinance, every approved ordinance amendment, and the approval thereof, will be posted on the Commission's website (www.nigc.gov) under General Counsel, Gaming Ordinances within five (5) business days of approval. Also, the Commission will make copies of approved Class III ordinances available to the public upon request. Requests can be made in writing to the Office of General Counsel, National Indian Gaming Commission, Attn: Tearanie McCain, C/O Department of the Interior, 1849 C Street NW, MS #1621, Washington, DC 20240.

The following constitutes a consolidated list of all Tribes for which the Chairman has approved tribal gaming ordinances authorizing Class III gaming or for which Class III gaming ordinances have been approved by operation of law.

1. Absentee-Shawnee Tribe of Indian of Oklahoma
2. Agua Caliente Band of Cahuilla Indians
3. Ak-Chin Indian Community of the Maricopa Indian Reservation
4. Alabama-Quassarte Tribal Town
5. Alturas Indian Rancheria
6. Apache Tribe of Oklahoma
7. Assiniboine & Sioux Tribes of Fort Peck Indian Reservation
8. Augustine Band of Cahuilla Indians
9. Bad River Band of Lake Superior Tribe of Chippewa Indians
10. Barona Group of Captain Grande Band of Mission Indians
11. Bay Mills Indian Community
12. Bear River Band of Rohnerville Rancheria
13. Berry Creek Rancheria of Tyme Maidu Indians
14. Big Lagoon Rancheria
15. Big Pine Band of Owens Valley Paiute Shoshone Indians
16. Big Sandy Rancheria Band of Western Mono Indians
17. Big Valley Band of Pomo Indians
18. Bishop Paiute Tribe
19. Blackfeet Tribe
20. Blue Lake Rancheria of California
21. Bois Forte Band of the Minnesota Chippewa Tribe
22. Buena Vista Rancheria of Me-Wuk Indians
23. Burns Paiute Tribe
24. Cabazon Band of Mission Indians

25. Cachil DeHe Band of Wintun Indians of the Colusa Indian Community
26. Caddo Nation of Oklahoma
27. Cahto Indian Tribe of the Laytonville Rancheria
28. Cahuilla Band of Mission Indians
29. California Valley Miwok Tribe
30. Campo Band of Diegueno Mission Indians
31. Catawba Indian Nation
32. Chemehuevi Indian Tribe
33. Cher-Ae Heights Indian Community of the Trinidad Rancheria
34. Cherokee Nation of Oklahoma
35. Cheyenne and Arapaho Tribes
36. Cheyenne River Sioux Tribe
37. Chickasaw Nation of Oklahoma
38. Chicken Ranch Rancheria of Me-Wuk Indians
39. Chippewa-Cree Tribe of the Rocky Boy's Reservation
40. Chitimacha Tribe of Louisiana
41. Choctaw Nation of Oklahoma
42. Citizen Potawatomi Nation
43. Cloverdale Rancheria of Pomo Indians
44. Cocopah Indian Tribe
45. Coeur d'Alene Tribe
46. Colorado River Indian Tribes
47. Comanche Nation of Oklahoma
48. Confederated Salish and Kootenai Tribes of the Flathead Reservation
49. Confederated Tribes and Bands of the Yakama Nation
50. Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon
51. Confederated Tribes of the Chehalis Reservation
52. Confederated Tribes of the Colville Reservation
53. Confederated Tribes of the Grand Ronde Community of Oregon
54. Confederated Tribes of Siletz Indians of Oregon
55. Confederated Tribes of the Umatilla Reservation
56. Confederated Tribes of the Warm Springs Reservation
57. Coquille Indian Tribe
58. Coughatta Tribe of Louisiana
59. Cow Creek Band of Umpqua Indians of Oregon
60. Cowlitz Indian Tribe
61. Coyote Valley Band of Pomo Indians of California
62. Crow Creek Sioux Tribe
63. Crow Indian Tribe of Montana
64. Delaware Tribe of Western Oklahoma
65. Delaware Tribe of Indians
66. Dry Creek Rancheria of Pomo Indians of California
67. Eastern Band of Cherokee Indians
68. Eastern Shawnee Tribe of Oklahoma
69. Eastern Shoshone Tribe of the Wind River Indian Reservation
70. Elem Indian Colony of Pomo Indians

71. Elk Valley Rancheria
72. Ely Shoshone Tribe of Nevada
73. Enterprise Rancheria of the Maidu Indians of California
74. Ewiiapaayp Band of Kumeyaay Indians
75. Fallon Paiute-Shoshone Tribes
76. Federated Indians of Graton Rancheria
77. Flandreau Santee Sioux Tribe of South Dakota
78. Fond du Lac Band of Lake Superior Chippewa
79. Forest County Potawatomi Community
80. Fort Belknap Indian Community
81. Fort Independence Indian Community of Paiute Indians
82. Fort McDermitt Paiute-Shoshone Tribe of Nevada and Oregon
83. Fort McDowell Yavapai Nation
84. Fort Mojave Indian Tribe of Arizona, California and Nevada
85. Fort Sill Apache Tribe of Oklahoma
86. Gila River Indian Community
87. Grand Portage Band of Chippewa Indians
88. Grand Traverse Band of Ottawa and Chippewa Indians
89. Greenville Rancheria of Maidu Indians of California
90. Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
91. Guidiville Band of Pomo Indians
92. Habematolel Pomo of Upper Lake
93. Hannahville Indian Community
94. Ho-Chunk Nation of Wisconsin
95. Hoopa Valley Tribe
96. Hopland Band of Pomo Indians
97. Hualapai Indian Tribe
98. Huron Potawatomi, Inc.
99. Iipay Nation of Santa Ysabel of California
100. Ione Band of Miwok Indians
101. Iowa Tribe of Kansas and Nebraska
102. Iowa Tribe of Oklahoma
103. Jackson Rancheria Band of Miwuk Indians
104. Jamestown S'Klallam Tribe of Washington
105. Jamul Band of Mission Indians
106. Jena Band of Choctaw Indians
107. Jicarilla Apache Nation
108. Kaibab Band of Paiute Indians
109. Kalispel Tribe of Indians
110. Karuk Tribe
111. Kashia Band of Pomo Indians of the Stewarts Point Reservation
112. Kaw Nation
113. Keweenaw Bay Indian Community
114. Kialegee Tribal Town
115. Kickapoo Traditional Tribe of Texas
116. Kickapoo Tribe of Indians in Kansas
117. Kickapoo Tribe of Oklahoma
118. Kiowa Tribe of Oklahoma
119. Klamath Tribes
120. Klawock Cooperative Association
121. Kootenai Tribe of Idaho
122. Lac Courte Oreilles Band of Lake Superior Chippewa Indians
123. Lac du Flambeau Band of Lake Superior Chippewa Indians
124. Lac Vieux Desert Band of Lake Superior Chippewa Indians
125. La Jolla Band of Luiseno Indians
126. La Posta Band of Mission Indians
127. Las Vegas Paiute Tribe
128. Leech Lake Band of Chippewa Indians
129. Little River Band of Ottawa Indians
130. Little Traverse Bay Bands of Odawa Indians
131. Lower Brule Sioux Tribe
132. Lower Elwha Klallam Tribe
133. Lower Sioux Indian Community
134. Lummi Indian Tribe
135. Lytton Rancheria of California
136. Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria
137. Manzanita Band of Mission Indians
138. Mashantucket Pequot Tribe
139. Mashpee Wampanoag Tribe
140. Match-E-Be-Nash-She-Wish Band of the Potawatomi Indians of Michigan
141. Mechoopda Indian Tribe of Chico Rancheria
142. Menominee Indian Tribe of Wisconsin
143. Mescalero Apache Tribe
144. Miami Tribe of Oklahoma
145. Middletown Rancheria of Pomo Indians
146. Mille Lacs Band of Ojibwe
147. Mississippi Band of Choctaw Indians
148. Moapa Band of Paiute Indians
149. Modoc Tribe of Oklahoma
150. Mohegan Indian Tribe of Connecticut
151. Mooretown Rancheria of Maidu Indians
152. Morongo Band of Mission Indians
153. Muckleshoot Indian Tribe
154. Muscogee (Creek) Nation
155. Narragansett Indian Tribe
156. Navajo Nation
157. Nez Perce Tribe
158. Nisqually Indian Tribe
159. Nooksack Indian Tribe
160. North Fork Rancheria of Mono Indians of California
161. Northern Arapaho Tribe of the Wind River Indians
162. Northern Cheyenne Tribe
163. Nottawaseppi Huron Band of Potawatomi
164. Oglala Sioux Tribe
165. Ohkay Owingeh Pueblo of San Juan
166. Omaha Tribe of Nebraska
167. Oneida Nation of New York
168. Oneida Tribe of Indians of Wisconsin
169. Osage Nation
170. Otoe-Missouri Tribe of Indians
171. Ottawa Tribe of Oklahoma
172. Paiute-Shoshone Indians of the Bishop Community
173. Pala Band of Luiseno Mission Indians
174. Pascua Yaqui Tribe of Arizona
175. Paskenta Band of Nomlaki Indians
176. Pauma Band of Mission Indians
177. Pawnee Nation of Oklahoma
178. Pechanga Band of Mission Indians
179. Peoria Tribe of Indians of Oklahoma
180. Picayune Rancheria of Chukchansi Indians
181. Pinoleville Band of Pomo Indians
182. Pit River Tribe
183. Poarch Band Creek Indians
184. Pokagon Band of Potawatomi Indians of Michigan
185. Ponca Tribe of Oklahoma
186. Ponca Tribe of Nebraska
187. Port Gamble S'Klallam Tribe
188. Prairie Band of Potawatomi Nation
189. Prairie Island Indian Community
190. Pueblo of Acoma
191. Pueblo of Isleta
192. Pueblo of Jemez
193. Pueblo of Laguna
194. Pueblo of Nambe
195. Pueblo of Picuris
196. Pueblo of Pojoaque
197. Pueblo of San Felipe
198. Pueblo of Sandia
199. Pueblo of Santa Ana
200. Pueblo of Santa Clara
201. Pueblo of Santo Domingo
202. Pueblo of Taos
203. Pueblo of Tesuque
204. Puyallup Tribe of Indians
205. Pyramid Lake Paiute Tribe
206. Quapaw Tribe of Indians
207. Quartz Valley Indian Community
208. Quechan Tribe of Fort Yuma Indian Reservation
209. Quileute Tribe
210. Quinault Indian Nation
211. Red Cliff Band of Lake Superior Chippewa Indians
212. Red Cliff, Sokaogon Chippewa and Lac Courte Oreilles Band
213. Red Lake Band of Chippewa Indians
214. Redding Rancheria
215. Redwood Valley Rancheria of Pomo Indians
216. Reno-Sparks Indian Colony
217. Resighini Rancheria of Coast Indian Community
218. Rincon Band of Luiseno Mission Indians
219. Robinson Rancheria of Pomo Indians
220. Rosebud Sioux Tribe
221. Round Valley Indian Tribe
222. Sac & Fox Nation of Oklahoma
223. Sac & Fox Tribe of Mississippi in Iowa
224. Sac & Fox Nation of Missouri in Kansas and Nebraska

225. Saginaw Chippewa Indian Tribe of Michigan
 226. Salt River Pima-Maricopa Indian Community
 227. Samish Indian Tribe
 228. San Carlos Apache Tribe
 229. San Manuel Band of Mission Indians
 230. San Pasqual Band of Diegueno Mission Indians
 231. Santa Rosa Rancheria Tachi-Yokut Tribe
 232. Santa Ynez Band of Chumash Mission Indians
 233. Sauk-Suiattle Indian Tribe
 234. Sault Ste. Marie Tribe of Chippewa Indians
 235. Scotts Valley Band of Pomo Indians
 236. Seminole Nation of Oklahoma
 237. Seminole Tribe of Florida
 238. Seneca Nation of Indians of New York
 239. Seneca-Cayuga Tribe of Oklahoma
 240. Shakopee Mdewakanton Sioux Community
 241. Shawnee Tribe
 242. Sherwood Valley Rancheria of Pomo Indians
 243. Shingle Springs Band of Miwuk Indians
 244. Shinnecock Indian Nation
 245. Shoalwater Bay Indian Tribe
 246. Shoshone-Bannock Tribes of the Fort Hall Indian Reservation of Idaho
 247. Shoshone-Paiute Tribe of the Duck Valley Indian Reservation
 248. Sisseton-Wahpeton Oyate of the Lake Traverse Reservation
 249. Skokomish Indian Tribe
 250. Smith River Rancheria
 251. Snoqualmie Tribe
 252. Soboba Band of Luiseno Indians
 253. Sokaogon Chippewa Community
 254. Southern Ute Indian Tribe
 255. Sprite Lake Tribe
 256. Spokane Tribe of Indians
 257. Squaxin Island Tribe
 258. St. Croix Chippewa Indians of Wisconsin
 259. St. Regis Mohawk Tribe
 260. Standing Rock Sioux Tribe
 261. Stillaguamish Tribe of Indians
 262. Stockbridge-Munsee Community
 263. Suquamish Tribe of the Port Madison Reservation
 264. Susanville Indian Rancheria
 265. Swinomish Indian Tribal Community
 266. Sycuan Band of Diegueno Mission Indians
 267. Table Mountain Rancheria
 268. Te-Moak Tribe of Western Shoshone Indians of Nevada
 269. Thlopthlocco Tribal Town
 270. Three Affiliated Tribes of the Fort Berthold Reservation
 271. Timbisha Shoshone Tribe
 272. Tohono O'odham Nation
 273. Tolowa Dee-ni' Nation
 274. Tonkawa Tribe of Oklahoma
 275. Tonto Apache Tribe
 276. Torres Martinez Desert Cahuilla Indians
 277. Tulalip Tribes of Washington
 278. Tule River Tribe
 279. Tunica-Biloxi Indians of Louisiana
 280. Tuolumne Band of Me-Wuk Indians
 281. Turtle Mountain Band of Chippewa Indians
 282. Twenty-Nine Palms Band of Mission Indians
 283. United Auburn Indian Community
 284. Upper Sioux Community
 285. Upper Skagit Indian Tribe of Washington
 286. Ute Mountain Ute Tribe
 287. U-tu-Utu-Gwaitu Paiute Tribe of Benton Paiute Reservation
 288. Viejas Band of Kumeyaay Indians
 289. Wampanoag Tribe of Gay Head
 290. Washoe Tribe of Nevada and California
 291. White Earth Band of Chippewa Indians
 292. White Mountain Apache Tribe
 293. Wichita and Affiliated Tribes of Oklahoma
 294. Wilton Rancheria
 295. Winnebago Tribe of Nebraska
 296. Wiyot Tribe of Table Bluff Reservation
 297. Wyandotte Nation of Oklahoma
 298. Yankton Sioux Tribe
 299. Yavapai Apache Nation of the Camp Verde Indian Reservation
 300. Yavapai-Prescott Indian Tribe
 301. Yerington Paiute Tribe
 302. Yocha-De-He Wintun Nation
 303. Yurok Tribe
- National Indian Gaming Commission.
E. Sequoyah Simermeyer,
Chairman.
Kathryn Isom-Clause,
Vice Chair.
Jeannie Hovland,
Associate Commissioner.
 [FR Doc. 2021-10904 Filed 5-21-21; 8:45 am]
BILLING CODE 7565-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-465 and 731-TA-1161 (Second Review)]

Certain Steel Grating From China

Determinations

On the basis of the record ¹ developed in the subject five-year reviews, the United States International Trade

¹ The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the countervailing duty and antidumping duty orders on certain steel grating from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on October 1, 2020 (85 FR 61981) and determined on January 4, 2021 that it would conduct expedited reviews (86 FR 19286, April 13, 2021).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on May 19, 2021. The views of the Commission are contained in USITC Publication 5195 (May 2021), entitled *Certain Steel Grating from China: Investigation Nos. 701-TA-465 and 731-TA-1161 (Second Review)*.

By order of the Commission.

Issued: May 19, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-10906 Filed 5-21-21; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1208]

Certain Electronic Devices, Including Computers, Tablet Computers, and Components and Modules Thereof; Commission Determination Not To Review an Initial Determination Granting an Unopposed Motion To Terminate the Investigation in Its Entirety Based Upon Settlement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined not to review an initial determination ("ID") (Order No. 33) of the presiding administrative law judge ("ALJ"), granting an unopposed motion to terminate the investigation in its entirety based upon settlement.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3042. Copies of non-confidential

documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On August 10, 2020, the Commission instituted this investigation based on a complaint filed by Nokia Technologies Oy and Nokia Corporation both of Espoo, Finland (collectively, "Nokia"). 85 FR 48263-64 (Aug. 10, 2020). The complaint alleged violations of section 337 based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain electronic devices, including computers, tablet computers, and components and modules thereof by reason of infringement of claims 1, 2, 5-7, 9-13, 15, 16, 18, 21-23, 25-29, 31, 32, 35-37, 39-47, 49, 52-54, and 56-62 of U.S. Patent No. 8,144,764 ("the '764 patent"); claims 1-4, 6, 7, 9-13, 15-18, 20-30, 32-41, 43-49, 51-60, and 62-65 of U.S. Patent No. 7,532,808 ("the '808 patent"); claims 1-7, 9, 15, 16, 18, 20-25, 27-30, and 50 of U.S. Patent No. 6,950,469 ("the '469 patent"); claims 1-15 and 20-23 of U.S. Patent No. 7,724,818 ("the '818 patent"); and claims 1-16 of U.S. Patent No. 8,583,706 ("the '706 patent"). *Id.* The Commission's notice of investigation named the following nine Lenovo entities as respondents: Lenovo (United States), Inc. of Morrisville, North Carolina; Lenovo Group Limited of Quarry Bay, Hong Kong; Lenovo (Beijing) Limited of Beijing, China; Lenovo (Shanghai) Electronics Technology Co. Ltd. of Shanghai, China; Lenovo PC HK Limited of Quarry Bay, Hong Kong; Lenovo Information Products Shenzhen Co. Ltd. of Shenzhen, China; Lenovo Mobile Communication of Wuhan, China; Lenovo Corporation of Wujiang, China; and Lenovo Centro Tecnológico S. de RL CV of Nuevo Leon, Mexico (collectively, "Lenovo"). *Id.* at 48264. The notice of investigation also named the Office of Unfair Import Investigations ("OUII") as a party. *Id.*

On September 4, 2020, the ALJ granted a motion by Google to intervene in this investigation. Although Google sought intervention only as to the '706 patent, the ALJ granted intervention

without limitation, and the Commission determined not to review the ID. Order No. 5 (Sept. 4, 2020), *unreviewed by Comm'n Notice* (Sept. 29, 2020).

On March 12, 2021, ALJ granted a motion by Nokia to terminate the investigation as to (1) claims 1, 4-6, 9-13, 22, and 23 of the '818 patent; (2) claims 1, 2, 5-7, 9-13, 15, 16, 18, 21-23, 25-31, 35, 36, 39, 41-46, 48, 52, 53, 56, 58-60, and 62 of the '764 patent; (3) claims 1, 2-4, 6, 7, 9-13, 15, 17, 18, 20-30, 32-39, 41, 43-47, 49, 51-53, 56-60, and 63 of the '808 patent; (4) claims 2-4, 6, 7, 16, 20-25, 28, and 29 of the '469 patent, (5) all the asserted claims (1-16) of the '706 patent; and (6) Intervenor Google. The Commission determined not to review. Order No. 26 (Mar. 12, 2020), *unreviewed by Comm'n Notice* (Mar. 30, 2020).

On April 22, 2021, Nokia filed a motion to terminate the investigation in its entirety based upon settlement. On May 3, 2021, OUII filed a response in support of the motion, and the ALJ found that the Lenovo respondents do not oppose the motion. ID at 1.

On May 4, 2021, the Chief ALJ issued the subject ID (Order No. 33) granting the motion. The subject ID found that the joint motion complies with Commission Rule 210.21(a)(2), which provides that "[a]ny party may move at any time to terminate an investigation in whole or in part as to any or all respondents on the basis of a settlement, a licensing or other agreement" 19 CFR 210.21(a)(2). ID at 2. The ID further found that in compliance with 19 CFR 210.21(b), "Nokia represents that there are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation." In addition, the parties provided confidential and public versions of the settlement agreement. The ID also found that "termination of this investigation does not impose any undue burdens on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, or United States consumers pursuant to Commission Rule 210.50(b)(2)." *Id.* at 3 (citing 19 CFR 210.50(b)(2)). No one petitioned for review of the ID.

The Commission has determined not to review the subject ID. The investigation is hereby terminated in its entirety.

The Commission vote for this determination took place on May 18, 2021.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as

amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: May 18, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-10856 Filed 5-21-21; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Information Warfare Research Project Consortium

Notice is hereby given that, on April 29, 2021, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Information Warfare Research Project Consortium ("IWRP") has 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, A5G Networks, Inc., Westford, MA; Aarna Networks, Inc., San Jose, CA; Ace Electronics Defense Systems, APG, MD; Adaptive Intelligence [AI] Corporation, Banks, OR; Aegis Power Systems, Inc., Murphy, NC; Anritsu Company, Morgan Hill, CA; Applied Insight, LLC., Tysons, VA; Atlas Technologies, Inc., North Charleston, SC; Ball Aerospace, Broomfield, CO; Bascom Hunter Technologies, Inc., Baton Rouge, LA; BlackHorse Solutions, Inc., Herndon, VA; Buchanan & Edwards, Inc., Arlington, VA; Cobalt Solutions, Inc., Austin, TX; Concept Solutions, LLC., Reston, VA; CRFS, Chantilly, VA; Cypress International, Inc., Alexandria, VA; DESE Research Inc., Huntsville, AL; Dynamic Data Management, Inc., d/b/a Delta Bravo, Rock Hill SC; Endgame Systems, LLC., Arlington, VA; Entech Web Solutions INC., Dunellen, NJ; Excelerated Analytics, LLC., Woodbridge, VA; Excella, Inc., Arlington, VA; Feith Systems and Software, Inc., Fort Washington, PA; FUTURA Cyber, Inc., Dedham, MA; Giesler LLC., Alpharetta, GA; Global Planning Initiatives, LLC., Virginia Beach, VA; INDUS Technology, Inc., San Diego, CA; Kaizen Approach Inc.,

Hanover, MD; Kapsuun Group, Lorton, VA; MagiQ Technologies, Inc., Somerville, MA; NETSCOUT Systems, Inc., Westford, MA; Nexagen Networks, Inc., Morganville, NJ; Nutanix, Inc., San Jose, CA; Omnispace LLC., Tysons, VA; Opto-Knowledge Systems, Inc., Torrance, CA; Phillips Corporation, Hanover, MD; PTC, Boston, MA; Shield AI Inc., San Diego, CA; Smartsheet Inc., Bellevue, WA; Sol Firm LLC., Mount Pleasant, SC; Solid State Scientific Corporation, Hollis, NH; Swim.ai, Inc., Campbell, CA; TapHere! Technology, LLC., Manassas, VA; ThayerMahan, Inc., Groton, CT; TLG Worldwide, LLC., Manassas, VA; Vection Group Inc., West Hollywood, CA; Vectrus Mission Solutions Corporation Alexandria, VA; Ventus Executive Solutions, LLC., Fairfax, VA; WarCollar Industries, LLC., Vienna, VA; XCOM-Labs, Inc., San Diego, CA; and Zin Solutions, (DBA Axiom) Inc., Tulsa, OK have been added as parties to this venture.

Also, AIRBUS U.S. Space & Defense, Inc., Herndon, VA; Applied Technical Systems, Inc., Silverdale, WA; Avineon, Inc., McLean, VA; Box Inc., Redwood City, CA; Interclipse, Inc., Annapolis Junction, MD; Kratos RT Logic, Inc., Colorado Springs, CO; Lone Star Analysis, Addison, TX; Oteote Inc., Encinitas, CA; RTSync Corp., Chandler, AZ; Smartronix, LLC., Hollywood, MD; Southern Aerospace Company LLC., Madison, AL; Universal Consulting Services, Inc., Fairfax, VA; and Wireless Research Center of North Carolina, Wake Forest, NC have withdrawn from 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 IWRP intends to file additional written notifications disclosing all changes in membership.

On October 15, 2018, IWRP 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 23, 2018 (83 FR 53499).

The last notification was filed with the Department on February 1, 2021. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on February 12, 2021 (86 FR 9373).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2021-10920 Filed 5-21-21; 8:45 am]

BILLING CODE 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 4, 2021, 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, High Earth Orbit Robotics, New South Wales, AUSTRALIA and Obruta Space Solutions Corp, Ottawa, CANADA have been added as parties to this venture.

Blue Haptics, Inc. (dba Olis Robotics), Seattle, WA and Stellar Exploration, Inc., San Luis Obispo, CA have 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 1, 2021. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on February 12, 2021 (86 FR 9372).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2021-10915 Filed 5-21-21; 8:45 am]

BILLING CODE 4410-11-P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the Defense Production Act of 1950; Review of Plans of Action

AGENCY: Antitrust Division, U.S. Department of Justice.

ACTION: Notice of review.

SUMMARY: Notice is hereby given pursuant to section 708 of the Defense Production Act of 1950 (“DPA”) for the Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Medical Devices to Respond to COVID-19 (“Medical Devices Plan of Action”), the Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Medical Gases to Respond to COVID-19 (“Medical Gases Plan of Action”), the Plan of Action to Establish a National Strategy for the Manufacture, Allocation and Distribution of Diagnostic Test Kits and other Testing Components to Respond to COVID-19 (“Diagnostic Test Kits Plan of Action”), and the Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Drug Products, Drug Substances, and Associated Medical Devices to Respond to COVID-19 (“Drug Products Plan of Action”) proposed by the Federal Emergency Management Agency (“FEMA”), that the Acting Assistant Attorney General finds for each that the purposes of section 708(c)(1) of the DPA may not reasonably be achieved through a plan of action having less anticompetitive effects or without any plan of action. Given these findings, the Medical Devices Plan of Action, the Medical Gases Plan of Action, the Diagnostic Test Kits Plan of Action, and the Drug Products Plan of Action may become effective following the publication of this notice. Given these findings, the Medical Devices Plan of Action, the Medical Gases Plan of Action, the Diagnostic Test Kits Plan of Action, and the Drug Products Plan of Action may become effective following the publication of this notice.

SUPPLEMENTARY INFORMATION: Under the DPA, FEMA may enter into plans with representatives of private industry for the purpose of improving the efficiency with which private firms contribute to the national defense when conditions exist that may pose a direct threat to the national defense or its preparedness. Such arrangements are generally known as “voluntary agreements.” Participants in an existing voluntary agreement may adopt documented methods, known as

“plans of action,” to implement that voluntary agreement. A defense to actions brought under the antitrust laws is available to each participant acting within the scope of a voluntary agreement and plan of action that has come into force under the DPA.

The DPA requires that each proposed plan of action be reviewed by the Attorney General prior to becoming effective. If, after consulting with the Chair of the Federal Trade Commission, the Attorney General finds that the purposes of the DPA’s plans of action provision “may not reasonably be achieved through a . . . plan of action having less anticompetitive effects or without any . . . plan of action,” the plan of action may become effective. 50 U.S.C. 4558(f)(1)(B). All functions which the Attorney General is required or authorized to perform by section 708 of the DPA have been delegated to the Assistant Attorney General, Antitrust Division. 28 CFR. 0.40(l).

On August 17, 2020, the Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic (“Voluntary Agreement”) became effective. The proposed Medical Devices Plan of Action, the proposed Medical Gases Plan of Action, the proposed Diagnostic Test Kits Plan of Action, and the proposed Drug Products Plan of Action contain documented methods to implement the Voluntary Agreement as summarized below:

1. The Medical Devices Plan of Action creates a mechanism to immediately meet exigent Medical Device requests anywhere in the Nation and to ensure that actions to support Medical Device stockpiling and reserves do not interfere with immediate requirements that would result in an unacceptable risk to healthcare providers or other potential Medical Device recipients. This mechanism involves the establishment several Sub-Committees organized by medical device type, which are designed to foster a close working relationship among FEMA, the Department of Health and Human Services (“HHS”), and participants in the Sub-Committees to address national defense needs through cooperative action under the direction and active supervision of FEMA. The proposed Medical Devices Plan of Action includes terms, conditions, and procedures under which participants agree voluntarily to participate in the Sub-Committees.

2. The Medical Gases Plan of Action creates a mechanism to immediately meet exigent Medical Gas requests anywhere in the Nation and to ensure that actions to support Medical Gas stockpiling and reserves do not interfere

with immediate requirements that would result in an unacceptable risk to healthcare providers or other potential Medical Gas recipients. This mechanism involves the establishment several Sub-Committees organized by medical gas type, which are designed to foster a close working relationship among FEMA, HHS, and participants in the Sub-Committees to address national defense needs through cooperative action under the direction and active supervision of FEMA. The proposed Medical Gases Plan of Action includes terms, conditions, and procedures under which participants agree voluntarily to participate in the Sub-Committees.

3. The Diagnostic Test Kits Plan of Action creates a mechanism to immediately meet exigent requests for Diagnostic Test Kits and other Testing Components anywhere in the Nation and to ensure that actions to support stockpiling of Diagnostic Test Kits and other Testing Components do not interfere with immediate requirements. This mechanism involves the establishment several Sub-Committees organized by testing kit methodology, testing kit supplies, and testing kit components, which are designed to foster a close working relationship among FEMA, HHS, and participants in the Sub-Committees to address national defense needs through cooperative action under the direction and active supervision of FEMA. The proposed Diagnostic Test Kits Plan of Action includes terms, conditions, and procedures under which participants agree voluntarily to participate in the Sub-Committees.

4. The Drug Products Plan of Action creates a mechanism to immediately meet exigent requests for Drug Products, Drug Substances, and Associated Medical Devices anywhere in the Nation and to ensure that actions to support Drug Products, Drug Substances, and Associated Medical Devices stockpiling and reserves do not interfere with immediate requirements that would result in an unacceptable risk to healthcare providers or other potential recipients of Drug Products, Drug Substances, and Associated Medical Devices. This mechanism involves the establishment several Sub-Committees organized by drug products and drug substances, development of new treatments, as well as domestic industrial base expansion, which are designed to foster a close working relationship among FEMA, HHS, and participants in the Sub-Committees to address national defense needs through cooperative action under the direction and active supervision of FEMA. The proposed Drug Products Plan of Action

includes terms, conditions, and procedures under which participants agree voluntarily to participate in the Sub-Committees.

FEMA has certified that the proposed Medical Devices Plan of Action, the proposed Medical Gases Plan of Action, the proposed Diagnostic Test Kits Plan of Action, and the proposed Drug Products Plan of Action are each necessary to provide for the national defense in the event of a pandemic.

FEMA requested that the Acting Assistant Attorney General, Antitrust Division, issue a finding that the proposed Medical Devices Plan of Action, the proposed Medical Gases Plan of Action, the proposed Diagnostic Test Kits Plan of Action, and the proposed Drug Products Plan of Action each satisfies the statutory criteria set forth in 50 U.S.C. 4558(f)(1)(B). The Acting Assistant Attorney General, Antitrust Division, reviewed the proposed Medical Devices Plan of Action, the proposed Medical Gases Plan of Action, the proposed Diagnostic Test Kits Plan of Action, and the proposed Drug Products Plan of Action and consulted on them with the Acting Chairwoman of the Federal Trade Commission. On May 7, 2021, by letter to Deanne Criswell, FEMA Administrator, Richard Powers, Acting Assistant Attorney General, Antitrust Division, issued findings, pursuant to 50 U.S.C. 4558(f)(1)(B), that the purposes of the DPA’s plan of action provision “may not reasonably be achieved through a . . . plan of action having less anticompetitive effects or without any . . . plan of action” for the following plans of action:

1. Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Medical Devices to Respond to COVID–19;

2. Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Medical Gases to Respond to COVID–19;

3. Plan of Action to Establish a National Strategy for the Manufacture, Allocation and Distribution of Diagnostic Test Kits and other Testing Components to Respond to COVID–19; and

4. Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Drug Products, Drug Substances, and Associated Medical Devices to Respond to COVID–19.

David G.B. Lawrence,
*Chief, Competition Policy & Advocacy
Section.*

[FR Doc. 2021–10874 Filed 5–21–21; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF LABOR**Employment and Training
Administration****[Docket Number: ETA–2021–0001]****Request for Public Comments:
Exploration of a Multi-Program,
Integrated Case Management System****AGENCY:** Employment and Training
Administration (ETA), Department of
Labor.**ACTION:** Request for comments.

SUMMARY: The U.S. Department of Labor's Employment and Training Administration (ETA) is seeking public comment on customer-centric solutions to assist States in the design and deployment of affordable, flexible technology systems to improve workforce development and reemployment service delivery at the local level. In collaboration with our Workforce Innovation and Opportunity Act (WIOA) partner agencies, we will use this information to inform the Department's deliberations on the implementation of WIOA and technical assistance that we provide to States to help them align technology and data systems across one-stop partner programs with the customer experience at the forefront of the design.

DATES: Comments must be received by July 23, 2021.

ADDRESSES: You may submit comments via the internet. Please visit the Federal eRulemaking portal at <http://www.regulations.gov>. Use the "Search" function to find docket number ETA–2021–0001. The system will issue a tracking number to confirm your submission. You will not be able to view your comment immediately because we must post each comment manually. *Caution:* In your comments, you should be careful to include only the information that you wish to make publicly available. Please be aware that we will not redact any information in your submission, and you should not include personally-identifiable information such as your personal address or telephone number. If, however, you would like to separately share your email address with ETA for potential further discussion and a possible follow up interview on your perspectives, you can send it directly to IntegratedCaseMgmt@dol.gov.

FOR FURTHER INFORMATION CONTACT: Jeff Fitzgerald, Enterprise Program Advisor, Office of Workforce Investment, USDOL/Employment and Training Administration, IntegratedCaseMgmt@dol.gov, 202–693–9974, or visit <https://www.dol.gov>

www.dol.gov/dol/contact/contact_phonecallcenter.htm (TTY) for information about this notice.

SUPPLEMENTARY INFORMATION:**Background**

The Workforce Innovation and Opportunity Act (WIOA) emphasizes the need for states to develop strategies to align information technology (IT) and data systems across one-stop partner programs to enhance service delivery to customers and improve efficiencies in reporting on performance accountability measures. Such programmatic elements may include common intake and assessment, data collection, case management information, performance accountability measurement, and reporting processes, all to improve coordination of services across one-stop partner programs. Beyond these functions, the U.S. Department of Labor's Employment and Training Administration (ETA) also seeks to enhance the consistency of service responsiveness to customers' training and reemployment needs nationally, with a near term focus on programs that have served as a temporary safety net in the pandemic and now have the highest reemployment demands. With that tenet in mind, ETA plans to explore options to assist states in the design and deployment of affordable, flexible IT systems to improve service delivery at the local level. While ETA's highest priority is the strengthening of unemployment insurance (UI) technology systems nationally, there is a natural connection between unemployment and reemployment services. Therefore, we need to look ahead to the broad advancement of IT reemployment infrastructures, inclusive of supportive case management systems, particularly ones that support people who needed safety net programs in the pandemic, and during previous recessions. This is why ETA is seeking comment from stakeholders and the public on how best to support customer-centric and outcome driven, holistic case management systems for workforce development, income maintenance programs, and, where possible, other partner programs that also support employment and career advancement including but not limited to those that might be delivered in an American Job Center (AJC). This request for comments will complement insights being gathered through a human-centered Design (HCD) exploration process, focused on understanding the service delivery challenges to AJC customers and the technology needs of those that work with those customers most

closely—AJC partner program case workers.

Purpose

The envisioned design approach aims to put jobseeker customers at the forefront of our efforts to provide jobseekers with employment, training, education, income support, and wrap-around services. Nationally there has been progress in the alignment of programs that support employment, reemployment, and career advancement within the programmatic operations, human capital, and strategy development spheres. However, despite serious efforts from States and local communities, many of the IT systems associated with programs remain unaligned. Common challenges in the advancement and alignment of the relevant technology systems include incompatible legacy data systems, inherent political and technical risks with the development of new solutions, and challenges in financing viable options.

As a result, there can be inconsistency within and across states in how people seeking help with employment are being served. Depending on the state, the absence of comprehensive IT solutions across programs or the challenges with existing solutions at times results in poor reemployment outcomes within programs that have the highest demands for these services. When programs or staff aim to provide all the services and supports a customer needs to become employed, but IT systems are not aligned, the results can create cross-program inefficiencies, poor consideration of the totality of the customer's needs across partner programs, potential duplications, and ineffective use of data.

There is an opportunity to improve the quality of services nationally, and the supporting IT infrastructure, by learning what is and what is not working and using that information to enlighten what may be possible from a federal-state partnership. To best inform next steps, and any potential solicitations, incentives or supports for customer-centric and outcome-driven, holistic case management IT solutions across programs, this Request for Information is seeking feedback from the public and, in particular, local, state, and federal program practitioners and IT specialists across relevant programs. The public input in response to this notice will further an understanding of the barriers to developing IT solutions, illuminate IT development successes and lessons learned in this arena, and refine the systems' capabilities and functionality that would drive the

greatest value for reemployment outcomes for customers. This, in turn, may point to potential new system designs to improve IT partnerships.

Request for Public Comments

ETA is soliciting input from its stakeholders and the public on any or all of the following categories of information and questions. Response to this request for comments is voluntary. Respondents do not need to address every category or question and may elect to focus their comments on those categories and questions that relate to their expertise or perspective. To the extent possible, please clearly indicate the question(s) addressed in your response. We ask that each respondent include the name and street address of his or her institution or affiliation, if any, and the name, title, email address, and telephone number of a contact person for his or her institution or affiliation, if any.

Questions

As noted above, this Request seeks information concerning any or all of the following categories of information and questions, if applicable:

Operations Process Analysis

1. Information related to the largest operational obstacles that stakeholders encounter when helping jobseekers who might need the supports of more than one program.

a. In particular, what are the largest operational obstacles faced by these stakeholders and jobseekers?

b. What, if anything, has limited coordination and service delivery across programs?

c. In what ways do you believe that technology can best help to alleviate those obstacles?

Technology Implementations

2. Information on areas in which states, territories, or local areas have taken steps to align technology and data systems across programs. In particular, ETA is interested in:

a. How many or which partner programs the efforts have encompassed, among any DOL-funded programs, AJC partner programs, or other public benefit or career advancement programs;

b. Whether the efforts have included comprehensive case management systems integration;

c. Whether the efforts have included agile development solutions that create interoperability among existing systems and leverage modularity, application programming interfaces (APIs), open source technologies and micro services architecture.

d. Where efforts have included full integration with Unemployment Insurance systems;

e. Where human-centered design was integrated into the technology solution;

f. Where system-wide analytic capabilities have been realized;

g. Whether and in what form barriers have prevented success; and

h. Any lessons learned in the process.

3. If full integration of a case management solution across all employment, income maintenance, and career advancement-related programs could not be realized to start, what subset of programs would it make the most sense to align?

Functionality (System Level)

4. In contemplating IT solutions, what functionality and flexibilities would be important to include and why?

5. What functionality would be most important to include to allow for the IT solution to continue to expand and add value to program partners and customers?

Capabilities (User Level Requirements)

6. At an individual user level, what system capabilities would provide a superior customer-centric, outcome driven case management experience as compared to current experiences?

7. What capabilities would generate the most value for program partners and customers?

8. While keeping the burden on the beneficiary as low as possible, what data would an ideal system collect? Particularly data that would increase our understanding of the impacts of such a system and underlying benefits on under-resourced communities?

Other

9. Preliminary state feedback suggests that an integrated case management solution, as an option for states to leverage and focus across program partners as they see fit, would add the most value in terms of addressing existing technology gaps as well as promote better outcomes for customers. ETA seeks feedback on this initial analysis, including:

a. From your perspective, would an integrated case management solution add value to your program operations, and if so how?

b. What are the pros and cons of a model where a Federal agency or agencies support(s) building a system with a consortium of states, and makes it available to others via open source?

c. What are the pros and cons of a model where a Federal agency or agencies coordinate(s) a system framework and states or local areas can

operate modules within that larger framework?

d. Whether there are other IT gaps or solutions, which would potentially generate more value across programs, for which ETA should analyze solution options?

10. The total cost estimate that a state/territory currently spends to maintain its case management system annually.

a. Is that annual cost for a single module or for an integrated systems across multiple partner programs?

11. Any other general comments not covered above related to comprehensive IT solutions across partner programs.

Suzan G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2021-10867 Filed 5-21-21; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of a Change in Status of the Extended Benefit (EB) Program for Pennsylvania

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

This notice announces a change in benefit period eligibility under the EB program that has occurred since the publication of the last notice regarding the State's EB status:

- Based on the data submitted by Pennsylvania for the week reflecting April 24, 2021, the state no longer meets the criteria necessary to remain triggered "on" the EB program. The states' 13-week insured unemployment rate (IUR) remains above 5.0 percent, however the 13-week IUR is less than 120 percent of the average 13-week rate of the prior two years during the corresponding 13-week period. Therefore the payable period in EB for Pennsylvania will end on May 15, 2021.

The trigger notice covering state eligibility for the EB program can be found at: http://ows.doleta.gov/unemploy/claims_arch.as.

Information for Claimants

The duration of benefits payable in the EB program, and the terms and conditions on which they are payable, are governed by the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and the operating instructions issued to the states by the U.S. Department of Labor. In the case of a state beginning an EB

period, the State Workforce Agency will furnish a written notice of potential entitlement to each individual who has exhausted all rights to regular benefits and is potentially eligible for EB (20 CFR 615.13 (c)(1)).

Persons who believe they may be entitled to EB, or who wish to inquire about their rights under the program, should contact their State Workforce Agency.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance Room S-4524, Attn: Thomas Stengle, 200 Constitution Avenue NW, Washington, DC 20210, telephone number (202) 693-2991 (this is not a toll-free number) or by email: *Stengle.Thomas@dol.gov*.

Signed in Washington, DC.

Suzan G. LeVine,

Principal Deputy Assistant Secretary for Employment and Training.

[FR Doc. 2021-10873 Filed 5-21-21; 8:45 am]

BILLING CODE 4510-FW-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice includes the summaries of three petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

DATES: All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before June 23, 2021.

ADDRESSES: You may submit your comments including the docket number of the petition by any of the following methods:

1. *Electronic Mail:* *zzMSHA-comments@dol.gov*. Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202-693-9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452, Attention: S. Aromie Noe, Acting Deputy Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401.

Individuals may inspect copies of the petition and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), *noe.song-ae.a@dol.gov* (email), or 202-693-9441 (facsimile). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petitions for Modification

Docket Number: M-2021-007-C.

Petitioner: Mountain Coal Company, L.L.C., 5174 Highway 133, Somerset, Colorado (ZIP 81434).

Mine: West Elk Mine, MSHA ID No. 05-03672, located in Gunnison County, Colorado.

Regulation Affected: 30 CFR 75.507-1(a) (Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements).

Modification Request: The petitioner requests a modification of the existing standard, 30 CFR 75.507-1(a), as it relates to the use of an alternative method of respirable dust protection for longwall miners at the West Elk Mine in Colorado. Specifically, the petitioner is applying to use the battery-powered 3M Versaflo TR-800 Respirator in return air outby the last open crosscut.

The petitioner states that:

(a) The current 3M Airstream Powered Air Purifying Respirator (PAPR), mining Headgear-Mounted model, is approved by MSHA but has been discontinued by the manufacturer, 3M. The 3M Airstream model allows for constantly filtered air to flow, reducing exposure to respirable dust.

(b) There are no other MSHA-approved PAPRs.

(c) The 3M Versaflo TR-800 PAPR is intrinsically safe and certified under ANSI/UL 60079-11 standard for hazardous locations.

(d) The 3M Versaflo TR-800 PAPR allows for increased movement in tight spaces, while protecting against dust contamination. It is easy to use. It, has interchangeable components for specific applications, audible and visual alarms for restricted flow, a multi speed blower, and long run battery times. It charges quickly.

The petitioner proposes the following alternative method:

(a) The petitioner will use the 3M Versaflo TR-800 PAPR in or inby the last open crosscut to protect miners from exposure to respirable dust during regular longwall mining operations.

(b) When not in operation, batteries for the PAPR will be charged on the surface or underground in intake air and not within 150 feet of a worked out area.

(c) Batteries will be inspected and changed at the surface or underground in intake air.

(d) Battery charging products used will be the 3M TR-641N or the 3M 4-station battery charger TR-644N.

(e) The 3M Versaflo TR-800 will exclusively use the 3M TR-830 battery pack.

(f) Before beginning use, miners will be trained on how to safely use, care for, and inspect 3M Versaflo TR-800 PAPR units per the manufacturer's instructions.

(g) The 3M Versaflo TR-800 will be assessed for physical damage and integrity of the unit's case before each use.

(h) The product will not be used if a methane level is found to be at or above 1.0 percent. If methane levels are higher than 1.0 percent, the equipment will immediately be de-energized and withdrawn from affected areas.

(i) The product will not be used in continuous miner sections alongside proximity detection systems.

The petitioner asserts that the alternate method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Docket Number: M-2021-008-C.

Petitioner: Mountain Coal Company, L.L.C., 5174 Highway 133, Somerset, Colorado (ZIP 81434).

Mine: West Elk Mine, MSHA ID No. 05–03672, located in Gunnison County, Colorado.

Regulation Affected: 30 CFR 75.500(d) (Permissible electric equipment).

Modification Request: The petitioner requests a modification of the existing standard, 30 CFR 75.500(d), as it relates to the use of an alternative method of respirable dust protection at the West Elk Mine in Colorado. Specifically, the petitioner is applying to utilize the battery-powered 3M Versaflo TR–800 Respirator for longwall miners in or inby the last open crosscut at the West Elk Mine in Colorado.

The petitioner states that:

(a) The current 3M Airstream Powered Air Purifying Respirator (PAPR), mining Headgear-Mounted model, is approved by MSHA but has been discontinued by the manufacturer, 3M. The 3M Airstream model allows for constantly filtered air to flow, reducing exposure to respirable dust.

(b) There are no other MSHA-approved PAPRs.

(c) The 3M Versaflo TR–800 PAPR is intrinsically safe and certified under ANSI/UL 60079–11 standard for hazardous locations.

(d) The 3M Versaflo TR–800 PAPR allows for increased movement in tight spaces, while protecting against dust contamination. It is easy to use. It has interchangeable components for specific applications, audible and visual alarms for restricted flow, a multi speed blower, and long run battery times. It charges quickly.

The petitioner proposes the following alternative method:

(a) The petitioner will use the 3M Versaflo TR–800 PAPR in or inby the last open crosscut to protect miners from exposure to respirable dust during regular longwall mining operations.

(b) When not in operation, batteries for the PAPR will be charged on the surface or underground in intake air and not within 150 feet of a worked out area.

(c) Batteries will be inspected and changed at the surface or underground in intake air.

(d) Battery charging products used will be the 3M TR–641N or the 3M 4-station battery charger TR–644N.

(e) The 3M Versaflo TR–800 will exclusively use the 3M TR–830 battery pack.

(f) Before beginning use, miners will be trained on how to safely use, care for, and inspect 3M Versaflo TR–800 PAPR units per the manufacturer's instructions.

(g) The 3M Versaflo TR–will be assessed for physical damage and

integrity of the unit's case before each use.

(h) The product will not be used if a methane level is found to be at or above 1.0 percent. If methane levels are higher than 1.0 percent, the equipment will immediately be de-energized and withdrawn from affected areas.

(i) The product will not be used in continuous miner sections alongside proximity detection systems.

The petitioner asserts that the alternate method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Docket Number: M–2021–009–C.

Petitioner: Mountain Coal Company, L.L.C., 5174 Highway 133, Somerset, Colorado (ZIP 81434).

Mine: West Elk Mine, MSHA ID No. 05–03672, located in Gunnison County, Colorado.

Regulation Affected: Regulation Affected: 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).

Modification Request: The petitioner requests a modification of the existing standard, 30 CFR 75.1002(a), as it relates to the use of an alternative method of respirable dust protection for longwall miners at the West Elk mine in Colorado. Specifically, the petitioner is applying to utilize the battery-powered 3M Versaflo TR–800 Respirator within 150 feet of pillar workings or longwall faces.

The petitioner states that:

(a) The current 3M Airstream Powered Air Purifying Respirator (PAPR), mining Headgear-Mounted model, is approved by MSHA but has been discontinued by the manufacturer, 3M. The 3M Airstream model allows for constantly filtered air to flow, reducing exposure to respirable dust.

(b) There are no other MSHA-approved PAPRs.

(c) The 3M Versaflo TR–800 PAPR is intrinsically safe and certified under ANSI/UL 60079–11 standard for hazardous locations.

(d) The 3M Versaflo TR–800 PAPR allows for increased movement in tight spaces, while protecting against dust contamination. It is easy to use. It has interchangeable components for specific applications, audible and visual alarms for restricted flow, a multi speed blower, and long run battery times. It charges quickly.

The petitioner proposes the following alternative method:

(a) The petitioner will use the 3M Versaflo TR–800 PAPR in or inby the last open crosscut to protect miners from exposure to respirable dust during regular longwall mining operations.

(b) When not in operation, batteries for the PAPR will be charged on the surface or underground in intake air and not within 150 feet of a worked out area.

(c) Batteries will be inspected and changed at the surface or underground in intake air.

(d) Battery charging products used will be the 3M TR–641N or the 3M 4-station battery charger TR–644N.

(e) The 3M Versaflo TR–800 will exclusively use the 3M TR–830 battery pack.

(f) Before beginning use, miners will be trained on how to safely use, care for, and inspect 3M Versaflo TR–800 PAPR units per the manufacturer's instructions.

(g) The 3M Versaflo TR–will be assessed for physical damage and integrity of the unit's case before each use.

(h) The product will not be used if a methane level is found to be at or above 1.0 percent. If methane levels are higher than 1.0 percent, the equipment will immediately be de-energized and withdrawn from affected areas.

(i) The product will not be used in continuous miner sections alongside proximity detection systems.

The petitioner asserts that the alternate method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Acting Deputy Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2021–10875 Filed 5–21–21; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2009–0025]

UL LLC: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the final decision to expand the scope of recognition for UL LLC as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add eight test standards to the NRTL Program's list of appropriate test standards.

DATES: The expansion of the scope of recognition becomes effective on May 24, 2021.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693-2110 or email: robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of UL LLC (UL) as a NRTL. UL's expansion covers the addition of fourteen test standards to the NRTL scope of recognition, eight of which OSHA will add to the NRTL Program's List of Appropriate Test Standards.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the

NRTL to meet OSHA standards that require testing and certification of the products.

The agency processes applications by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including UL, which details the NRTL's scope of recognition. These pages are available from the OSHA website at <http://www.osha.gov/dts/otpc/nrtl/index.html>.

UL submitted three applications to OSHA to expand their recognition as a NRTL. The first application was received on May 31, 2019 (OSHA-2009-0025-0032), the second application was received on July 2, 2019 (OSHA-2009-0025-0033), and the third application was received on April 15, 2020 (OSHA-2009-0025-0034). The expansion applications would add fourteen additional test standards to UL's NRTL recognition. OSHA staff performed a detailed analysis of the application packets and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to these applications.

OSHA published the preliminary notice announcing UL's expansion

applications in the **Federal Register** on February 23, 2021 (86 FR 10998). The agency requested comments by March 10, 2021, but it received no comments in response to this notice. OSHA is now proceeding with this final notice to grant expansion of UL's scope of recognition and modification to the NRTL Program's List of Appropriate Test Standards.

To obtain or review copies of all public documents pertaining to UL's application, go to <http://www.regulations.gov> or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. Docket No. OSHA-2009-0025 contains all materials in the record concerning UL's recognition. *Please note:* Due to the COVID-19 pandemic, the Docket Office is closed to the public at this time but can be contacted at (202) 693-2350.

II. Final Decision and Order

OSHA staff examined UL's expansion applications, its capability to meet the requirements of the test standards, and other pertinent information. Based on its review of this evidence, OSHA finds that UL meets the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitations and conditions listed in this notice. OSHA, therefore, is proceeding with this final notice to grant UL's scope of recognition. OSHA limits the expansion of UL's recognition to testing and certification of products for demonstration of conformance to the test standards listed below in Table 1.

TABLE 1—LIST OF APPROPRIATE TEST STANDARDS FOR INCLUSION IN UL'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 6141	Standard for Wind Turbines Permitting Entry of Personnel.
UL 2524	In-Building 2-Way Emergency Radio Communication Enhancement Systems.
UL 61010-2-020	Electrical Equipment for Measurement, Control and Laboratory Use—Part 2-020: Particular Requirements for Laboratory Centrifuges.
UL 61010-2-81 ...	Standard for Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use—Part 2-81: Particular Requirements for Automatic and Semi-Automatic Laboratory Equipment for Analysis and Other Purposes.
UL 61010-2-101	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use—Part 2-101: Particular Requirements for In Vitro Diagnostic (IVD) Medical Equipment.
UL 9540	Standard for Energy Storage Systems and Equipment.
* UL 498C	Flatiron and Appliance Plugs.
* UL 489B	Molded-Case Circuit Breakers, Molded-Case Switches, and Circuit-Breaker Enclosures For Use With Photovoltaic (PV) Systems.
* UL 60320-1	Appliance Couplers for Household and Similar General Purposes—Part 1: General Requirements.
* UL 4248-19	Fuseholders—Part 19: Photovoltaic Fuseholders.
* UL 2231-1	Personnel Protection Systems for Electric Vehicle (EV) Supply Circuits: General Requirements.
* UL 2231-2	Personnel Protection Systems for Electric Vehicle (EV) Supply Circuits: Particular Requirements for Protection Devices for Use in Charging Systems.
* UL 879A	LED Sign and Sign Retrofit Kits.
* UL 60335-2-89	Household and Similar Electrical Appliances—Safety—Part 2-89: Particular Requirements for Commercial Refrigerating Appliances with an Incorporated or Remote Refrigerant Unit or Compressor.

* Represents the standards that OSHA is adding to the NRTL Program's List of Appropriate Test Standards.

In this notice, OSHA also announces the final decision to add eight new test standards to the NRTL Program's List of Appropriate Test Standards. Table 2

below lists the standards that are new to the NRTL Program. OSHA has determined that these test standards are appropriate test standards and will add

them to the NRTL Program's List of Appropriate Test Standards.

TABLE 2—STANDARDS OSHA IS ADDING TO THE NRTL PROGRAM'S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 498C	Flatiron and Appliance Plugs.
UL 489B	Molded-Case Circuit Breakers, Molded-Case Switches, and Circuit-Breaker Enclosures For Use With Photovoltaic (PV) Systems.
UL 60320-1	Appliance Couplers for Household and Similar General Purposes—Part 1: General Requirements.
UL 4248-19	Fuseholders—Part 19: Photovoltaic Fuseholders.
UL 2231-1	Personnel Protection Systems for Electric Vehicle (EV) Supply Circuits: General Requirements.
UL 2231-2	Personnel Protection Systems for Electric Vehicle (EV) Supply Circuits: Particular Requirements for Protection Devices for Use in Charging Systems.
UL 879A	LED Sign and Sign Retrofit Kits.
UL 60335-2-89 ...	Household and Similar Electrical Appliances—Safety—Part 2-89: Particular Requirements for Commercial Refrigerating Appliances with an Incorporated or Remote Refrigerant Unit or Compressor.

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standard listed above as an American National Standard. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA Instruction CPL 1-0.3, Appendix C, paragraph XIV), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

A. Conditions

In addition to those conditions already required by 29 CFR 1910.7, UL must abide by the following conditions of the recognition:

1. UL must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as a NRTL, and provide details of the change(s);

2. UL must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and

3. UL must continue to meet the requirements for recognition, including all previously published conditions on

UL's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of UL, subject to the limitations and conditions specified above. OSHA also adds eight standards to the NRTL Program's List of Appropriate Test Standards.

III. Authority and Signature

James S. Frederick, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8-2020 (85 FR 58393, September 18, 2020) and 29 CFR 1910.7.

Signed at Washington, DC, on May 13, 2021.

James S. Frederick,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2021-10872 Filed 5-21-21; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2006-0040]

SGS North America, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the final decision to expand the scope of recognition for SGS North

America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the addition of five test standards to the NRTL Program's List of Appropriate Test Standards.

DATES: The expansion of the scope of recognition becomes effective on May 24, 2021.

FOR FURTHER INFORMATION CONTACT:

Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor; telephone: (202) 693-2110; email: robinson.kevin@dol.gov. OSHA's web page includes information about the NRTL Program (see <http://www.osha.gov/dts/otpc/nrtl/index.html>).

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of SGS of North America, Inc. (SGS), as a NRTL. SGS's expansion covers the addition of five test standards to the scope of recognition. Additionally, OSHA announces the addition of five test standards to the NRTL Program's List of Appropriate Test Standards.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization

can perform independent safety testing and certification of the specific products covered within the scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding and, in the second notice, the agency provides the final decision on the application. These notices set forth the NRTL’s scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL that details the scope of

recognition. These pages are available from the agency’s website at <http://www.osha.gov/dts/otpcanrtl/index.html>.

SGS submitted an application to OSHA to expand recognition as a NRTL to include five additional test standards on May 16, 2019 (OSHA–2006–0040–0058). OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

OSHA published the preliminary notice announcing SGS’s expansion application and proposed addition to the NRTL Program’s List of Appropriate Test Standards in the **Federal Register** on April 7, 2021 (86 FR 18073). The agency requested comments by April 22, 2021, but it received no comments in response to this notice. OSHA now is proceeding with this final notice to grant expansion of SGS’s scope of recognition.

To obtain or review copies of all public documents pertaining to SGS’s

application, go to <http://www.regulations.gov>. Docket No. OSHA–2006–0040 contains all materials in the record concerning SGS’s recognition. Please note: Due to the COVID–19 pandemic, the Docket Office is closed to the public at this time but can be contacted at (202) 693–2350.

II. Final Decision and Order

OSHA staff examined SGS’s expansion application, the capability to meet the requirements of the test standards, and other pertinent information. Based on a review of this evidence, OSHA finds that SGS meets the requirements of 29 CFR 1910.7 for expansion of the recognition, subject to the specified limitation and conditions listed. OSHA, therefore, is proceeding with this final notice to grant expansion of SGS’s scope of recognition. OSHA limits the expansion of SGS’s scope of recognition to testing and certification of products for demonstration of conformance to the test standard listed in Table 1.

TABLE 1—LIST OF APPROPRIATE TEST STANDARDS FOR INCLUSION IN SGS’S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 62841–2–1 *	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–1: Particular Requirements for Hand-Held Drills and Impact Drills.
UL 62841–2–10 *	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–10: Particular Requirements for Hand-Held Mixers.
UL 62841–2–21 *	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–21: Particular Requirements for Hand-Held Drain Cleaners.
UL 62841–3–13 *	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 3–13: Particular Requirements for Transportable Drills.
UL 60745–2–23 *	Hand-Held Motor-Operated Electric Tools—Safety—Part 2–23: Particular Requirements for Die Grinders and Small Rotary Tools.

*Represents standard OSHA is adding to the List of Appropriate Test Standards.

In this notice, OSHA also announces the addition of five new test standards to the NRTL Program’s List of Appropriate Test Standards. Table 2,

below, lists the test standards that are new to the NRTL Program. OSHA has determined that these test standards are appropriate test standards and will

include them in the NRTL Program’s List of Appropriate Test Standards.

TABLE 2—TEST STANDARDS OSHA IS ADDING TO THE NRTL PROGRAM’S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 62841–2–1	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–1: Particular Requirements for Hand-Held Drills and Impact Drills.
UL 62841–2–10	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–10: Particular Requirements for Hand-Held Mixers.
UL 62841–2–21	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 2–21: Particular Requirements for Hand-Held Drain Cleaners.
UL 62841–3–13	Electric Motor-Operated Hand-Held Tools, Transportable Tools And Lawn And Garden Machinery—Part 3–13: Particular Requirements for Transportable Drills.
UL 60745–2–23	Hand-Held Motor-Operated Electric Tools—Safety—Part 2–23: Particular Requirements for Die Grinders and Small Rotary Tools.

OSHA’s recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and

certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such

testing and certification, a NRTL’s scope of recognition does not include these products.

A. Conditions

In addition to those conditions already required by 29 CFR 1910.7, SGS must abide by the following conditions of the recognition:

1. SGS must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in the operations as a NRTL, and provide details of the change(s);

2. SGS must meet all the terms of the recognition and comply with all OSHA policies pertaining to this recognition; and

3. SGS must continue to meet the requirements for recognition, including all previously published conditions on SGS's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of SGS, subject to the limitations and conditions specified above. OSHA also adds five new test standards to the NRTL Program's List of Appropriate Test Standards.

III. Authority and Signature

James S. Frederick, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to Section 29 U.S.C. 655(6)(d), Secretary of Labor's Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on May 17, 2021.

James S. Frederick,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2021–10868 Filed 5–21–21; 8:45 am]

BILLING CODE 4510–26–P

EXECUTIVE OFFICE OF THE PRESIDENT**Office of National Drug Control Policy****Designation of Six Areas as High Intensity Drug Trafficking Areas**

AGENCY: Office of National Drug Control Policy (ONDCP).

ACTION: Notice of six HIDTA designations.

SUMMARY: The Director of the Office of National Drug Control Policy designated six additional areas as High Intensity Drug Trafficking Areas (HIDTA).. The new areas are (1) Daviess County in Kentucky as part of the Appalachia HIDTA; (2) El Dorado and Placer Counties in California as part of the Central Valley California HIDTA; (3)

Madison and St. Clair Counties in Illinois as part of the Midwest HIDTA; and (4) Erie County in Pennsylvania as part of the Ohio HIDTA.

FOR FURTHER INFORMATION CONTACT:

Questions regarding this notice should be directed to Shannon L. Kelly, National HIDTA Director, Office of National Drug Control Policy, Executive Office of the President, Washington, DC 20503; (202) 395–5872.

Dated: May 18, 2021.

Robert Kent,

General Counsel.

[FR Doc. 2021–10852 Filed 5–21–21; 8:45 am]

BILLING CODE 3280–F5–P

NATIONAL SCIENCE FOUNDATION**Advisory Committee for Environmental Research and Education; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Advisory Committee for Environmental Research and Education (9487).

Date and Time: June 21, 2021; 1:00 p.m.–5:30 p.m. EDT.

Place: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Videoconference. Interested parties can register to join via teleconference at: https://nsf.zoomgov.com/meeting/register/vJIsf-CgqTMrGpd8QfHdZTUpaSQI_zt6Q8o, Closed Caption will be available at: <https://www.captionedtext.com/client/event.aspx?EventID=4796118&CustomerID=321>.

Type of Meeting: Open.

Contact Person: Dr. Anjuli Bamzai, Staff Associate, Office of Integrative Activities/Office of the Director/ National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; (Email: abamzai@nsf.gov, Telephone: (703) 292–8688).

Minutes: May be obtained from the AC's website at: <https://www.nsf.gov/ere/ereweb/minutes.jsp>.

Purpose of Meeting: To provide advice, recommendations, and oversight concerning support for environmental research and education.

Agenda: To discuss subcommittee work and prepare for future advisory committee activities. Updated agenda will be available at <https://www.nsf.gov/ere/ereweb/minutes.jsp>.

Dated: May 19, 2021.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2021–10897 Filed 5–21–21; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION**STEM Education Advisory Panel; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: STEM Education Advisory Panel (#2624).

Date and Time: June 18, 2021; 11:00 a.m.–5:30 p.m.

Place: Virtual meeting sponsored by the National Science Foundation, Directorate for Education and Human Resources, 2415 Eisenhower Avenue, Alexandria, VA 22314.

All participants must register at least 48 hours before the meeting. To attend this virtual meeting in listen-in only mode, send your request to stemedadvisory@nsf.gov. The final meeting agenda will be posted to: <https://nsf.gov/ehr/STEMEdAdvisory.jsp>.

Type of Meeting: Open.

Contact Person: Keaven Stevenson, Directorate Administrative Coordinator, Room C11001, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Contact Information: 703–292–8600/kstevens@nsf.gov.

Summary of Minutes: Agenda and Minutes will be available on the STEM Education Advisory Panel website at <https://nsf.gov/ehr/STEMEdAdvisory.jsp> or can be obtained from Charisse Carnie-Nunes, National Science Foundation, 2415 Eisenhower Avenue, Room C11000, Alexandria, VA 22314; (703) 292–8600; stemedadvisory@nsf.gov.

Purpose of Meeting: To provide advice to the Committee on Science, Technology, Engineering, and Mathematics Education (CoSTEM) and to assess CoSTEM's progress.

Agenda

- Welcoming Remarks
- NSTC and CoSTEM
- STEM Education Advisory Panel Report Recap
- Update—FC—STEM, Tiger Teams Communities of Practice
- Update—Interagency Working Groups
- Panel Discussion
- Closing Remarks

Dated: May 19, 2021.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2021-10903 Filed 5-21-21; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2021-0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of May 24, 31, June 7, 14, 21, 28, 2021.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public.

MATTERS TO BE CONSIDERED:

Week of May 24, 2021

Tuesday, May 25, 2021

9:00 a.m. Strategic Programmatic Overview of the Fuel Facilities and the Spent Fuel Storage and Transportation Business Lines (Public Meeting). (Contact: Damaris Marciano: 301-415-7328)

Additional Information: Due to COVID-19, there will be no physical public attendance. The public is invited to attend the Commission's meeting live by webcast at the Web address—<https://video.nrc.gov/>.

Week of May 31, 2021—Tentative

There are no meetings scheduled for the week of May 31, 2021.

Week of June 7, 2021—Tentative

Tuesday, June 8, 2021

10:00 a.m. Briefing on Human Capital and Equal Employment Opportunity (Public Meeting). (Contact: Anne DeFrancisco: 610-337-5078)

Additional Information: Due to COVID-19, there will be no physical public attendance. The public is invited to attend the Commission's meeting live by webcast at the Web address—<https://video.nrc.gov/>.

Thursday, June 10, 2021

10:00 a.m. Briefing on Results of the Agency Action Review Meeting (Public Meeting). (Contact: Nicole Fields: 630-829-9570)

Additional Information: Due to COVID-19, there will be no physical public attendance. The public is invited to attend the Commission's meeting live by webcast at the Web address—<https://video.nrc.gov/>.

Week of June 14, 2021—Tentative

There are no meetings scheduled for the week of June 14, 2021.

Week of June 21, 2021—Tentative

Tuesday, June 22, 2021

9:00 a.m. Briefing on Transformation at the NRC—Midyear Review (Public Meeting). (Contact: Maria Arribas-Colon: 301-415-6026)

Additional Information: Due to COVID-19, there will be no physical public attendance. The public is invited to attend the Commission's meeting live by webcast at the Web address—<https://video.nrc.gov/>.

Week of June 28, 2021—Tentative

There are no meetings scheduled for the week of June 28, 2021.

CONTACT PERSON FOR MORE INFORMATION:

For more information or to verify the status of meetings, contact Wesley Held at 301-287-3591 or via email at Wesley.Held@nrc.gov. The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301-287-0745, by videophone at 240-428-3217, or by email at Anne.Silk@nrc.gov. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301-415-1969, or by email at Wendy.Moore@nrc.gov or Tyesha.Bush@nrc.gov.

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: May 19, 2021.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2021-10939 Filed 5-20-21; 11:15 am]

BILLING CODE 7590-01-P

POSTAL REGULATORY COMMISSION

[Docket No. MC2021-91; Order No. 5894]

Mail Classification Schedule

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is acknowledging a recent Postal Service filing concerning classification changes to the Mail Classification Schedule related to International Mail. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* May 25, 2021.

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
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I. Introduction

On May 13, 2021, the Postal Service filed a request with the Commission pursuant to 39 CFR 3040.180 to make changes to the classification of Outbound Single-Piece First-Class Package International Service (FCPIS).¹ In support of its Request, the Postal Service filed the following documents:

- Attachment 1 to the Request—Decision of the Governors of the United States Postal Service on Mail Classification Schedule Changes Related to the Outbound Commercial Provider Initiative, May 6, 2021 (Governors' Decision No. 21-4) and Draft Mail Classification Schedule (MCS) language; and

- Attachment 1 to the Errata—Certification of Governors' Vote on Governors' Decision No. 21-4.

The Postal Service describes the proposed classification changes as

¹ Request of the United States Postal Service for Classification Changes Concerning Outbound Single-Piece First-Class Package International Service, May 13, 2021 (Request). The Postal Service filed errata to the Request on May 14, 2021. Notice of Errata to Request of the United States Postal Service for Classification Changes Concerning Outbound Single-Piece First-Class Package International Service, May 14, 2021 (Errata).

necessary to facilitate the implementation of the Outbound Commercial Provider Initiative (OCPI) which would offer delivery of outbound international service in foreign countries through use of a commercial delivery supplier in lieu of the destination country postal operator. Request at 2–3. The Postal Service states that OCPI will be offered with Priority Mail Express International (PMEI), Priority Mail International (PMI), and FCPIS. *Id.* at 2. The Postal Service asserts that the existing classification language for PMEI and PMI is sufficiently broad to enable implementation of OCPI, and thus its Request only seeks changes to the classification language for FCPIS. *Id.* at 2–3. The Postal Service notes that the requested MCS revisions do not require implementation of OCPI. *Id.* at 3. Specifically, the requested MCS revisions are:

- Removal from MCS section 2335.1a of the provision that FCPIS be subject to the provisions of the Universal Postal Convention;
- Deletion from MCS section 2335.1a of the phrase “that are not entered as Priority Mail International”; and
- Revision to MCS section 2335.1c to state “Outbound Single-Piece First-Class Package International Service pieces that are undeliverable-as-addressed may be forwarded if applicable or returned to the sender.”

Id.

In support of the Request, the Postal Service notes that OCPI is intended primarily to take advantage of advantageous rates negotiated with commercial suppliers, and thus these classification changes should not result in any violation of the standards of 39 U.S.C. 3633 and 39 CFR part 3035. Request at 4–5. The Postal Service notes, however, that in some cases the use of OCPI suppliers may be desirable to ensure stable and consistent service abroad, rather than exclusively as a cost-saving measure. *See id.* The Postal Service states that because OCPI is in its preliminary stages and it has yet to be determined whether OCPI will be offered in conjunction with FCPIS, it is not possible at this time to generate detailed financial workpapers showing the impact of OCPI on the cost coverage of FCPIS. *Id.* at 5.

The Postal Service describes the impact of the proposed changes on the users of FCPIS as positive by permitting the Postal Service to use OCPI providers to remain competitive in cross-border shipping, enabling continuity of service where issues arise with foreign postal operators, and providing the possibility

of offering additional services or improved service performance. *Id.* at 6. The Postal Service also notes how the use of OCPI providers may result in differences in the handling of FCPIS pieces that are undeliverable as addressed. *Id.* at 7. The Postal Service describes competitors as affected by the Postal Service’s implementation of OCPI, but notes that by relying on commercial customs practices in the destination country, shipments delivered by an OCPI provider would be subject to same practices as shipments originating with competing private sector entities. *Id.* at 6.

II. Commission Action

The Commission establishes Docket No. MC2021–91 to consider the Postal Service’s proposals described in its Request. Interested persons may submit comments on whether the Request is consistent with the policies of 39 CFR 3040.180. Comments are due by May 25, 2021.

The Request and related filings are available on the Commission’s website (<http://www.prc.gov>). The Commission encourages interested persons to review the Request for further details.

The Commission appoints Gregory Stanton to serve as Public Representative in this proceeding.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. MC2021–91 for consideration of the matters raised by the Request of the United States Postal Service for Classification Changes Concerning Outbound Single-Piece First-Class Package International Service, filed May 13, 2021.

2. Pursuant to 39 U.S.C. 505, Gregory Stanton is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

3. Comments by interested persons are due by May 25, 2021.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Erica A. Barker,
Secretary.

[FR Doc. 2021–10857 Filed 5–21–21; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–91921; File No. SR–CboeBZX–2021–023]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Approving a Proposed Rule Change To Extend the Cutoff Time for Accepting on Close Orders Entered for Participation in the Exchange’s Closing Auction and To Clarify Changes to the Definitions of Late-Limit-On-Close and Late-Limit-On-Open Orders

May 18, 2021.

I. Introduction

On March 26, 2021, Cboe BZX Exchange, Inc. (“Cboe BZX” or “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 modify Exchange Rule 11.23 to amend the cutoff time for accepting on close orders entered for participation in the Exchange’s Closing Auction and to make clarifying changes to the definitions of Late-Limit-On-Close and Late-Limit-On-Open orders. The proposed rule change was published for comment in the **Federal Register** on April 9, 2021.³ The Commission received no comments on the proposed rule change. This order approves the proposed rule change.

II. Description of the Proposal

Exchange Rule 11.23(c) currently provides that Users may submit Limit-on-Close (“LOC”)⁴ and Market-on-Close (“MOC”)⁵ orders to the Exchange until 3:55 p.m. ET (“Closing Auction Cutoff”), at which point any additional LOC and MOC orders will be rejected.⁶ Users may submit Late-Limit-on-Close (“LLOC”)⁷ orders between 3:55 p.m.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ *See* Securities Exchange Act Release No. 91479 (April 5, 2021), 86 FR 18580 (“Notice”).

⁴ Exchange Rule 11.23(a)(13) defines Limit-on-Close as “. . . a BZX limit order that is designated for execution only in the Closing Auction.”

⁵ Exchange Rule 11.23(a)(15) defines Market-on-Close as “. . . a BZX market order that is designated for execution only in the Closing Auction or Cboe Market Close.”

⁶ *See* Exchange Rule 11.23(c)(1)(A).

⁷ Exchange Rule 11.23(a)(11) defines “Late-Limit-On-Close” as “. . . a BZX limit order that is designated for execution only in the Closing Auction. To the extent a LLOC bid or offer received by the Exchange has a limit price that is more aggressive than the NBB or NBO, the price of such bid or offer is adjusted to be equal to the NBB or NBO, respectively, at the time of receipt by the

Continued

and 4:00 p.m. and any LLOC orders submitted before 3:55 p.m. or after 4:00 p.m. will be rejected.⁸ Exchange Rule 11.23(c) also provides that Eligible Auction Orders⁹ designated for the Exchange's Closing Auction¹⁰ may not be cancelled between 3:55 p.m. and 4:00 p.m.¹¹

As described in more detail in the Notice,¹² the Exchange now proposes to amend Exchange Rule 11.23(c) to extend the cutoff time for accepting on close orders to permit the submission of LOC and MOC orders until 3:59 p.m. ET, to allow the submission of LLOC orders between 3:59 p.m. and 4:00 p.m. ET, and to prevent the cancellation of Eligible Auction Orders designated for the Closing Auction between 3:59 p.m. and 4:00 p.m. ET. As proposed, Exchange Rule 11.23(c)(1)(A) would provide that Users may submit LOC and MOC orders until 3:59 p.m., at which point any additional LOC and MOC orders submitted would be rejected. Proposed Exchange Rule 11.23(c)(1)(A) would also provide that users may submit LLOC orders between 3:59 p.m. and 4:00 p.m., and any LLOC orders submitted before 3:59 p.m. or after 4:00 p.m. would be rejected. As proposed, Exchange Rule 11.23(c)(1)(B) would provide that Eligible Auction Orders designated for the Closing Auction may not be cancelled between 3:59 p.m. and 4:00 p.m.

The Exchange also proposes to amend the definitions of LLOC and Late-Limit-on-Open ("LLOO")¹³ in Exchange Rule

11.23(a). Currently, Exchange Rules 11.23(a)(11) and (a)(12) provide that, to the extent a LLOC or LLOO bid or offer received by the Exchange has a limit price that is more aggressive than the National Best Bid ("NBB") or National Best Offer ("NBO"), the price of such bid or offer is adjusted to be equal to the NBB or NBO, respectively, at the time of receipt by the Exchange. Where the NBB or NBO becomes more aggressive, the limit price of the LLOC or LLOO bid or offer will be adjusted to the more aggressive price, only to the extent that the more aggressive price is not more aggressive than the original User entered limit price. The limit price will never be adjusted to a less aggressive price. If there is no NBB or NBO, the LLOC or LLOO bid or offer, respectively, will assume its entered limit price. The Exchange proposes to amend these definitions to clarify that, rather than never be adjusted to a less aggressive price, the limit price of a LLOC order or a LLOO order would not be adjusted to a less aggressive price, unless otherwise provided by Exchange rules. The Exchange stated that, for example, a short sale LLOO or LLOC order entered at a price less than the NBB while a short sale circuit breaker pursuant to Regulation SHO was in effect would be re-priced by the Exchange's System¹⁴ at one minimum price variation above the NBB pursuant to Exchange Rules 11.9(g)(5) and (6).¹⁵

III. Discussion and Commission's Findings

The Commission has carefully reviewed the proposed rule change and finds that it is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6(b) of the Act.¹⁶ Specifically, the Commission finds that the proposal is consistent with Section 6(b)(5) of the Act,¹⁷ which requires, among other things, that a national securities exchange have rules 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, 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.

As discussed above, the Exchange proposes to amend Exchange Rule 11.23(c) to extend the cutoff time for accepting on close orders to permit the submission of LOC and MOC orders until 3:59 p.m.,¹⁸ to allow the submission of LLOC orders between 3:59 p.m. and 4:00 p.m.,¹⁹ and to prevent the cancellation of Eligible Auction Orders designated for the Closing Auction between 3:59 p.m. and 4:00 p.m.²⁰ The Exchange asserts that extending the Closing Auction Cutoff for submitting on close orders will assist market participants in managing their trading at the close by allowing them to retain control over their orders for a longer period of time.²¹ The Exchange expects that this would reduce risk for those market participants participating in the Closing Auction and improve price discovery by facilitating the additional participation of market participants.²² The Commission believes that extending the cutoff time to submit LOC, MOC and LLOC orders and to cancel Eligible Auction Orders to 3:59 p.m. ET would allow market participants to retain flexibility with respect to submitting and cancelling their orders, while still providing time for market participants to react to and offset imbalances. As a result, the Commission believes that the proposal could encourage participation in the Closing Auction by market participants that are unwilling to give up flexibility and control over these orders. The Commission notes that the Exchange has represented that another exchange uses a 3:59 p.m. ET cutoff time for the entry of MOC and LOC orders in its closing auction.²³

In addition, as discussed above, the Exchange proposes to amend the definitions of LLOC and LLOO in Exchange Rule 11.23(a), which currently state that the limit price of these orders will never be adjusted to a less aggressive price, in order to clarify that the limit price of LLOC and LLOO orders, respectively, would not be adjusted to a less aggressive price unless otherwise provided by Exchange

Exchange. Where the NBB or NBO becomes more aggressive, the limit price of the LLOC bid or offer will be adjusted to the more aggressive price, only to the extent that the more aggressive price is not more aggressive than the original User entered limit price. The limit price will never be adjusted to a less aggressive price. If there is no NBB or NBO, the LLOC bid or offer, respectively, will assume its entered limit price."

⁸ See Exchange Rule 11.23(c)(1)(A).

⁹ See Exchange Rule 11.23(a)(8).

¹⁰ See Exchange Rule 11.23(c).

¹¹ See Exchange Rule 11.23(c)(1)(B).

¹² See Notice, *supra* note 3.

¹³ Exchange Rule 11.23(a)(12) defines the term Late-Limit-On-Open as "... a BZX limit order that is designated for execution only in the Opening Auction. To the extent a LLOO bid or offer received by the Exchange has a limit price that is more aggressive than the NBB or NBO, the price of such bid or offer is adjusted to be equal to the NBB or NBO, respectively, at the time of receipt by the Exchange. Where the NBB or NBO becomes more aggressive, the limit price of the LLOO bid or offer will be adjusted to the more aggressive price, only to the extent that the more aggressive price is not more aggressive than the original User entered limit price. The limit price will never be adjusted to a less aggressive price. If there is no NBB or NBO, the LLOO bid or offer, respectively, will assume its entered limit price. Notwithstanding the foregoing, a LLOO order entered during the Quote-Only Period of an IPO will be converted to a limit order with a limit price equal to the original User entered limit 137 price and any LLOO orders not executed in

their entirety during the IPO Auction will be cancelled upon completion of the IPO Auction."

¹⁴ Exchange Rule 1.5(aa) provides that the term "System" means "the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away."

¹⁵ See Notice, *supra* note 3, at 18581.

¹⁶ 15 U.S.C. 78f. In approving this proposed rule change, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

¹⁷ 15 U.S.C. 78f(b)(5).

¹⁸ See proposed Exchange Rule 11.23(c)(1)(A).

¹⁹ *Id.*

²⁰ See proposed Exchange Rule 11.23(c)(1)(B).

²¹ See Notice, *supra* note 3, at 18581.

²² *Id.* at 18582.

²³ *Id.* at 18581, 18582.

rules.²⁴ The Exchange has explained that its System, in certain instances, may adjust the limit price of LLOC and LLOO orders to a less aggressive price pursuant to other Exchange Rules.²⁵ The Commission believes that the proposed amendments to the definitions of LLOC and LLOO would provide greater transparency regarding the operation of the Exchange.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,²⁶ that the proposed rule change (SR-CboeBZX-2021-023) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁷

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-10842 Filed 5-21-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, May 27, 2021.

PLACE: The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

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.sec.gov>.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

²⁴ See proposed Exchange Rules 11.23(a)(11) and (a)(12).

²⁵ See *supra* note 15 and accompanying text.

²⁶ 15 U.S.C. 78s(b)(2).

²⁷ 17 CFR 200.300-3(a)(12).

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION: For further information; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Dated: May 20, 2021.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2021-11013 Filed 5-20-21; 4:15 pm]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91930; File No. SR-ISE-2021-09]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 4, Section 5, "Series of Options Contracts Open for Trading" To Limit Short Term Options Series Intervals Between Strikes

May 18, 2021.

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 5, 2021, Nasdaq ISE, LLC ("ISE" 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 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 Options 4, Section 5, "Series of Options Contracts Open for Trading." This

proposal seeks to limit Short Term Options Series intervals between strikes which are available for quoting and trading on ISE.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/ise/rules>, 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

The Exchange proposes to amend Options 4, Section 5, "Series of Options Contracts Open for Trading." Specifically, this proposal seeks to limit the intervals between strikes for multiply listed equity options classes within the Short Term Options Series program that have an expiration date more than twenty-one days from the listing date. This proposal is identical to a proposal by Nasdaq BX, Inc.³

Background

Today, ISE's listing rules within Options 4, Section 5 permits the Exchange, after a particular class of options (call option contracts or put option contracts relating to a specific underlying stock, Exchange-Traded

³ See Securities Exchange Act Release No. 91125 (February 12, 2021), 86 FR 10375 (February 19, 2021) (SR-BX-2020-032) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 1, To Amend Options 4, Section 5, To Limit Short Term Options Series Intervals Between Strikes That Are Available for Quoting and Trading on BX).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

Fund Share,⁴ or ETN⁵) has been approved for listing and trading on the Exchange, to open for trading series of options therein. The Exchange may list series of options for trading on a

⁴ Exchange-Traded Fund Share shall include shares or other securities that are traded on a national securities exchange and are defined as an “NMS stock” under Rule 600 of Regulation NMS, and that (i) represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities, that hold portfolios of securities and/or financial instruments including, but not limited to, stock index futures contracts, options on futures, options on securities and indexes, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (the “Money Market Instruments”) (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments (ii) represent interests in a trust or similar entity that holds a specified non-U.S. currency or currencies deposited with the trust or similar entity when aggregated in some specified minimum number may be surrendered to the trust by the beneficial owner to receive the specified non-U.S. currency or currencies and pays the beneficial owner interest and other distributions on the deposited non-U.S. currency or currencies, if any, declared and paid by the trust (“Currency Trust Shares”), (iii) represent commodity pool interests principally engaged, directly or indirectly, in holding and/or managing portfolios or baskets of securities, commodity futures contracts, options on commodity futures contracts, swaps, forward contracts and/or options on physical commodities and/or non-U.S. currency (“Commodity Pool ETFs”), (iv) represent interests in the SPDR® Gold Trust, the iShares COMEX Gold Trust, the iShares Silver Trust, the ETFs Gold Trust, the ETFs Silver Trust, the ETFs Palladium Trust, the ETFs Platinum Trust or the Sprott Physical Gold Trust or (v) represents an interest in a registered investment company (“Investment Company”) organized as an open-end management company or similar entity, that invests in a portfolio of securities selected by the Investment Company’s investment adviser consistent with the Investment Company’s investment objectives and policies, which is issued in a specified aggregate minimum number in return for a deposit of a specified portfolio of securities and/or a cash amount with a value equal to the next determined net asset value (“NAV”), and when aggregated in the same specified minimum number, may be redeemed at a holder’s request, which holder will be paid a specified portfolio of securities and/or cash with a value equal to the next determined NAV (“Managed Fund Share”); provided the conditions within Options 4, Section 3(i)(A) and (B) are met. *See* Options 4, Section 3(i).

⁵ Securities deemed appropriate for options trading shall include shares or other securities (“Equity Index-Linked Securities,” “Commodity-Linked Securities,” “Currency-Linked Securities,” “Fixed Income Index-Linked Securities,” “Futures-Linked Securities,” and “Multifactor Index-Linked Securities,” collectively known as “Index-Linked Securities” or “ETNs”) that are principally traded on a national securities exchange and an “NMS Stock” (as defined in Rule 600 of Regulation NMS under the Securities Exchange Act of 1934), and represent ownership of a security that provides for the payment at maturity, as described within Options 4, Section 3(l)(i)(1)–(6). *See* Options 4, Section 3(l)(i).

weekly,⁶ monthly⁷ or quarterly⁸ basis. Options 4, Section 5(d) sets forth the intervals between strike prices of series of options on individual stocks.⁹ In

⁶ The weekly listing program is known as the Short Term Options Series Program and is described within Supplementary Material .03 of Options 4, Section 5.

⁷ The Exchange will open at least one expiration month for each class of options open for trading on the Exchange. *See* Options 4, Section 5(g). The monthly expirations are subject to certain listing criteria for underlying securities described within Options 4, Section 3. Monthly listings expire the third Friday of the month. The term “expiration date” when used in respect of a series of binary options other than event options means the last day on which the options may be automatically exercised. In the case of a series of event options (other than credit default options or credit default basket options) that are be automatically exercised prior to their expiration date upon receipt by the Corporation of an event confirmation, the expiration date is the date specified by the listing Exchange; provided, however, that when an event confirmation is deemed to have been received by the Corporation with respect to such series of options, the expiration date will be accelerated to the date on which such event confirmation is deemed to have been received by the Corporation or such later date as the Corporation may specify. In the case of a series of credit default options or credit default basket options, the expiration date is the fourth business day after the last trading day for such series as such trading day is specified by the Exchange on which the series of options is listed; provided, however, that when an event confirmation is deemed to have been received by the Corporation with respect to a series of credit default options or single payout credit default basket options prior to the last trading day for such series, the expiration date for options of that series will be accelerated to the second business day following the day on which such event confirmation is deemed to have been received by the Corporation. “Expiration date” means, in respect of a series of range options expiring prior to February 1, 2015, the Saturday immediately following the third Friday of the expiration month of such series, and, in respect of a series of range options expiring on or after February 1, 2015 means the third Friday of the expiration month of such series, or if such Friday is a day on which the Exchange on which such series is listed is not open for business, the preceding day on which such Exchange is open for business. *See* The Options Clearing Corporation (“OCC”) By-Laws at Section 1.

⁸ The quarterly listing program is known as the Quarterly Options Series Program and is described within Supplementary Material .04 of Options 4, Section 5.

⁹ Except as otherwise provided in the Supplementary Material of Options 4, Section 5, the interval between strike prices of series of options on individual stocks will be: (1) \$2.50 or greater where the strike price is \$25.00 or less; (2) \$5.00 or greater where the strike price is greater than \$25.00; and (3) \$10.00 or greater where the strike price is greater than \$200.00.

The interval between strike prices of series of options on Exchange-Traded Fund Shares approved for options trading pursuant to Section 3(i) of this Options 4 shall be fixed at a price per share which is reasonably close to the price per share at which the underlying security is traded in the primary market at or about the same time such series of options is first open for trading on the Exchange, or at such intervals as may have been established on another options exchange prior to the initiation of trading on the Exchange.

Pursuant to Options 4, Section 5(e), notwithstanding any other provision regarding the interval of strike prices of series of options on

addition to those intervals, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,¹⁰ the \$0.50 Strike Program,¹¹ the \$2.50 Strike Price Program,¹² and the \$5 Strike Program.¹³

The Exchange’s proposal seeks to amend the listing of weekly series of options as proposed within new Supplementary Material .03(f) of Options 4, Section 5, by limiting the intervals between strikes in multiply listed equity options, excluding Exchange-Traded Fund Shares and ETNs, that have an expiration date more than twenty-one days from the listing date. This proposal does not amend monthly or quarterly listing rules nor does it amend the \$1 Strike Price Interval Program, the \$0.50 Strike Program, the \$2.50 Strike Price Program, or the \$5 Strike Program.

Short Term Options Series Program

Today, Supplementary Material .03 of Options 4, Section 5 permits ISE to open for trading on any Thursday or Friday that is a business day (“Short Term Option Opening Date”) series of options on an option class that expires at the close of business on each of the next five Fridays that are business days and are not Fridays in which monthly options series or Quarterly Options Series expire (“Short Term Option Expiration Dates”), provided an option class has been approved for listing and trading on the Exchange.¹⁴ Today, the

Exchange-Traded Fund Shares in this rule, the interval of strike prices on SPDR® S&P 500® ETF (“SPY”), iShares Core S&P 500 ETF (“IVV”), PowerShares QQQ Trust (“QQQ”), iShares Russell 2000 Index Fund (“IWM”), and the SPDR® Dow Jones® Industrial Average ETF (“DIA”) options will be \$1 or greater.

¹⁰ The \$1 Strike Interval Program is described within Supplementary Material .01 of Options 4, Section 5.

¹¹ The \$0.50 Strike Interval Program is described within Supplementary Material .05 of Options 4, Section 5.

¹² The \$2.50 Strike Interval Program is described within Supplementary Material .02 of Options 4, Section 5.

¹³ The \$5.00 Strike Interval Program is described within Supplementary Material .06 of Options 4, Section 5.

¹⁴ The Exchange may have no more than a total of five Short Term Option Expiration Dates, not including any Monday or Wednesday SPY Expirations as provided below. If the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date will be the first business day immediately prior to that Friday. With respect to Wednesday SPY Expirations, the Exchange may open for trading on any Tuesday or Wednesday that is a business day series of options on the SPDR S&P 500 ETF Trust (SPY) to expire on any Wednesday of the month that is a business day and is not a Wednesday in which Quarterly Options

Exchange may open up to thirty initial series for each option class that participates in the Short Term Option Series Program.¹⁵ Further, if the Exchange opens less than thirty (30) Short Term Option Series for a Short Term Option Expiration Date, additional series may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying security moves substantially from the

Series expire ("Wednesday SPY Expirations"). With respect to Monday SPY Expirations, the Exchange may open for trading on any Friday or Monday that is a business day series of options on the SPY to expire on any Monday of the month that is a business day and is not a Monday in which Quarterly Options Series expire ("Monday SPY Expirations"), provided that Monday SPY Expirations that are listed on a Friday must be listed at least one business week and one business day prior to the expiration. The Exchange may list up to five consecutive Wednesday SPY Expirations and five consecutive Monday SPY Expirations at one time; the Exchange may have no more than a total of five Wednesday SPY Expirations and a total of five Monday SPY Expirations. Monday and Wednesday SPY Expirations will be subject to the provisions of this Rule. *See* Supplementary Material .03 of Options 4, Section 5.

¹⁵ *See* Supplementary Material .03 of Options 4, Section 5(c).

exercise price or prices of the series already opened.¹⁶

The Exchange may open for trading Short Term Option Series on the Short Term Option Opening Date that expire on the Short Term Option Expiration Date at strike price intervals of (i) \$0.50 or greater where the strike price is less than \$100, and \$1 or greater where the strike price is between \$100 and \$150 for all option classes that participate in the Short Term Options Series Program; (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program; or (iii) \$2.50 or greater where the strike price is above \$150. During the month prior to expiration of an option class that is selected for the Short Term Option Series Program ("Short Term Option"), the strike price intervals for the related non-Short Term Option ("Related non-Short Term Option") shall be the same as the strike price intervals for the Short Term Option.¹⁷

The Exchange may select up to fifty currently listed option classes on which Short Term Option Series may be opened on any Short Term Option Opening Date. In addition to the fifty

¹⁶ *See* Supplementary Material .03 of Options 4, Section 5(d).

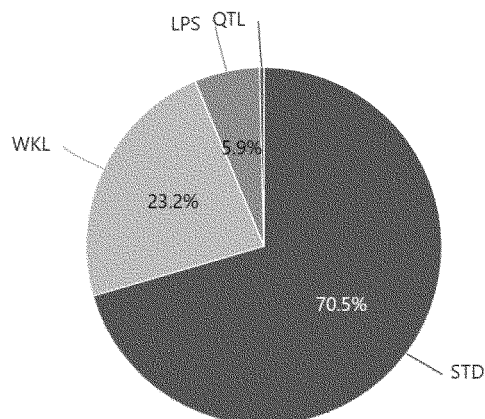
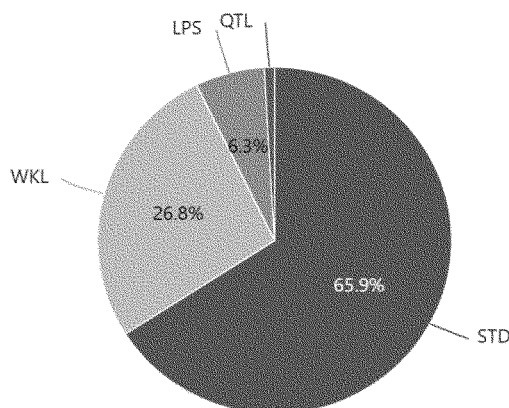
¹⁷ *See* Options 4, Section 5(e).

option class restriction, the Exchange may also list Short Term Option Series on any option classes that are selected by other securities exchanges that employ a similar program under their respective rules. For each option class eligible for participation in the Short Term Option Series Program, the Exchange may open up to thirty Short Term Option Series for each expiration date in that class. The Exchange may also open Short Term Option Series that are opened by other securities exchanges in option classes selected by such exchanges under their respective short term option rules.¹⁸

ISE notes that listings in the weekly program comprise a significant part of the standard listing in options markets. The below diagrams demonstrate the percentage of weekly listings as compared to Long-Term Option Series or LEAPs and quarterly listings in 2015 as compared to 2020. The weekly strikes increased 8.9% compound annual growth rate ("CAGR") from 2015 as compared to a 4.3% CAGR for standard expirations using 3rd 2015 Friday expirations.

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¹⁸ *See* Supplementary Material .03(a) of Options 4, Section 5.

2015:**2020:****BILLING CODE 8011-01-C****Proposal**

ISE proposes to limit the intervals between strikes in options listed as part of the Short Term Option Series Program that have an expiration date more than twenty-one days from the listing date, by adopting proposed Supplementary Material .03(f) of Options 4, Section 5 as well as proposed Supplementary Material .07 of Options 4, Section 5, with respect to listing Short Term Option Series in equity

¹⁹ Additional information comparing the current listing program to this proposal is available at: <https://www.nasdaq.com/solutions/bx-options-strike-proliferation-proposal>.

options, excluding Exchange-Traded Fund Shares and ETNs) (collectively “Strike Interval Proposal”). ISE’s Strike Interval Proposal would limit the intervals between strikes by utilizing the table proposed within Supplementary Material .07 of Options 4, Section 5. With the Strike Interval Proposal, ISE would limit intervals between strikes for expiration dates of option series beyond twenty-one days utilizing the below three-tiered table which considers both the share price and average daily volume for the option series.¹⁹ The below table indicates the applicable strike intervals and would supersede Supplementary Material .03(d) which

currently permits additional series to be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying security moves substantially from the exercise price or prices of the series already opened. As a result, the Exchange would not be able to utilize the rule text within Supplementary Material .03(d) to permit additional series to be opened for trading on ISE which have an expiration date more than twenty-one days from the listing date despite the noted circumstances when such additional series could otherwise be added.

Tier	Average daily volume	Share price				
		Less than \$25	\$25 to less than \$75	\$75 to less than \$150	\$150 to less than \$500	\$500 or greater
1	Greater than 5,000	\$0.50	\$1.00	\$1.00	\$5.00	\$5.00
2	Greater than 1,000 to 5,000	1.00	1.00	1.00	5.00	10.00
3	0 to 1,000	2.50	5.00	5.00	5.00	10.00

The Share Price would be the closing price on the primary market on the last day of the calendar quarter. This value would be used to derive the column from which to apply strike intervals throughout the next calendar quarter. The Average Daily Volume would be the total number of options contracts traded in a given security for the applicable calendar quarter divided by the number of trading days in the applicable calendar quarter. Beginning on the second trading day in the first month of each calendar quarter, the Average Daily Volume shall be calculated by utilizing data from the prior calendar quarter based on Customer-cleared volume at OCC. For options listed on the first trading day of a given calendar quarter, the Average Daily Volume shall be calculated using the calendar quarter prior to the last trading calendar quarter.²⁰ Under current rules, if the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday, as is the case today for STOs as specified within Supplementary .03 to Options 4, Section 5.

The Exchange proposes that Short Term Options Series that are newly eligible for listing pursuant to Options 4, Section 3(a) will not be subject to this proposed Supplementary .07 until after the end of the first full calendar quarter following the date the option class was first listed for trading on any options market.²¹ The Exchange would be permitted to list options on newly eligible listings, without any curtailment in strike intervals, until the end of the first full quarter after they were listed. ISE's proposal would thereby permit ISE to add strikes to meet customer demand in the options class. By deferring the curtailment until after the end of the first full calendar quarter, additional information on the

underlying security would be available to market participants and public investors. During this period of deferment the price of the underlying would have an opportunity to settle based on the price discovery that has occurred in the primary market. An options class that represents a newly listed primary security may fluctuate in price after its initial listing; such volatility reflects a natural uncertainty about the security. Also, ISE would have the ability to list as many strikes as are permissible for the Short Term Options Series once the expiry is within twenty-one days. Short Term Options Series which have an expiration date less than twenty-one days from the listing date are not subject to the curtailment, thereby allowing ISE to list additional, and potentially narrower, strikes in the event of market volatility or other market events.

ISE proposes to make publically available a report on a quarterly basis which indicates, for each Short Term Options Series eligible to be listed under proposed Supplementary Material .07 of Options 4, Section 5, the applicable tiering of the underlying, which includes the closing price of the underlying, and the average daily customer volume of the option in that underlying.²² The average daily customer volume data will be sourced from OCC. The closing price of the underlying will be sourced from the closing prices for Tape A, B and C securities published by the UTP and CTA/CQ Plans. ISE will produce the report by the close of business on the first trading day of the quarter.²³ The Exchange notes that the report will be posted on ISE's website on the first day of a new quarter to support listing decisions, pursuant to the Short Term Options Series Program, for the most recent listing within the Short Term Options Program. The report will be based on information that ISE will obtain as described herein. This information is available to other options markets and is being made available by ISE to provide consistency and relieve

administrative burdens on other options markets. Other exchanges may elect to utilize ISE's report to validate their own information or they may otherwise elect another method to consume similar information as ISE is posting to its website.

In the event of a corporate action, the Share Price of the surviving company would be utilized. These metrics are intended to align expectations for determining which strike intervals will be utilized. Finally, notwithstanding the limitations imposed by Options 4, Section 5 at proposed Supplementary Material .07, this Strike Interval Proposal does not amend the range of strikes that may be listed pursuant to Options 4, Section 5 at Supplementary Material .03, regarding the Short Term Option Series Program.

By way of example, if the Share Price for a symbol was \$142 at the end of a calendar quarter, with an Average Daily Volume greater than 5,000, thereby, requiring strike intervals to be listed \$1.00 apart, that strike interval would apply for the calendar quarter, regardless of whether the Share Price changed to greater than \$150 during that calendar quarter.²⁴

The proposed table within Supplementary Material .07 of Options 4, Section 5 takes into account the notional value of a security, as well as Average Daily Volume in the underlying stock, in order to limit the intervals between strikes in the Short Term Options listing program. ISE would utilize OCC Customer-cleared volume, as customer volume is an appropriate proxy for demand. The OCC Customer-cleared volume represents the majority of options volume executed on the Exchange that, in turn, reflects the demand in the marketplace. The options series listed on ISE are intended to meet customer demand by offering an appropriate number of strikes. Non-Customer cleared OCC volume represents the supply side. The strike intervals for listing strikes in certain options are intended to remove

²⁰ For example, options listed as of January 4, 2021 would be calculated on January 5, 2021 using the Average Daily Volume from July 1, 2020 to September 30, 2020.

²¹ For example, if an options became newly eligible for listing pursuant to Options 4, Section 3 on March 1, 2021, the first full quarterly lookback would be available on July 1, 2021. This option would become subject to the curtailment on July 2, 2021.

²² ISE will make this information available on ISE's website. This information will be freely accessible to the public.

²³ OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

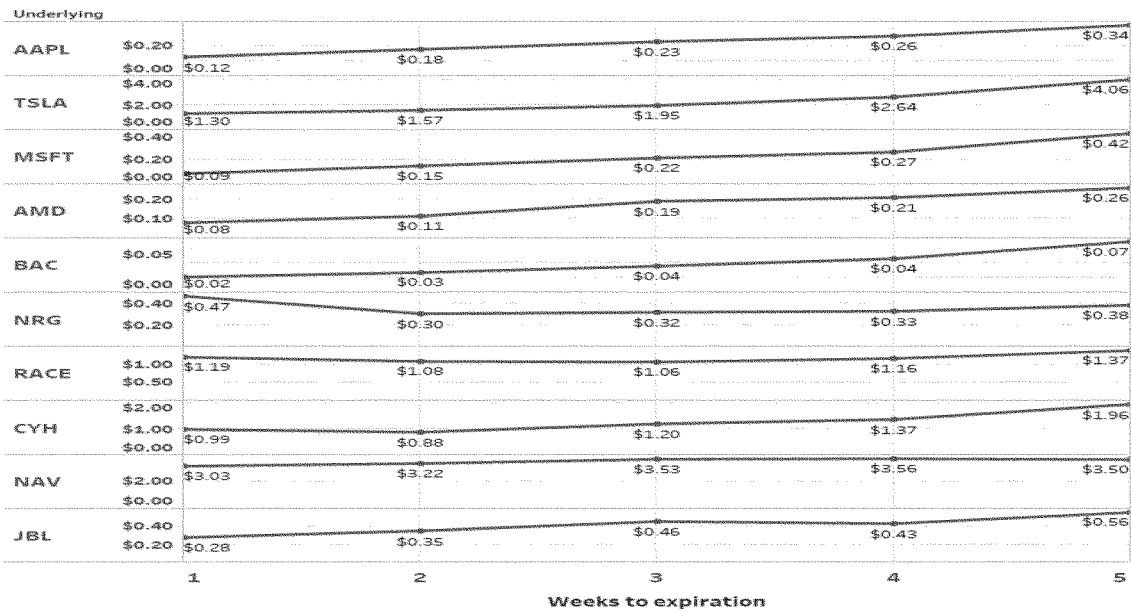
²⁴ The Exchange notes that any limits on intervals imposed by the Exchange's Rules will continue to apply. In this example, the strikes would be in \$1 intervals up to \$150, which is the upper limit imposed by Supplementary Material .03(e) of Options 4, Section 5.

repetitive and unnecessary strike listings across the weekly expiries. ISE's Strike Interval Proposal seeks to reduce the number of strikes in the furthest

weeklies, where there exist wider markets and therefore lower market quality. Below are two tables which focus on data for 10 of the most and

least actively traded symbols²⁵ and demonstrate average spreads in weekly options during the month of August 2020.

August 2020 Average Daily Spread by Expiration (aggregated by series)



The proposed table within Supplementary Material .07 of Options 4, Section 5 is intended to distribute strike intervals in multiply listed equity options where there is less volume as measured by the Average Daily Volume tiers. Therefore, the lower the Average Daily Volume, the greater the proposed spread between strike intervals. Options classes with higher volume contain the most liquid symbols and strikes, therefore the finer the proposed spread between strike intervals. Additionally, lower-priced shares have finer strike intervals than higher-priced shares

when comparing the proposed spread between strike intervals.²⁶ Today, weeklies are available on 16% of underlying products. The Exchange's Strike Interval Proposal curtails the density of strike intervals listed in series of options, without reducing the classes of options available for trading on ISE. Short Term Options Series with an expiration date greater than twenty-one

days from the listing date equates to 7.5% of the total number of strikes in the options market, which equals 81,000 strikes.²⁷ This proposal would result in the curtailment of approximately 20,000 strikes within the Short Term Options Series which is 2% of the total strikes in the options markets.²⁸

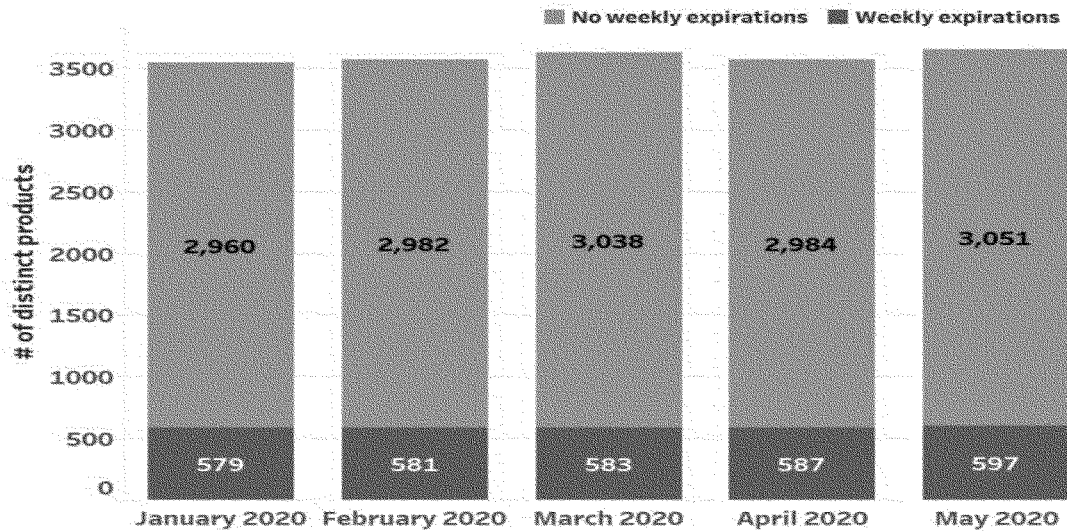
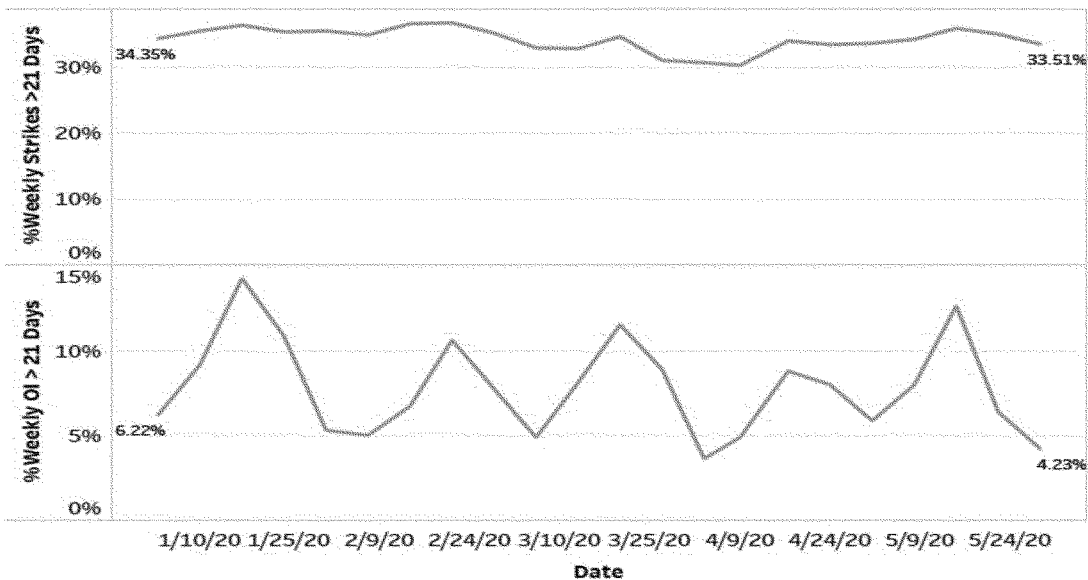
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²⁵ The table represents stock in the following securities: Apple, Tesla, Microsoft Corporation, Advanced Micro Devices, Inc., Bank of America Corp., NRG Energy Inc., Ferrari NV, Community Health Systems Inc., Navistar International Corp, and Jabil Inc.

²⁶ The Exchange notes that is has discussed the proposed strike intervals with various members. The Exchange has gathered information regarding where trading in weeklies generally occurs to arrive at the proposed strike intervals.

²⁷ The Exchange notes that this proposal is an initial attempt at reducing strikes and anticipates filing additional proposals to continue reducing strikes. The above-referenced data, specifically the percentage of underlying products and percentage of and total number of strikes, are approximations and may vary slightly at the time of this filing.

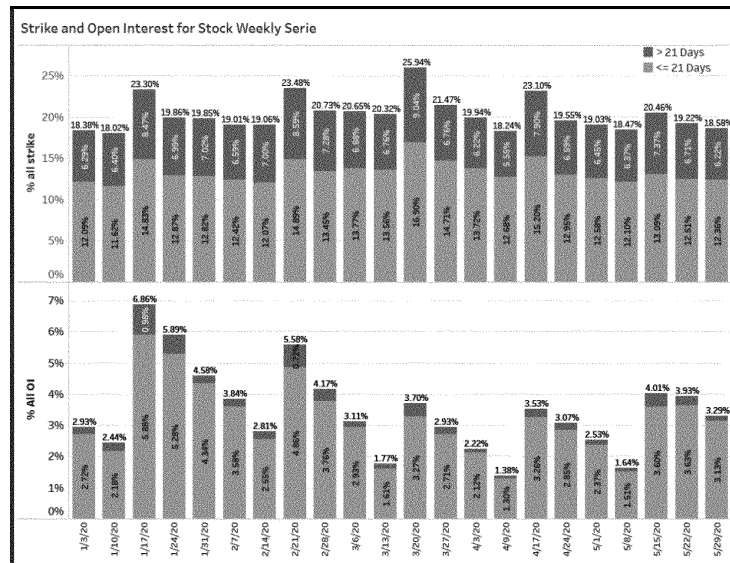
²⁸ This information was derived from information from the time period from January 2020 through May 2020.

of distinct products with/without weekly expirations**Weekly Strikes and Open Interests Distribution**

The above table represents the inconsistency of demand for series of options beyond twenty-one calendar days.

ISE's Strike Interval Proposal focuses on strikes in multiply listed equity options, and excludes Exchange-Traded

Fund Shares and ETNs, as the majority of strikes reside within equity options.



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While the current listing rules permit ISE to list a number of weekly strikes on its market, in an effort to encourage Market Makers to deploy capital more efficiently, as well as improve displayed market quality, ISE's Strike Interval Proposal reduces the number of listed weekly options. As ISE's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal. Specifically, the Strike Interval Proposal aims to reduce the density of strike intervals that would be listed in later weeks, by creating limitations for intervals between strikes which have an expiration date more than twenty-one days from the listing date. The table takes into account customer demand for certain options classes, by considering both the Share Price and the Average Daily Volume, to arrive at the manner which weekly strike intervals may be listed. The intervals for listing strikes in equity options is intended to remove certain strike intervals where there exist clusters of strikes whose characteristics closely resemble one another and, therefore, do not serve different trading needs,²⁹ rendering these strikes less useful.

This Strike Interval Proposal serves to respond to comments received from industry members with respect to the increasing number of strikes that are required to be quoted by market makers in the options industry. ISE requires Lead Market Makers and Market Makers

to quote a certain amount of time in the trading day in their assigned options series to maintain liquidity in the market.³⁰ With an increasing number of strikes being listed across options exchanges, Market Makers must expend their capital to ensure that they have the appropriate infrastructure to meet their quoting obligations on all options markets in which they are assigned in options series. The Exchange believes that this Strike Interval Proposal would limit the intervals between strikes, reducing the number of strikes listed on ISE, and thereby allow Lead Market Makers and Market Makers to expend their capital in the options market in a more efficient manner. Due to this increased efficiency, the Exchange believes that this Strike Interval Proposal would improve overall market quality on ISE by limiting the intervals between strikes in multiply listed equity options that have an expiration date more than twenty-one days, from the listing date.

This Strike Interval Proposal is intended to be the first in a series of proposals to limit the number of listed options series listed on ISE and other Nasdaq affiliated markets. The Exchange intends to decrease the overall number of strikes listed on Nasdaq exchanges in a methodical fashion, so that it may monitor progress and feedback from its membership. While limiting the intervals between listed strikes is the goal of this rule change, ISE's Strike Interval Proposal is intended to balance that goal with the needs of market participants. ISE believes that various strike intervals continue to offer market participants the ability to select the

appropriate strike interval to meet that market participant's investment objective.

Implementation

The Exchange intends to begin implementation of the proposed rule change on July 1, 2021. The Exchange will issue an Options Trader Alert to Participants to provide notification of the implementation date.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,³¹ in general, and furthers the objectives of Section 6(b)(5) of the Act,³² in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. The Strike Proposal seeks to limit the intervals between strikes listed in the Short Term Options Series program that have an expiration date more than twenty-one days. While the current listing rules permit ISE to list a number of weekly strikes on its market, the Exchange's Strike Interval Proposal removes impediments to and perfects the mechanism of a free and open market and a national market system by encouraging Market Makers to deploy capital more efficiently and improving market quality overall on ISE through limiting the intervals between strikes when applying the strike interval table to multiply listed equity options that have an expiration date more than twenty-one days from the listing date.

³¹ 15 U.S.C. 78f(b).

³² 15 U.S.C. 78f(b)(5).

²⁹ For example, two strikes that are densely clustered may have the same risk properties and may also be the same percentage out-of-the money.

³⁰ See Options 2, Sections 4(j) and 5.

Also, as ISE's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal. Amending ISE's listing rules to limit the intervals between strikes for multiply listed equity options that have an expiration date more than twenty-one days causes less disruption in the market as the majority of the volume traded in weekly options exists in options series which have an expiration date of twenty-one days or less. The Exchange's Strike Interval Proposal curtails the number of strike intervals listed in series of options without reducing the number of classes of options available for trading on ISE.

The Strike Interval Proposal takes into account customer demand for certain options classes by considering both the Share Price and the Average Daily Volume in the underlying security to arrive at the manner in which weekly strike intervals would be listed in the later weeks for each multiply listed equity options class. The Exchange utilizes OCC Customer-cleared volume, as customer volume is an appropriate proxy for demand. The OCC Customer-cleared volume represents the majority of options volume executed on the Exchange that, in turn, reflects the demands in the marketplace. The options series listed on ISE is intended to meet customer demand by offering an appropriate number of strikes. Non-Customer cleared OCC volume represents the supply side.

The Strike Interval Proposal for listing strikes in certain multiply listed equity options is intended to remove certain strikes where there exist clusters of strikes whose characteristics closely resemble one another and, therefore, do not serve different trading needs that renders the strikes less useful and thereby protects investors and the general public by removing an abundance of unnecessary choices for an options series, while also improving market quality. ISE's Strike Interval Proposal seeks to reduce the number of strikes in the furthest weeklies, where there exist wider markets, and, therefore, lower market quality. The implementation of the proposed table is intended to spread strike intervals in multiply listed equity options, where there is less volume that is measured by the average daily volume tiers. Therefore, the lower the average daily volume, the greater the proposed spread between strike intervals. Options classes with higher volume contain the most liquid symbols and strikes, therefore the finer the proposed spread between

strike intervals. Additionally, lower-priced shares have finer strike intervals than higher-priced shares when comparing the proposed spread between strike intervals.³³

Beginning on the second trading day in the first month of each calendar quarter, the Average Daily Volume shall be calculated by utilizing data from the prior calendar quarter based on OCC Customer-cleared volume. Utilizing the second trading day allows the Exchange to accumulate data regarding OCC Customer-cleared volume from the entire prior quarter. Beginning on the second trading day would allow trades executed on the last day of the previous calendar quarter to have settled³⁴ and be accounted for in the calculation of Average Daily Volume. Utilizing the previous three months is appropriate because this time period would help reduce the impact of unusual trading activity as a result of unique market events, such as a corporate action (*i.e.*, it would result in a more reliable measure of average daily trading volume than would a shorter period).

This Strike Interval Proposal serves to respond to comments received from industry members with respect to the increasing number of strikes that are required to be quoted by market makers in the options industry. Today, ISE requires Lead Market Makers and Market Makers to quote a certain amount of time in the trading day in their assigned due options series to maintain liquidity in the market.³⁵ With an increasing number of strikes due to tighter intervals being listed across options exchanges, Market Makers must expend their capital to ensure that they have the appropriate infrastructure to meet their quoting obligations on all options markets in which they are assigned in options series. The Exchange believes that this Strike Interval Proposal would limit the intervals between strikes listed on ISE and thereby allow Lead Market Makers and Market Makers to expend their capital in the options market in a more efficient manner that removes impediments to and perfect the mechanism of a free and open market and a national market system. The Exchange also believes that this Strike Interval Proposal would improve overall market quality on ISE for the protection

of investors and the general public by limiting the intervals between strikes when applying the strike interval table to multiply listed equity options which have an expiration date more than twenty-one days from the listing date.

This Strike Interval Proposal is intended to be the first in a series of proposals to limit the number of listed options series listed on ISE and other Nasdaq affiliated markets. The Exchange intends to decrease the overall number of strikes listed on Nasdaq exchanges in a methodical fashion in order that it may monitor progress and feedback from its membership. While limiting the intervals between strikes listed is the goal of this rule change, ISE's Strike Interval Proposal is intended to balance that goal with the needs of market participants. The Exchange believes that varied strike intervals continue to offer market participants the ability to select the appropriate strike interval to meet that market participant's investment objective.

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. The Strike Interval Proposal limits the number of Short Term Options Series strike intervals available for quoting and trading on ISE for all ISE Participants. While the current listing rules permit ISE to list a number of weekly strikes on its market, in an effort to encourage Market Makers to deploy capital more efficiently, as well as improve displayed market quality, ISE's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, without reducing the number of series or classes of options available for trading on ISE. As ISE's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal.

The Exchange's Strike Interval Proposal, which is intended to decrease the overall number of strikes listed on ISE, does not impose an undue burden on intra-market competition as all Participants may only transact options in the strike intervals listed for trading on ISE. While limiting the intervals of strikes listed on ISE is the goal of this Strike Interval Proposal, the goal continues to balance the needs of market participants by continuing to offer a number of strikes to meet a

³³ The Exchange notes that it has discussed the proposed strike intervals with various members. The Exchange has gathered information regarding where trading in weeklies generally occurs to arrive at the proposed strike intervals.

³⁴ Options contracts settle one business day after trade date. Strike listing determinations are made the day prior to the start of trading in each series.

³⁵ See Options 2, Sections 4(j) and 5.

market participant's investment objective.

The Exchange's Strike Interval Proposal does not impose an undue burden on inter-market competition as this Strike Interval Proposal does not impact the listings available at another self-regulatory organization. In fact, ISE is proposing to list a smaller amount of weekly equity options in an effort to curtail the increasing number of strikes that are required to be quoted by market makers in the options industry. Other options markets may choose to replicate the Exchange's Strike Interval Proposal and, thereby, further decrease the overall number of strikes within the options industry.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) ³⁶ of the Act and Rule 19b-4(f)(6) thereunder.³⁷ 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)(iii) of the Act and subparagraph (f)(6) of Rule 19b-4 thereunder.³⁸

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 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-ISE-2021-09 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-ISE-2021-09. 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-ISE-2021-09, and should be submitted on or before June 14, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁹

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-10844 Filed 5-21-21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91920; File No. SR-OCC-2021-006]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Revise The Options Clearing Corporation's Schedule of Fees

May 18, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act" or "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on May 5, 2021, The Options Clearing Corporation ("OCC") 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 primarily by OCC. OCC filed the proposed rule change pursuant to Section 19(b)(3)(A)(ii) ³ of the Act and Rule 19b-4(f)(2) ⁴ thereunder so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change by OCC would revise OCC's schedule of fees effective June 1, 2021, to implement a decrease in clearing fees. Proposed changes to OCC's schedule of fees are attached as Exhibit 5 to File Number SR-OCC-2021-006. Material proposed to be added to OCC's schedule of fees as currently in effect is underlined and material proposed to be deleted is marked in strikethrough text. All capitalized terms not defined herein have the same meaning as set forth in the OCC By-Laws and Rules.⁵

³⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ 17 CFR 240.19b-4(f)(2).

⁵ OCC's By-Laws and Rules can be found on OCC's public website: <https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules>.

³⁶ 15 U.S.C. 78s(b)(3)(A)(iii).

³⁷ 17 CFR 240.19b-4(f)(6).

³⁸ In addition, Rule 19b-4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file 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.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(1) Purpose

The purpose of this proposed rule change is to revise OCC's schedule of fees effective June 1, 2021, to implement a decrease in clearing fees. OCC's Capital Management Policy ("Policy") provides that OCC reviews its fee schedule on a periodic basis in consideration of factors including, but not limited to, projected operating expenses, projected volumes, anticipated cash flows, and capital needs.⁶ Provided that OCC's shareholders' equity ("Equity") exceeds 110% of the Target Capital Requirement⁷ ("Early Warning")⁸ plus the amount approved for capital expenditures, OCC's Board, or a Committee the Board has delegated,

may use tools as it considers appropriate to lower costs for Clearing Members. Such tools for reducing the cost of clearing include lowering fees, declaring a fee holiday, or issuing refunds.⁹

OCC experienced record volumes in 2020 while maintaining expenses at or around the budgeted amount. These strong financial results put OCC in a position to continue to invest resources in OCC's initiative to update and upgrade its technology infrastructure for critical clearing and settlement services, risk systems and data management,¹⁰ while at the same time lowering the cost of clearing for the users of the markets OCC serves. Accordingly, in August 2020, OCC announced several measures approved by OCC's Board and Compensation and Performance Committee ("CPC") to lower the cost of clearing, including lowering its clearing fee from \$0.055 per contract to \$0.045 per contract, an anticipated clearing fee refund to be announced at year-end, and the establishment of a persistent minimum level of OCC's own capital that OCC would contribute to cover default losses or liquidity shortfalls (commonly referred to as "skin-in-the-game")—which will serve as a floor to OCC's current, variable amount of skin-in-the-game funded by capital in excess of OCC's Early Warning.¹¹

OCC implemented the announced clearing fee decrease on September 1,

2020,¹² and in December, OCC announced that its Board had approved a clearing fee refund of \$156 million,¹³ which OCC paid on April 19, 2021. The Commission issued a notice of no objection to the advance notice for OCC's skin-in-the-game proposal on April 7, 2021.¹⁴ Implementation of that proposal is currently pending approval of a proposed rule change pending with the Commission.¹⁵

As of December 31, 2020, OCC maintained Equity of approximately \$557.6 million, or approximately \$282.6 million more than the Early Warning.¹⁶ OCC continues to experience record volume in 2021 while maintaining expenses at or around the budgeted amount. Based on projections of contract volume and expenses, OCC believes that it can lower fees by 2.5 cents while maintaining sufficient revenue to support OCC's operations and capital needs, including 2021 cash needs related to OCC's technology infrastructure transformation.¹⁷ Accordingly, OCC proposes to modify its fee schedule to: (i) Decrease its per contract clearing fee from \$0.045 to \$0.02 per contract; and (ii) adjust the quantity of contracts at which the fixed, per trade clearing fee begins from trades with more than 1,222 contracts per trade to trades with more than 2,750 contracts per trade, as set forth in the schedule of fees depicted below.¹⁸

Current fee schedule		Proposed fee schedule	
Clearing fees		Clearing fees	
Trades with contracts of 0–1222	\$0.045/contract.	Trades with contracts of 0–2750	\$0.02/contract.
Trades with contracts of more than 1222.	\$55/trade.	Trades with contracts of more than 2750.	\$55/trade.

OCC proposes to make the fee change effective June 1, 2021, because OCC believes that this date is the first date

that the industry could be prepared to process the new fee without disruption

based on consultations with market participants.¹⁹

⁶ See Exchange Act Release No. 88029 (Jan. 24, 2020), 85 FR 5500, 5502 (Jan. 30, 2020) (File No. SR–OCC–2019–007) ("Order Approving Policy"); Exchange Act Release No. 87257 (Oct. 8, 2019), 84 FR 55194, 55196 (Oct. 15, 2019) (File No. SR–OCC–2019–805) ("Notice of No-Objection to Policy").

⁷ The Target Capital Requirement is the amount of Equity recommended by Management and approved by the Board of Directors ("Board") to ensure compliance with regulatory capital requirements and to keep such additional amount the Board may approve for capital expenditures. See OCC Rule 101.

⁸ The Early Warning is one of the thresholds under OCC's plan for replenishing capital in the event OCC's Equity falls close to or below OCC's regulatory capital requirements, as required by SEC Rule 17Ad–22(e)(15)(iii). See 17 CFR 17Ad–22(e)(15)(iii).

⁹ See Order Approving Policy, 85 FR at 5502; Notice of No-Objection to Policy, 84 FR at 55196.

¹⁰ See OCC Technology Changes + Enhancements Reference Guide (Jan. 28, 2021), available at <https://www.theocc.com/getmedia/2926b09d-5da5-4f00-85f2-09111bb2fcf8/OCC-Tech-Changes-Enhancements-RefGuide-012821-FNL.pdf?ext=.pdf>.

¹¹ See Letter to Clearing Member Firms—OCC To Lower Costs for Users of U.S. Equity Derivatives Markets (Aug. 3, 2020), available at <https://www.theocc.com/Newsroom/Views/2020/08-03-Letter-to-Clearing-Member-Firms>.

¹² See Exchange Act Release No. 89534 (Aug. 12, 2020), 85 FR 50858 (Aug. 18, 2020) (File No. SR–OCC–2020–009).

¹³ See Press Release, OCC to Provide Year-End Refund to Clearing Members (Dec. 17, 2020), available at <https://www.theocc.com/Newsroom/Press-Releases/2020/12-17-OCC-to-Provide-Year-End-Refund-for-Clearing>.

¹⁴ See Exchange Act Release No. 91491 (Apr. 7, 2021), 86 FR 19061 (Apr. 12, 2021) (File No. SR–OCC–2021–801).

¹⁵ See Exchange Act Release No. 91483 (Apr. 6, 2021), 86 FR 19066 (Apr. 12, 2021) (File No. SR–OCC–2021–003); Exchange Act Release No. 91199 (Feb. 24, 2021), 86 FR 12237 (Mar. 2, 2021) (File No. SR–OCC–2021–003).

¹⁶ See OCC 2020 Financials, available at <https://www.theocc.com/getattachment/9f5d22ff-d810-4690-948d-f9a207df083d/attachment.aspx>.

¹⁷ OCC has provided confidential data and analysis to the Commission in Exhibit 3 to File No. SR–OCC–2021–006.

¹⁸ These changes are also reflected in Exhibit 5 to File No. SR–OCC–2021–006.

¹⁹ OCC notes that a mid-month change to clearing fees could introduce operational disruption to Clearing Members due to the impact on their billing processes.

(2) Statutory Basis

Section 17A(b)(3)(D) of the Act²⁰ requires that the rules of a clearing agency provide for the equitable allocation of reasonable dues, fees, and other charges among its participants. OCC believes that the proposed fee change is reasonable because it is designed to decrease the cost of clearing while maintaining sufficient reserves in the form of liquid net assets to cover OCC's operating expenses and address potential business or operational losses so that OCC can continue to meet its obligations as a systemically important financial market utility to Clearing Members and the general public if such losses were to materialize (including through a recovery or orderly wind-down of critical operations and services) and thereby facilitate compliance with certain requirements of Rule 17Ad-22(e)(15)(ii).²¹

In determining the appropriate level of the proposed fee decrease, the CPC considered a variety of factors, including projected average daily volume, operating income, and a scenario analysis modeling the sensitivity of operating income and margin, adjusting for different clearing fee levels.²² The CPC also considered OCC's cash needs through 2021 to support its technology transformation initiative. OCC believes that the proposed decrease in clearing fees is reasonable and consistent with its existing By-Laws and Rules. OCC also believes that the proposed fee change would result in an equitable allocation of fees among its participants because it would be equally applicable to all market participants transacting at a given level of contract volume. As a result, OCC believes that the proposed fee schedule provides for the equitable allocation of reasonable fees in accordance with Section 17A(b)(3)(D) of the Act.²³

The proposed rule change is not inconsistent with the existing rules of OCC, including any other rules proposed to be amended.

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Act²⁴ requires that the rules of a clearing agency not impose any burden on competition not necessary or

appropriate in furtherance of the purposes of the Act. OCC does not believe that the proposed rule change would have any impact or impose a burden on competition. Although this proposed rule change affects clearing members, their customers, and the markets that OCC serves, OCC believes that the proposed rule change would not disadvantage or favor any particular user of OCC's services in relationship to another user because the proposed clearing fees apply equally to all users of OCC. Accordingly, OCC does not believe that the proposed rule change would have any impact or impose a burden on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments on the proposed rule change were not and are not intended to be solicited with respect to the proposed rule change and none have been received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Pursuant to Section 19(b)(3)(A)(ii)²⁵ of the Act, and Rule 19b-4(f)(2) thereunder,²⁶ the proposed rule change is filed for immediate effectiveness as it constitutes a change in fees charged to OCC clearing members. 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. The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.²⁷

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-OCC-2021-006 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-OCC-2021-006. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of OCC and on OCC's website at <https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules>.

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-OCC-2021-006 and should be submitted on or before June 14, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁸

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-10841 Filed 5-21-21; 8:45 am]

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²⁸ 17 CFR 200.30-3(a)(12).

²⁰ 15 U.S.C. 78q-1(b)(3)(D).

²¹ 17 CFR 240.17Ad-22(e)(15)(ii).

²² A summary of the scenario and sensitivity analyses is included in confidential Exhibit 3 to File No. SR-OCC-2021-006.

²³ 15 U.S.C. 78q-1(b)(3)(D).

²⁴ 15 U.S.C. 78q-1(b)(3)(I).

²⁵ 15 U.S.C. 78s(b)(3)(A)(ii).

²⁶ 17 CFR 240.19b-4(f)(2).

²⁷ Notwithstanding its immediate effectiveness, implementation of this rule change will be delayed until this change is deemed certified under CFTC Regulation 40.6.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–91932; File No. SR–Phlx–2021–26]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 4, Section 5, “Series of Options Contracts Open for Trading” To Limit Short Term Options Series Intervals Between Strikes

May 18, 2021.

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 5, 2021, Nasdaq PHLX LLC (“Phlx” 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 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 Options 4, Section 5, “Series of Options Contracts Open for Trading.” This proposal seeks to limit Short Term Options Series intervals between strikes which are available for quoting and trading on Phlx.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/phlx/rules>, 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

The Exchange proposes to amend Options 4, Section 5, “Series of Options Contracts Open for Trading.” Specifically, this proposal seeks to limit the intervals between strikes for multiply listed equity options classes within the Short Term Options Series program that have an expiration date more than twenty-one days from the listing date. This proposal is identical to a proposal by Nasdaq BX, Inc.³

Background

Today, Phlx’s listing rules within Options 4, Section 5 permits the Exchange, after a particular class of options (call option contracts or put option contracts relating to a specific underlying stock, Exchange-Traded

Fund Share,⁴ or ETN⁵) has been approved for listing and trading on the Exchange, to open for trading series of options therein. The Exchange may list series of options for trading on a

⁴ Exchange-Traded Fund Share shall include shares or other securities that are traded on a national securities exchange and are defined as an “NMS stock” under Rule 600 of Regulation NMS, and that (i) represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities, that hold portfolios of securities and/or financial instruments including, but not limited to, stock index futures contracts, options on futures, options on securities and indexes, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (the “Money Market Instruments”) (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments (ii) represent interests in a trust or similar entity that holds a specified non-U.S. currency or currencies deposited with the trust or similar entity when aggregated in some specified minimum number may be surrendered to the trust by the beneficial owner to receive the specified non-U.S. currency or currencies and pays the beneficial owner interest and other distributions on the deposited non-U.S. currency or currencies, if any, declared and paid by the trust (“Currency Trust Shares”), (iii) represent commodity pool interests principally engaged, directly or indirectly, in holding and/or managing portfolios or baskets of securities, commodity futures contracts, options on commodity futures contracts, swaps, forward contracts and/or options on physical commodities and/or non-U.S. currency (“Commodity Pool ETFs”), (iv) represent interests in the SPDR® Gold Trust, the iShares COMEX Gold Trust, the iShares Silver Trust, the ETFs Gold Trust, the ETFs Silver Trust, the ETFs Palladium Trust, the ETFs Platinum Trust or the Sprott Physical Gold Trust or (v) represents an interest in a registered investment company (“Investment Company”) organized as an open-end management company or similar entity, that invests in a portfolio of securities selected by the Investment Company’s investment adviser consistent with the Investment Company’s investment objectives and policies, which is issued in a specified aggregate minimum number in return for a deposit of a specified portfolio of securities and/or a cash amount with a value equal to the next determined net asset value (“NAV”), and when aggregated in the same specified minimum number, may be redeemed at a holder’s request, which holder will be paid a specified portfolio of securities and/or cash with a value equal to the next determined NAV (“Managed Fund Share”); provided the conditions within Options 4, Section 3(i)(A) and (B) are met. *See* Options 4, Section 3(i).

⁵ Securities deemed appropriate for options trading shall include shares or other securities (“Equity Index-Linked Securities,” “Commodity-Linked Securities,” “Currency-Linked Securities,” “Fixed Income Index-Linked Securities,” “Futures-Linked Securities,” and “Multifactor Index-Linked Securities,” collectively known as “Index-Linked Securities” or “ETNs”) that are principally traded on a national securities exchange and an “NMS Stock” (as defined in Rule 600 of Regulation NMS under the Securities Exchange Act of 1934), and represent ownership of a security that provides for the payment at maturity, as described within Options 4, Section 3(l)(i)(1)–(6). *See* Options 4, Section 3(l)(i).

³ *See* Securities Exchange Act Release No. 91125 (February 12, 2021), 86 FR 10375 (February 19, 2021) (SR–BX–2020–032) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 1, To Amend Options 4, Section 5, To Limit Short Term Options Series Intervals Between Strikes That Are Available for Quoting and Trading on BX).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

weekly,⁶ monthly⁷ or quarterly⁸ basis. Options 4, Section 5(d) sets forth the intervals between strike prices of series of options on individual stocks.⁹ In

⁶ The weekly listing program is known as the Short Term Options Series Program and is described within Supplementary Material .03 of Options 4, Section 5.

⁷ The Exchange will open at least one expiration month for each class of options open for trading on the Exchange. See Options 4, Section 5(g). The monthly expirations are subject to certain listing criteria for underlying securities described within Options 4, Section 3. Monthly listings expire the third Friday of the month. The term "expiration date" when used in respect of a series of binary options other than event options means the last day on which the options may be automatically exercised. In the case of a series of event options (other than credit default options or credit default basket options) that are be automatically exercised prior to their expiration date upon receipt by the Corporation of an event confirmation, the expiration date is the date specified by the listing Exchange; provided, however, that when an event confirmation is deemed to have been received by the Corporation with respect to such series of options, the expiration date will be accelerated to the date on which such event confirmation is deemed to have been received by the Corporation or such later date as the Corporation may specify. In the case of a series of credit default options or credit default basket options, the expiration date is the fourth business day after the last trading day for such series as such trading day is specified by the Exchange on which the series of options is listed; provided, however, that when an event confirmation is deemed to have been received by the Corporation with respect to a series of credit default options or single payout credit default basket options prior to the last trading day for such series, the expiration date for options of that series will be accelerated to the second business day following the day on which such event confirmation is deemed to have been received by the Corporation. "Expiration date" means, in respect of a series of range options expiring prior to February 1, 2015, the Saturday immediately following the third Friday of the expiration month of such series, and, in respect of a series of range options expiring on or after February 1, 2015 means the third Friday of the expiration month of such series, or if such Friday is a day on which the Exchange on which such series is listed is not open for business, the preceding day on which such Exchange is open for business. See The Options Clearing Corporation ("OCC") By-Laws at Section 1.

⁸ The quarterly listing program is known as the Quarterly Options Series Program and is described within Supplementary Material .04 of Options 4, Section 5.

⁹ Except as otherwise provided in the Supplementary Material of Options 4, Section 5, the interval between strike prices of series of options on individual stocks will be: (1) \$2.50 or greater where the strike price is \$25.00 or less; (2) \$5.00 or greater where the strike price is greater than \$25.00; and (3) \$10.00 or greater where the strike price is greater than \$200.00.

The interval between strike prices of series of options on Exchange-Traded Fund Shares approved for options trading pursuant to Section 3(i) of this Options 4 shall be fixed at a price per share which is reasonably close to the price per share at which the underlying security is traded in the primary market at or about the same time such series of options is first open for trading on the Exchange, or at such intervals as may have been established on another options exchange prior to the initiation of trading on the Exchange.

Pursuant to Options 4, Section 5(e), notwithstanding any other provision regarding the interval of strike prices of series of options on

addition to those intervals, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,¹⁰ the \$0.50 Strike Program,¹¹ the \$2.50 Strike Price Program,¹² and the \$5 Strike Program.¹³

The Exchange's proposal seeks to amend the listing of weekly series of options as proposed within new Supplementary Material .03(f) of Options 4, Section 5, by limiting the intervals between strikes in multiply listed equity options, excluding Exchange-Traded Fund Shares and ETNs, that have an expiration date more than twenty-one days from the listing date. This proposal does not amend monthly or quarterly listing rules nor does it amend the \$1 Strike Price Interval Program, the \$0.50 Strike Program, the \$2.50 Strike Price Program, or the \$5 Strike Program.

Short Term Options Series Program

Today, Supplementary Material .03 of Options 4, Section 5 permits Phlx to open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on an option class that expires at the close of business on each of the next five Fridays that are business days and are not Fridays in which monthly options series or Quarterly Options Series expire ("Short Term Option Expiration Dates"), provided an option class has been approved for listing and trading on the Exchange.¹⁴ Today, the

Exchange-Traded Fund Shares in this rule, the interval of strike prices on SPDR® S&P 500® ETF ("SPY"), iShares Core S&P 500 ETF ("IVV"), PowerShares QQQ Trust ("QQQ"), iShares Russell 2000 Index Fund ("IWM"), and the SPDR® Dow Jones® Industrial Average ETF ("DIA") options will be \$1 or greater.

¹⁰ The \$1 Strike Interval Program is described within Supplementary Material .01 of Options 4, Section 5.

¹¹ The \$0.50 Strike Interval Program is described within Supplementary Material .05 of Options 4, Section 5.

¹² The \$2.50 Strike Interval Program is described within Supplementary Material .02 of Options 4, Section 5.

¹³ The \$5.00 Strike Interval Program is described within Supplementary Material .06 of Options 4, Section 5.

¹⁴ The Exchange may have no more than a total of five Short Term Option Expiration Dates, not including any Monday or Wednesday SPY Expirations as provided below. If the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date will be the first business day immediately prior to that Friday. With respect to Wednesday SPY Expirations, the Exchange may open for trading on any Tuesday or Wednesday that is a business day series of options on the SPDR S&P 500 ETF Trust (SPY) to expire on any Wednesday of the month that is a business day and is not a Wednesday in which Quarterly Options

Exchange may open up to thirty initial series for each option class that participates in the Short Term Option Series Program.¹⁵ Further, if the Exchange opens less than thirty (30) Short Term Option Series for a Short Term Option Expiration Date, additional series may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying security moves substantially from the exercise price or prices of the series already opened.¹⁶

The Exchange may open for trading Short Term Option Series on the Short Term Option Opening Date that expire on the Short Term Option Expiration Date at strike price intervals of (i) \$0.50 or greater where the strike price is less than \$100, and \$1 or greater where the strike price is between \$100 and \$150 for all option classes that participate in the Short Term Options Series Program; (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program; or (iii) \$2.50 or greater where the strike price is above \$150. During the month prior to expiration of an option class that is selected for the Short Term Option Series Program ("Short Term Option"), the strike price intervals for the related non-Short Term Option ("Related non-Short Term Option") shall be the same as the strike price intervals for the Short Term Option.¹⁷

The Exchange may select up to fifty currently listed option classes on which Short Term Option Series may be opened on any Short Term Option Opening Date. In addition to the fifty option class restriction, the Exchange may also list Short Term Option Series on any option classes that are selected by other securities exchanges that employ a similar program under their

Series expire ("Wednesday SPY Expirations"). With respect to Monday SPY Expirations, the Exchange may open for trading on any Friday or Monday that is a business day series of options on the SPY to expire on any Monday of the month that is a business day and is not a Monday in which Quarterly Options Series expire ("Monday SPY Expirations"), provided that Monday SPY Expirations that are listed on a Friday must be listed at least one business week and one business day prior to the expiration. The Exchange may list up to five consecutive Wednesday SPY Expirations and five consecutive Monday SPY Expirations at one time; the Exchange may have no more than a total of five Wednesday SPY Expirations and a total of five Monday SPY Expirations. Monday and Wednesday SPY Expirations will be subject to the provisions of this Rule. See Supplementary Material .03 of Options 4, Section 5.

¹⁵ See Supplementary Material .03 of Options 4, Section 5(c).

¹⁶ See Supplementary Material .03 of Options 4, Section 5(d).

¹⁷ See Options 4, Section 5(e).

respective rules. For each option class eligible for participation in the Short Term Option Series Program, the Exchange may open up to thirty Short Term Option Series for each expiration date in that class. The Exchange may also open Short Term Option Series that are opened by other securities

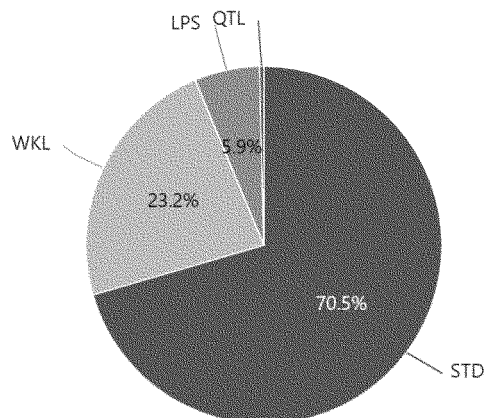
exchanges in option classes selected by such exchanges under their respective short term option rules.¹⁸

Phlx notes that listings in the weekly program comprise a significant part of the standard listing in options markets. The below diagrams demonstrate the percentage of weekly listings as compared to Long-Term Option Series

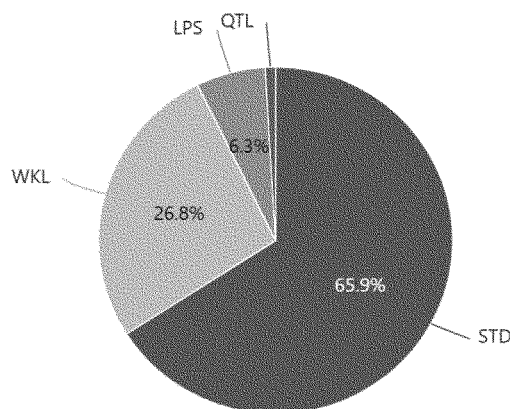
or LEAPs and quarterly listings in 2015 as compared to 2020. The weekly strikes increased 8.9% compound annual growth rate (“CAGR”) from 2015 as compared to a 4.3% CAGR for standard expirations using 3rd 2015 Friday expirations.

BILLING CODE 8011-01-P

2015:



2020:



BILLING CODE 8011-01-C

Proposal

Phlx proposes to limit the intervals between strikes in options listed as part of the Short Term Option Series Program that have an expiration date more than twenty-one days from the listing date, by adopting proposed Supplementary Material .03(f) of Options 4, Section 5 as well as proposed Supplementary Material .07 of Options 4, Section 5, with respect to listing

Short Term Option Series in equity options, excluding Exchange-Traded Fund Shares and ETNs) (collectively “Strike Interval Proposal”). Phlx’s Strike Interval Proposal would limit the intervals between strikes by utilizing the table proposed within Supplementary Material .07 of Options 4, Section 5. With the Strike Interval Proposal, Phlx would limit intervals between strikes for expiration dates of option series beyond twenty-one days utilizing the below

three-tiered table which considers both the share price and average daily volume for the option series.¹⁹ The below table indicates the applicable strike intervals and would supersede Supplementary Material .03(d) which currently permits additional series to be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying security moves

¹⁸ See Supplementary Material .03(a) of Options 4, Section 5.

¹⁹ Additional information comparing the current listing program to this proposal is available at:

<https://www.nasdaq.com/solutions/bx-options-strike-proliferation-proposal>.

substantially from the exercise price or prices of the series already opened. As a result, the Exchange would not be able to utilize the rule text within

Supplementary Material .03(d) to permit additional series to be opened for trading on Phlx which have an expiration date more than twenty-one

days from the listing date despite the noted circumstances when such additional series could otherwise be added.

Tier	Average daily volume	Share price				
		Less than \$25	\$25 to less than \$75	\$75 to less than \$150	\$150 to less than \$500	\$500 or greater
1	Greater than 5,000	\$0.50	\$1.00	\$1.00	\$5.00	\$5.00
2	Greater than 1,000 to 5,000	1.00	1.00	1.00	5.00	10.00
3	0 to 1,000	2.50	5.00	5.00	5.00	10.00

The Share Price would be the closing price on the primary market on the last day of the calendar quarter. This value would be used to derive the column from which to apply strike intervals throughout the next calendar quarter. The Average Daily Volume would be the total number of options contracts traded in a given security for the applicable calendar quarter divided by the number of trading days in the applicable calendar quarter. Beginning on the second trading day in the first month of each calendar quarter, the Average Daily Volume shall be calculated by utilizing data from the prior calendar quarter based on Customer-cleared volume at OCC. For options listed on the first trading day of a given calendar quarter, the Average Daily Volume shall be calculated using the calendar quarter prior to the last trading calendar quarter.²⁰ Under current rules, if the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday, as is the case today for STOs as specified within Supplementary .03 to Options 4, Section 5.

The Exchange proposes that Short Term Options Series that are newly eligible for listing pursuant to Options 4, Section 3(a) will not be subject to this proposed Supplementary .07 until after the end of the first full calendar quarter following the date the option class was first listed for trading on any options market.²¹ The Exchange would be permitted to list options on newly eligible listings, without any curtailment in strike intervals, until the end of the first full quarter after they were listed. Phlx's proposal would

thereby permit Phlx to add strikes to meet customer demand in the options class. By deferring the curtailment until after the end of the first full calendar quarter, additional information on the underlying security would be available to market participants and public investors. During this period of deferment the price of the underlying would have an opportunity to settle based on the price discovery that has occurred in the primary market. An options class that represents a newly listed primary security may fluctuate in price after its initial listing; such volatility reflects a natural uncertainty about the security. Also, Phlx would have the ability to list as many strikes as are permissible for the Short Term Options Series once the expiry is within twenty-one days. Short Term Options Series which have an expiration date less than twenty-one days from the listing date are not subject to the curtailment, thereby allowing Phlx to list additional, and potentially narrower, strikes in the event of market volatility or other market events.

Phlx proposes to make publically available a report on a quarterly basis which indicates, for each Short Term Options Series eligible to be listed under proposed Supplementary Material .07 of Options 4, Section 5, the applicable tiering of the underlying, which includes the closing price of the underlying, and the average daily customer volume of the option in that underlying.²² The average daily customer volume data will be sourced from OCC. The closing price of the underlying will be sourced from the closing prices for Tape A, B and C securities published by the UTP and CTA/CQ Plans. Phlx will produce the report by the close of business on the first trading day of the quarter.²³ The Exchange notes that the report will be posted on Phlx's website on the first day

of a new quarter to support listing decisions, pursuant to the Short Term Options Series Program, for the most recent listing within the Short Term Options Program. The report will be based on information that Phlx will obtain as described herein. This information is available to other options markets and is being made available by Phlx to provide consistency and relieve administrative burdens on other options markets. Other exchanges may elect to utilize ISE's report to validate their own information or they may otherwise elect another method to consume similar information as Phlx is posting to its website.

In the event of a corporate action, the Share Price of the surviving company would be utilized. These metrics are intended to align expectations for determining which strike intervals will be utilized. Finally, notwithstanding the limitations imposed by Options 4, Section 5 at proposed Supplementary Material .07, this Strike Interval Proposal does not amend the range of strikes that may be listed pursuant to Options 4, Section 5 at Supplementary Material .03, regarding the Short Term Option Series Program.

By way of example, if the Share Price for a symbol was \$142 at the end of a calendar quarter, with an Average Daily Volume greater than 5,000, thereby, requiring strike intervals to be listed \$1.00 apart, that strike interval would apply for the calendar quarter, regardless of whether the Share Price changed to greater than \$150 during that calendar quarter.²⁴

The proposed table within Supplementary Material .07 of Options 4, Section 5 takes into account the notional value of a security, as well as Average Daily Volume in the underlying stock, in order to limit the intervals between strikes in the Short Term Options listing program. Phlx would

²⁰ For example, options listed as of January 4, 2021 would be calculated on January 5, 2021 using the Average Daily Volume from July 1, 2020 to September 30, 2020.

²¹ For example, if an options became newly eligible for listing pursuant to Options 4, Section 3 on March 1, 2021, the first full quarterly lookback would be available on July 1, 2021. This option would become subject to the curtailment on July 2, 2021.

²² ISE will make this information available on ISE's website. This information will be freely accessible to the public.

²³ OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

²⁴ The Exchange notes that any limits on intervals imposed by the Exchange's Rules will continue to apply. In this example, the strikes would be in \$1 intervals up to \$150, which is the upper limit imposed by Supplementary Material .03(e) of Options 4, Section 5.

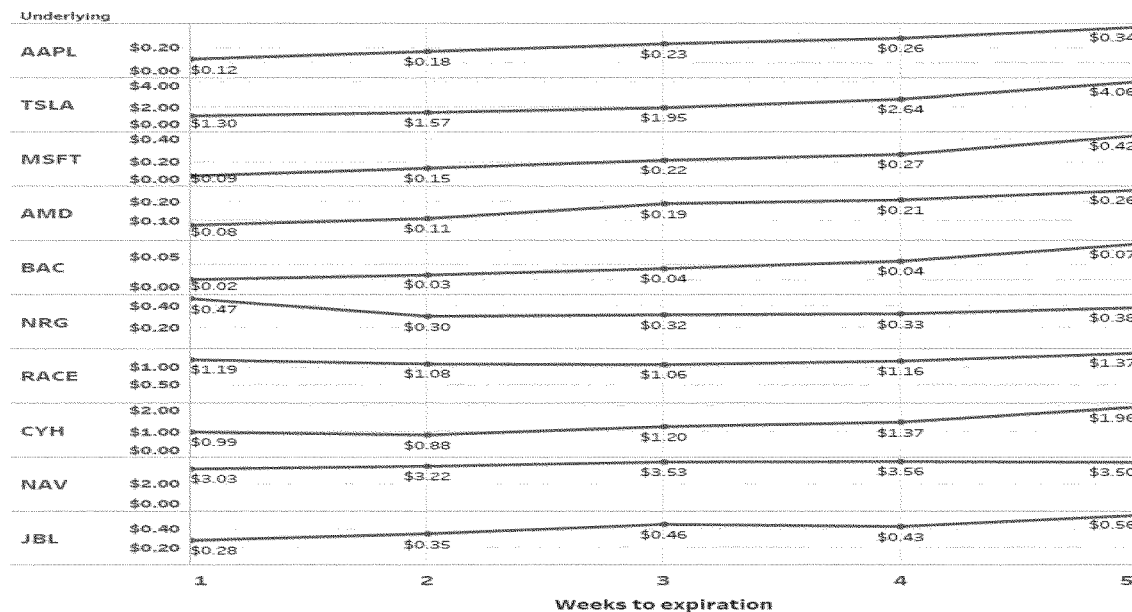
utilize OCC Customer-cleared volume, as customer volume is an appropriate proxy for demand. The OCC Customer-cleared volume represents the majority of options volume executed on the Exchange that, in turn, reflects the demand in the marketplace. The options series listed on Phlx are intended to meet customer demand by offering an

appropriate number of strikes. Non-Customer cleared OCC volume represents the supply side. The strike intervals for listing strikes in certain options are intended to remove repetitive and unnecessary strike listings across the weekly expiries. Phlx's Strike Interval Proposal seeks to reduce the number of strikes in the

furthest weeklies, where there exist wider markets and therefore lower market quality. Below are two tables which focus on data for 10 of the most and least actively traded symbols²⁵ and demonstrate average spreads in weekly options during the month of August 2020.

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August 2020 Average Daily Spread by Expiration (aggregated by series)



The proposed table within Supplementary Material .07 of Options 4, Section 5 is intended to distribute strike intervals in multiply listed equity options where there is less volume as measured by the Average Daily Volume tiers. Therefore, the lower the Average Daily Volume, the greater the proposed spread between strike intervals. Options classes with higher volume contain the most liquid symbols and strikes, therefore the finer the proposed spread

between strike intervals. Additionally, lower-priced shares have finer strike intervals than higher-priced shares when comparing the proposed spread between strike intervals.²⁶

Today, weeklies are available on 16% of underlying products. The Exchange's Strike Interval Proposal curtails the density of strike intervals listed in series of options, without reducing the classes of options available for trading on Phlx. Short Term Options Series with an

expiration date greater than twenty-one days from the listing date equates to 7.5% of the total number of strikes in the options market, which equals 81,000 strikes.²⁷ This proposal would result in the curtailment of approximately 20,000 strikes within the Short Term Options Series which is 2% of the total strikes in the options markets.²⁸

²⁵ The table represents stock in the following securities: Apple, Tesla, Microsoft Corporation, Advanced Micro Devices, Inc., Bank of America Corp., NRG Energy Inc., Ferrari NV, Community Health Systems Inc., Navistar International Corp, and Jabil Inc.

²⁶ The Exchange notes that it has discussed the proposed strike intervals with various members.

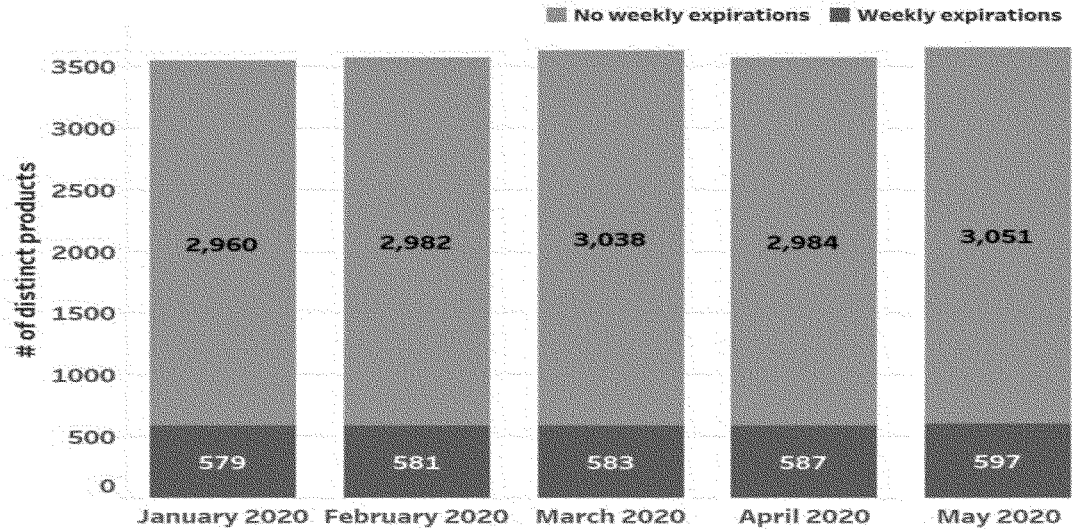
The Exchange has gathered information regarding where trading in weeklies generally occurs to arrive at the proposed strike intervals.

²⁷ The Exchange notes that this proposal is an initial attempt at reducing strikes and anticipates filing additional proposals to continue reducing strikes. The above-referenced data, specifically the percentage of underlying products and percentage

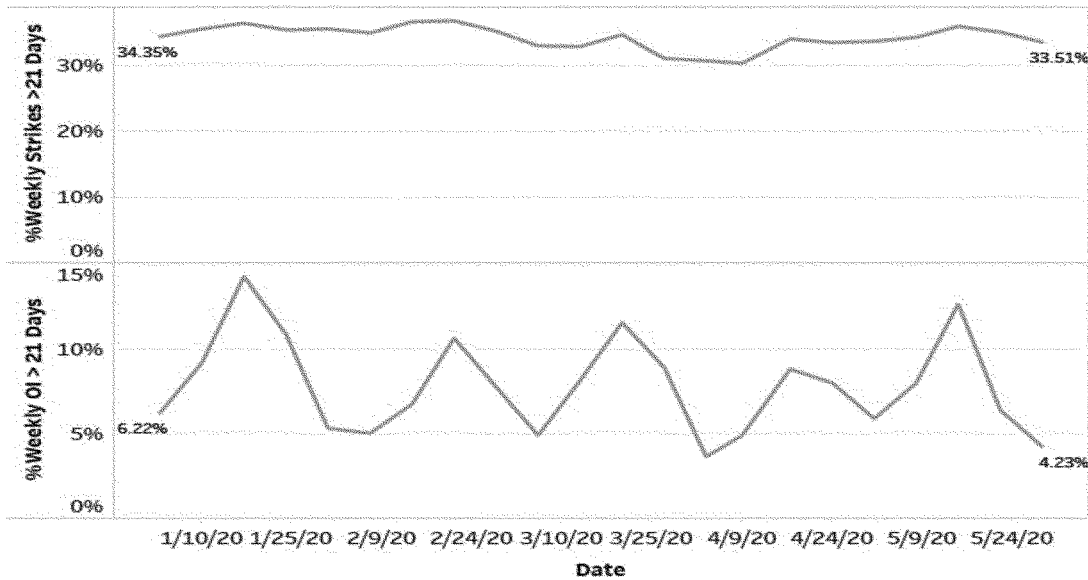
of and total number of strikes, are approximations and may vary slightly at the time of this filing.

²⁸ This information was derived from information from the time period from January 2020 through May 2020.

of distinct products with/without weekly expirations



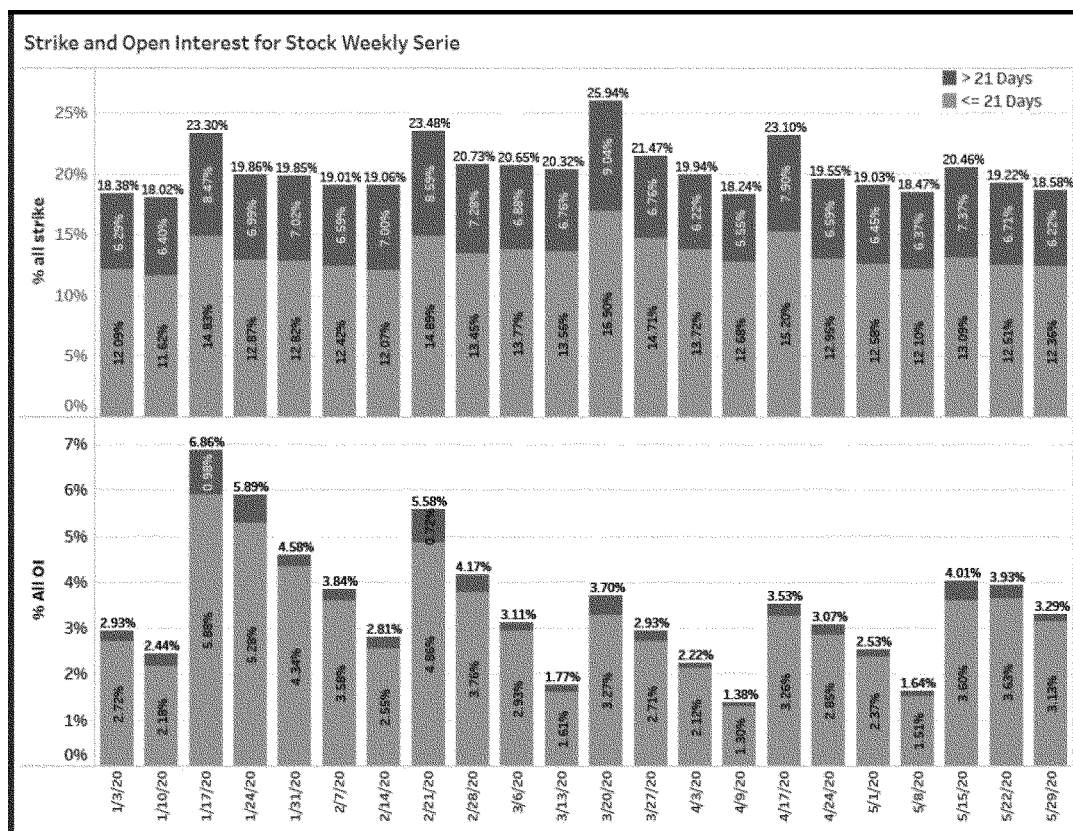
Weekly Strikes and Open Interests Distribution



The above table represents the inconsistency of demand for series of options beyond twenty-one calendar days.

Phlx’s Strike Interval Proposal focuses on strikes in multiply listed equity options, and excludes Exchange-Traded

Fund Shares and ETNs, as the majority of strikes reside within equity options.



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While the current listing rules permit Phlx to list a number of weekly strikes on its market, in an effort to encourage Market Makers to deploy capital more efficiently, as well as improve displayed market quality, Phlx's Strike Interval Proposal reduces the number of listed weekly options. As Phlx's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal. Specifically, the Strike Interval Proposal aims to reduce the density of strike intervals that would be listed in later weeks, by creating limitations for intervals between strikes which have an expiration date more than twenty-one days from the listing date. The table takes into account customer demand for certain options classes, by considering both the Share Price and the Average Daily Volume, to arrive at the manner which weekly strike intervals may be listed. The intervals for listing strikes in equity options is intended to remove certain strike intervals where there exist clusters of strikes whose characteristics closely resemble one another and, therefore, do not serve different trading

needs,²⁹ rendering these strikes less useful.

This Strike Interval Proposal serves to respond to comments received from industry members with respect to the increasing number of strikes that are required to be quoted by market makers in the options industry. Phlx requires Lead Market Makers and Market Makers to quote a certain amount of time in the trading day in their assigned options series to maintain liquidity in the market.³⁰ With an increasing number of strikes being listed across options exchanges, Market Makers must expend their capital to ensure that they have the appropriate infrastructure to meet their quoting obligations on all options markets in which they are assigned in options series. The Exchange believes that this Strike Interval Proposal would limit the intervals between strikes, reducing the number of strikes listed on Phlx, and thereby allow Lead Market Makers and Market Makers to expend their capital in the options market in a more efficient manner. Due to this increased efficiency, the Exchange believes that this Strike Interval Proposal would improve overall market quality on Phlx by limiting the intervals

between strikes in multiply listed equity options that have an expiration date more than twenty-one days, from the listing date.

This Strike Interval Proposal is intended to be the first in a series of proposals to limit the number of listed options series listed on Phlx and other Nasdaq affiliated markets. The Exchange intends to decrease the overall number of strikes listed on Nasdaq exchanges in a methodical fashion, so that it may monitor progress and feedback from its membership. While limiting the intervals between listed strikes is the goal of this rule change, Phlx's Strike Interval Proposal is intended to balance that goal with the needs of market participants. Phlx believes that various strike intervals continue to offer market participants the ability to select the appropriate strike interval to meet that market participant's investment objective.

Implementation

The Exchange intends to begin implementation of the proposed rule change on July 1, 2021. The Exchange will issue an Options Trader Alert to Participants to provide notification of the implementation date.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b)

²⁹ For example, two strikes that are densely clustered may have the same risk properties and may also be the same percentage out-of-the-money.

³⁰ See Options 2, Sections 4(j) and 5.

of the Act,³¹ in general, and furthers the objectives of Section 6(b)(5) of the Act,³² in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. The Strike Proposal seeks to limit the intervals between strikes listed in the Short Term Options Series program that have an expiration date more than twenty-one days. While the current listing rules permit Phlx to list a number of weekly strikes on its market, the Exchange's Strike Interval Proposal removes impediments to and perfects the mechanism of a free and open market and a national market system by encouraging Market Makers to deploy capital more efficiently and improving market quality overall on Phlx through limiting the intervals between strikes when applying the strike interval table to multiply listed equity options that have an expiration date more than twenty-one days from the listing date. Also, as Phlx's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal. Amending Phlx's listing rules to limit the intervals between strikes for multiply listed equity options that have an expiration date more than twenty-one days causes less disruption in the market as the majority of the volume traded in weekly options exists in options series which have an expiration date of twenty-one days or less. The Exchange's Strike Interval Proposal curtails the number of strike intervals listed in series of options without reducing the number of classes of options available for trading on Phlx.

The Strike Interval Proposal takes into account customer demand for certain options classes by considering both the Share Price and the Average Daily Volume in the underlying security to arrive at the manner in which weekly strike intervals would be listed in the later weeks for each multiply listed equity options class. The Exchange utilizes OCC Customer-cleared volume, as customer volume is an appropriate proxy for demand. The OCC Customer-cleared volume represents the majority of options volume executed on the Exchange that, in turn, reflects the demands in the marketplace. The options series listed on Phlx is intended to meet customer demand by offering an

appropriate number of strikes. Non-Customer cleared OCC volume represents the supply side.

The Strike Interval Proposal for listing strikes in certain multiply listed equity options is intended to remove certain strikes where there exist clusters of strikes whose characteristics closely resemble one another and, therefore, do not serve different trading needs that renders the strikes less useful and thereby protects investors and the general public by removing an abundance of unnecessary choices for an options series, while also improving market quality. Phlx's Strike Interval Proposal seeks to reduce the number of strikes in the furthest weeklies, where there exist wider markets, and, therefore, lower market quality. The implementation of the proposed table is intended to spread strike intervals in multiply listed equity options, where there is less volume that is measured by the average daily volume tiers. Therefore, the lower the average daily volume, the greater the proposed spread between strike intervals. Options classes with higher volume contain the most liquid symbols and strikes, therefore the finer the proposed spread between strike intervals. Additionally, lower-priced shares have finer strike intervals than higher-priced shares when comparing the proposed spread between strike intervals.³³

Beginning on the second trading day in the first month of each calendar quarter, the Average Daily Volume shall be calculated by utilizing data from the prior calendar quarter based on OCC Customer-cleared volume. Utilizing the second trading day allows the Exchange to accumulate data regarding OCC Customer-cleared volume from the entire prior quarter. Beginning on the second trading day would allow trades executed on the last day of the previous calendar quarter to have settled³⁴ and be accounted for in the calculation of Average Daily Volume. Utilizing the previous three months is appropriate because this time period would help reduce the impact of unusual trading activity as a result of unique market events, such as a corporate action (*i.e.*, it would result in a more reliable measure of average daily trading volume than would a shorter period).

This Strike Interval Proposal serves to respond to comments received from

³³ The Exchange notes that it has discussed the proposed strike intervals with various members. The Exchange has gathered information regarding where trading in weeklies generally occurs to arrive at the proposed strike intervals.

³⁴ Options contracts settle one business day after trade date. Strike listing determinations are made the day prior to the start of trading in each series.

industry members with respect to the increasing number of strikes that are required to be quoted by market makers in the options industry. Today, Phlx requires Lead Market Makers and Market Makers to quote a certain amount of time in the trading day in their assigned due options series to maintain liquidity in the market.³⁵ With an increasing number of strikes due to tighter intervals being listed across options exchanges, Market Makers must expend their capital to ensure that they have the appropriate infrastructure to meet their quoting obligations on all options markets in which they are assigned in options series. The Exchange believes that this Strike Interval Proposal would limit the intervals between strikes listed on Phlx and thereby allow Lead Market Makers and Market Makers to expend their capital in the options market in a more efficient manner that removes impediments to and perfect the mechanism of a free and open market and a national market system. The Exchange also believes that this Strike Interval Proposal would improve overall market quality on Phlx for the protection of investors and the general public by limiting the intervals between strikes when applying the strike interval table to multiply listed equity options which have an expiration date more than twenty-one days from the listing date.

This Strike Interval Proposal is intended to be the first in a series of proposals to limit the number of listed options series listed on Phlx and other Nasdaq affiliated markets. The Exchange intends to decrease the overall number of strikes listed on Nasdaq exchanges in a methodical fashion in order that it may monitor progress and feedback from its membership. While limiting the intervals between strikes listed is the goal of this rule change, Phlx's Strike Interval Proposal is intended to balance that goal with the needs of market participants. The Exchange believes that varied strike intervals continue to offer market participants the ability to select the appropriate strike interval to meet that market participant's investment objective.

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. The Strike Interval Proposal limits the number of Short Term Options Series strike

³⁵ See Options 2, Sections 4(j) and 5.

³¹ 15 U.S.C. 78f(b).

³² 15 U.S.C. 78f(b)(5).

intervals available for quoting and trading on Phlx for all Phlx Participants. While the current listing rules permit Phlx to list a number of weekly strikes on its market, in an effort to encourage Market Makers to deploy capital more efficiently, as well as improve displayed market quality, Phlx's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, without reducing the number of series or classes of options available for trading on Phlx. As Phlx's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal.

The Exchange's Strike Interval Proposal, which is intended to decrease the overall number of strikes listed on Phlx, does not impose an undue burden on intra-market competition as all Participants may only transact options in the strike intervals listed for trading on Phlx. While limiting the intervals of strikes listed on Phlx is the goal of this Strike Interval Proposal, the goal continues to balance the needs of market participants by continuing to offer a number of strikes to meet a market participant's investment objective.

The Exchange's Strike Interval Proposal does not impose an undue burden on inter-market competition as this Strike Interval Proposal does not impact the listings available at another self-regulatory organization. In fact, Phlx is proposing to list a smaller amount of weekly equity options in an effort to curtail the increasing number of strikes that are required to be quoted by market makers in the options industry. Other options markets may choose to replicate the Exchange's Strike Interval Proposal and, thereby, further decrease the overall number of strikes within the options industry.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) ³⁶ of the Act and Rule 19b-4(f)(6) thereunder.³⁷ 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)(iii) of the Act and subparagraph (f)(6) of Rule 19b-4 thereunder.³⁸

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 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-Phlx-2021-26 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-Phlx-2021-26. 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-Phlx-2021-26, and should be submitted on or before June 14, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁹

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-10846 Filed 5-21-21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91918; File No. SR-ICC-2021-008]

Self-Regulatory Organizations; ICE Clear Credit LLC; Order Approving Proposed Rule Change Relating to the ICC Risk Management Model Description

May 18, 2021.

I. Introduction

On March 31, 2021, ICE Clear Credit LLC ("ICC") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") ¹ and Rule 19b-4 thereunder,² a proposed rule change to amend the ICC Risk Management Model Description (the "Model Description"). The proposed rule change was published for comment in the **Federal Register** on April 13, 2021.³ The

³⁹ 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 Relating to the ICC Risk Management Model

³⁶ 15 U.S.C. 78s(b)(3)(A)(iii).

³⁷ 17 CFR 240.19b-4(f)(6).

³⁸ In addition, Rule 19b-4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file 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.

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 purpose of the proposed rule change is to amend the Model Description. The changes would (i) memorialize the review and approval process of the Model Description; (ii) enhance the liquidity charge methodology; and (iii) make other minor clarifications.⁴

A. Review and Approval Process

First, the proposed rule change would amend the “Initial Margin Methodology” section of the Model Description to memorialize the review and approval process for the Model Description. As would be stated in the amended Model Description, this process would consist of review by the ICC Risk Committee and review and approval by the ICC Board of Managers at least annually.

B. Enhanced Liquidity Charge Methodology

Second, the proposed rule change would make an enhancement related to the index liquidity charge (“LC”) methodology. Specifically, the proposed rule change would revise the “Liquidity Charge for Index Risk Factors” subsection (Subsection II.2) to amend a formula for the index series LC. Currently, to arrive at the index series LC, ICC takes into account the estimated LCs for the instruments that belong to the same index series and the sign of the notional amount of the instrument. Under the proposed rule change, ICC would establish the index series LC as the more conservative liquidity requirement associated with the sum of the bought and sold protection position LCs for the instruments that belong to the same index series. ICC represents that this change would unify the index LC with the single name and credit default index swaption (“Index Option”) LC methodologies.⁵

C. Additional Clarifications

Finally, the proposed rule change would make additional clarifications in the Model Description. In the “Liquidity Charge for Index Options” subsection

(Subsection II.2.1), the proposed rule change would specify that with respect to long Index Option instruments, the LC combined with the integrated spread response requirement will not exceed the end-of-day option instrument price. ICC represents that this amendment would reflect the maximum loss condition, given that the maximum loss would be the end-of-day option instrument price.⁶

In the “Anti-Procyclicality Measures” subsection (Subsection VII.5.3), the proposed rule change would make clarifications regarding the scenarios associated with extreme price decreases and extreme price increases. Specifically, the proposed rule change would clarify that the extreme price decrease and increase scenarios for Index Options incorporate hypothetical forward price decreases and increases, respectively.

Finally, in respect of the maximum loss condition, the proposed rule change would update formulas related to the final portfolio initial margin in the “Portfolio Loss Boundary Condition” section (Section IX) to reference the portfolio level integrated spread response.

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.⁷ 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 ICC. In particular, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act,⁸ Rules 17Ad–22(e)(2)(i) and (v),⁹ Rule 17Ad–22(e)(4)(ii),¹⁰ and Rule 17Ad–22(e)(6)(i) thereunder.¹¹

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.¹²

As discussed above, the proposed rule change would make various improvements to the Model Description. Specifically, the Commission believes memorializing the annual review and approval process for the Model Description should help to ensure that the Model Description is maintained and improved, as needed, following the annual review. Moreover, unifying the index LC with the single name and Index Option LC methodologies, by establishing the index series LC as the more conservative liquidity requirement, should help to simplify the methodology and ensure a consistent application of the LC among all of the products that ICC clears. Specifying that, with respect to long Index Option instruments, the LC combined with the integrated spread response requirement will not exceed the end-of-day option instrument price, to reflect the maximum loss condition, should clarify the limit of this requirement given that the maximum loss would be the end-of-day option instrument price. Similarly, specifying that the extreme price decrease and increase scenarios for Index Options incorporate hypothetical forward price decreases and increases and updating formulas related to the final portfolio initial margin to reference the portfolio level integrated spread response, should clarify the applications of these requirements, helping to ensure the consistent application of ICC’s risk methodology.

Because ICC uses the Model Description to derive initial margin and guaranty fund requirements for its Clearing Participants, the Commission believes the proposed rule change, by improving the Model Description, should improve ICC’s ability to derive such requirements. The Commission further believes the proposed rule change should improve ICC’s ability to manage the risks associated with clearing transactions through application of its initial margin and guaranty fund requirements, as set forth in the Model Description. Moreover, the Commission believes the risks associated with clearing transactions, if not properly managed through the collection of initial margin and guaranty fund, could cause ICC to suffer losses which could inhibit its ability to clear and settle transactions and assure the safeguarding of securities and funds. Accordingly, the Commission believes

Description, Exchange Act Release No. 91493 (April 7, 2021), 86 FR 19316 (April 13, 2021) (“Notice”).

⁴ This description is substantially excerpted from the Notice, 86 FR at 19316. Capitalized terms not otherwise defined herein have the meanings assigned to them in the Model Description.

⁵ Notice, 86 FR at 19317.

⁶ Notice, 86 FR at 19317.

⁷ 15 U.S.C. 78s(b)(2)(C).

⁸ 15 U.S.C. 78q–1(b)(3)(F).

⁹ 17 CFR 240.17Ad–22(e)(2)(i) and (v).

¹⁰ 17 CFR 240.17Ad–22(e)(4)(ii).

¹¹ 17 CFR 240.17Ad–22(e)(6)(i).

¹² 15 U.S.C. 78q–1(b)(3)(F).

that by improving the Model Description and, therefore, ICC's ability to manage the risks associated with clearing transactions, 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 for which it is responsible, consistent with the Section 17A(b)(3)(F) of the Act.¹³

B. Consistency With Rules 17Ad-22(e)(2)(i) and (v)

Rule 17Ad-22(e)(2)(i) requires that ICC establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for governance arrangements that are clear and transparent.¹⁴ Rule 17Ad-22(e)(2)(v) requires that ICC establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for governance arrangements that specify clear and direct lines of responsibility.¹⁵ As discussed above, the proposed rule change would memorialize the process for approval of the Model Description (i.e., review by the ICC Risk Committee and review and approval by the ICC Board at least annually). The Commission believes that this change should establish a governance arrangement for review and approval of the Model Description that is clear and transparent and that imposes a direct line of responsibility on the ICC Risk Committee and ICC Board.

For this reason, the Commission finds that the proposed rule change is consistent with Rules 17Ad-22(e)(2)(i) and (v).¹⁶

C. Consistency With Rule 17Ad-22(e)(4)(ii)

Rule 17Ad-22(e)(4)(ii) requires that ICC 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 ICC in extreme but plausible market conditions ("Cover 2

Requirement").¹⁷ As discussed above, the Commission believes the proposed rule change should improve the Model Description by: (i) Memorializing the annual review and approval process, thereby helping to ensure that the Model Description is maintained and improved; (ii) simplifying the methodology and ensuring a consistent application of the LC among all of the products that ICC clears; and (iii) clarifying the integrated spread response requirement, the extreme price decrease and increase scenarios, and the final portfolio initial margin, helping to ensure the transparent and consistent application of ICC's risk methodology. ICC uses the Model Description to derive its guaranty fund requirements and thereby maintain financial resources to meet its Cover 2 Requirement. The Commission therefore believes the proposed rule change, in improving the Model Description, should improve ICC's ability to satisfy its Cover 2 Requirement.

For these reasons, the Commission finds that the proposed rule change is consistent with Rules 17Ad-22(e)(4)(ii).¹⁸

D. Consistency With Rule 17Ad-22(e)(6)(i)

Rule 17Ad-22(e)(6)(i) requires that ICC establish, implement, maintain and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum, considers, and produces margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market.¹⁹ As discussed above, the Commission believes the proposed rule change should improve the Model Description by: (i) Memorializing the annual review and approval process, thereby helping to ensure that the Model Description is maintained and improved; (ii) simplifying the methodology and ensuring a consistent application of the LC among all of the products that ICC clears; and (iii) clarifying the integrated spread response requirement, the extreme price decrease and increase scenarios, and the final portfolio initial margin, helping to ensure the transparent and consistent application of ICC's risk methodology. ICC uses the Model Description to derive its margin requirements appropriately tailored to the risks presented by the products that ICC clears. The Commission therefore

believes the proposed rule change, in improving the Model Description, should improve ICC's ability to consider, and produce margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market. For these reasons, the Commission finds that the proposed rule change is consistent with Rule 17Ad-22(e)(6)(i).²⁰

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,²¹ Rules 17Ad-22(e)(2)(i) and (v) under the Act,²² Rule 17Ad-22(e)(4)(ii) under the Act,²³ and Rule 17Ad-22(e)(6)(i) under the Act.²⁴

It is therefore ordered pursuant to Section 19(b)(2) of the Act²⁵ that the proposed rule change (SR-ICC-2021-008) be, and hereby is, approved.²⁶

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁷

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-10840 Filed 5-21-21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91931; File No. SR-NASDAQ-2021-032]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend NOM Rules at Options 4, Section 5, "Series of Options Contracts Open for Trading" To Limit Short Term Options Series Intervals Between Strikes

May 18, 2021.

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 5, 2021, The Nasdaq Stock Market LLC ("Nasdaq" or "Exchange") filed with the

²⁰ 17 CFR 240.17Ad-22(e)(6)(i).

²¹ 15 U.S.C. 78q-1(b)(3)(F).

²² 17 CFR 240.17Ad-22(e)(2)(i) and (v).

²³ 17 CFR 240.17Ad-22(e)(4)(ii).

²⁴ 17 CFR 240.17Ad-22(e)(6)(i).

²⁵ 15 U.S.C. 78s(b)(2).

²⁶ 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).

²⁷ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

¹³ 15 U.S.C. 78q-1(b)(3)(F).

¹⁴ 17 CFR 240.17Ad-22(e)(2)(i).

¹⁵ 17 CFR 240.17Ad-22(e)(2)(v).

¹⁶ 17 CFR 240.17Ad-22(e)(2)(i) and (v).

¹⁷ 17 CFR 240.17Ad-22(e)(4)(ii).

¹⁸ 17 CFR 240.17Ad-22(e)(4)(ii).

¹⁹ 17 CFR 240.17Ad-22(e)(6)(i).

Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend The Nasdaq Options Market LLC (“NOM”) Rules at Options 4, Section 5, “Series of Options Contracts Open for Trading.” This proposal seeks to limit Short Term Options Series intervals between strikes which are available for quoting and trading on NOM.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rules>, 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

The Exchange proposes to amend Options 4, Section 5, “Series of Options Contracts Open for Trading.” Specifically, this proposal seeks to limit the intervals between strikes for multiply listed equity options classes within the Short Term Options Series program that have an expiration date more than twenty-one days from the listing date. This proposal is identical to a proposal by Nasdaq BX, Inc.³

³ See Securities Exchange Act Release No. 91125 (February 12, 2021), 86 FR 10375 (February 19, 2021) (SR-BX-2020-032) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 1, To Amend Options 4, Section 5, To Limit Short Term Options Series Intervals Between Strikes That Are Available for Quoting and Trading on BX).

Background

Today, NOM’s listing rules within Options 4, Section 5 permits the Exchange, after a particular class of options (call option contracts or put option contracts relating to a specific underlying stock, Exchange-Traded Fund Share,⁴ or ETN⁵) has been

⁴ Exchange-Traded Fund Share shall include shares or other securities that are traded on a national securities exchange and are defined as an “NMS stock” under Rule 600 of Regulation NMS, and that (i) represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities, that hold portfolios of securities and/or financial instruments including, but not limited to, stock index futures contracts, options on futures, options on securities and indexes, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (the “Money Market Instruments”) (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments (ii) Represent interests in a trust or similar entity that holds a specified non- U.S. currency or currencies deposited with the trust or similar entity when aggregated in some specified minimum number may be surrendered to the trust by the beneficial owner to receive the specified non-U.S. currency or currencies and pays the beneficial owner interest and other distributions on the deposited non-U.S. currency or currencies, if any, declared and paid by the trust (“Currency Trust Shares”), (iii) represent commodity pool interests principally engaged, directly or indirectly, in holding and/or managing portfolios or baskets of securities, commodity futures contracts, options on commodity futures contracts, swaps, forward contracts and/or options on physical commodities and/or non-U.S. currency (“Commodity Pool ETFs”), (iv) represent interests in the SPDR® Gold Trust, the iShares COMEX Gold Trust, the iShares Silver Trust, the ETFs Gold Trust, the ETFs Silver Trust, the ETFs Palladium Trust, the ETFs Platinum Trust or the Sprott Physical Gold Trust or (v) represents an interest in a registered investment company (“Investment Company”) organized as an open-end management company or similar entity, that invests in a portfolio of securities selected by the Investment Company’s investment adviser consistent with the Investment Company’s investment objectives and policies, which is issued in a specified aggregate minimum number in return for a deposit of a specified portfolio of securities and/or a cash amount with a value equal to the next determined net asset value (“NAV”), and when aggregated in the same specified minimum number, may be redeemed at a holder’s request, which holder will be paid a specified portfolio of securities and/or cash with a value equal to the next determined NAV (“Managed Fund Share”); provided the conditions within Options 4, Section 3(i)(A) and (B) are met. See Options 4, Section 3(i).

⁵ Securities deemed appropriate for options trading shall include shares or other securities (“Equity Index-Linked Securities,” “Commodity-Linked Securities,” “Currency-Linked Securities,” “Fixed Income Index-Linked Securities,” “Futures-Linked Securities,” and “Multifactor Index-Linked Securities,” collectively known as “Index-Linked Securities” or “ETNs”) that are principally traded on a national securities exchange and an “NMS Stock” (as defined in Rule 600 of Regulation NMS under the Securities Exchange Act of 1934), and represent ownership of a security that provides for

approved for listing and trading on the Exchange, to open for trading series of options therein. The Exchange may list series of options for trading on a weekly,⁶ monthly⁷ or quarterly⁸ basis. Options 4, Section 5(d) sets forth the intervals between strike prices of series of options on individual stocks.⁹ In

the payment at maturity, as described within Options 4, Section 3(l)(i)(1)–(6). See Options 4, Section 3(l)(i).

⁶ The weekly listing program is known as the Short Term Options Series Program and is described within Supplementary Material .03 of Options 4, Section 5.

⁷ The Exchange will open at least one expiration month for each class of options open for trading on the Exchange. See Options 4, Section 5(g). The monthly expirations are subject to certain listing criteria for underlying securities described within Options 4, Section 3. Monthly listings expire the third Friday of the month. The term “expiration date” when used in respect of a series of binary options other than event options means the last day on which the options may be automatically exercised. In the case of a series of event options (other than credit default options or credit default basket options) that are automatically exercised prior to their expiration date upon receipt by the Corporation of an event confirmation, the expiration date is the date specified by the listing Exchange; provided, however, that when an event confirmation is deemed to have been received by the Corporation with respect to such series of options, the expiration date will be accelerated to the date on which such event confirmation is deemed to have been received by the Corporation or such later date as the Corporation may specify. In the case of a series of credit default options or credit default basket options, the expiration date is the fourth business day after the last trading day for such series as such trading day is specified by the Exchange on which the series of options is listed; provided, however, that when an event confirmation is deemed to have been received by the Corporation with respect to a series of credit default options or single payout credit default basket options prior to the last trading day for such series, the expiration date for options of that series will be accelerated to the second business day following the day on which such event confirmation is deemed to have been received by the Corporation. “Expiration date” means, in respect of a series of range options expiring prior to February 1, 2015, the Saturday immediately following the third Friday of the expiration month of such series, and, in respect of a series of range options expiring on or after February 1, 2015 means the third Friday of the expiration month of such series, or if such Friday is a day on which the Exchange on which such series is listed is not open for business, the preceding day on which such Exchange is open for business. See The Options Clearing Corporation (“OCC”) By-Laws at Section 1.

⁸ The quarterly listing program is known as the Quarterly Options Series Program and is described within Supplementary Material .04 of Options 4, Section 5.

⁹ Except as otherwise provided in the Supplementary Material of Options 4, Section 5, the interval between strike prices of series of options on individual stocks will be: (1) \$2.50 or greater where the strike price is \$25.00 or less; (2) \$5.00 or greater where the strike price is greater than \$25.00; and (3) \$10.00 or greater where the strike price is greater than \$200.00.

The interval between strike prices of series of options on Exchange-Traded Fund Shares approved for options trading pursuant to Section 3(i) of this Options 4 shall be fixed at a price per share which is reasonably close to the price per share at which the underlying security is traded in the primary

addition to those intervals, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,¹⁰ the \$0.50 Strike Program,¹¹ the \$2.50 Strike Price Program,¹² and the \$5 Strike Program.¹³

The Exchange's proposal seeks to amend the listing of weekly series of options as proposed within new Supplementary Material .03(f) of Options 4, Section 5, by limiting the intervals between strikes in multiply listed equity options, excluding Exchange-Traded Fund Shares and ETNs, that have an expiration date more than twenty-one days from the listing date. This proposal does not amend monthly or quarterly listing rules nor does it amend the \$1 Strike Price Interval Program, the \$0.50 Strike Program, the \$2.50 Strike Price Program, or the \$5 Strike Program.

Short Term Options Series Program

Today, Supplementary Material .03 of Options 4, Section 5 permits NOM to open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on an option class that expires at the close of business on each of the next five Fridays that are business days and are not Fridays in which monthly options series or Quarterly Options

market at or about the same time such series of options is first open for trading on the Exchange, or at such intervals as may have been established on another options exchange prior to the initiation of trading on the Exchange.

Pursuant to Options 4, Section 5(e), notwithstanding any other provision regarding the interval of strike prices of series of options on Exchange-Traded Fund Shares in this rule, the interval of strike prices on SPDR® S&P 500® ETF ("SPY"), iShares Core S&P 500 ETF ("IVV"), PowerShares QQQ Trust ("QQQ"), iShares Russell 2000 Index Fund ("IWM"), and the SPDR® Dow Jones® Industrial Average ETF ("DIA") options will be \$1 or greater.

¹⁰ The \$1 Strike Interval Program is described within Supplementary Material .01 of Options 4, Section 5.

¹¹ The \$0.50 Strike Interval Program is described within Supplementary Material .05 of Options 4, Section 5.

¹² The \$2.50 Strike Interval Program is described within Supplementary Material .02 of Options 4, Section 5.

¹³ The \$5.00 Strike Interval Program is described within Supplementary Material .06 of Options 4, Section 5.

Series expire ("Short Term Option Expiration Dates"), provided an option class has been approved for listing and trading on the Exchange.¹⁴ Today, the Exchange may open up to thirty initial series for each option class that participates in the Short Term Option Series Program.¹⁵ Further, if the Exchange opens less than thirty (30) Short Term Option Series for a Short Term Option Expiration Date, additional series may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying security moves substantially from the exercise price or prices of the series already opened.¹⁶

The Exchange may open for trading Short Term Option Series on the Short Term Option Opening Date that expire on the Short Term Option Expiration Date at strike price intervals of (i) \$0.50

¹⁴ The Exchange may have no more than a total of five Short Term Option Expiration Dates, not including any Monday or Wednesday SPY Expirations as provided below. If the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date will be the first business day immediately prior to that Friday. With respect to Wednesday SPY Expirations, the Exchange may open for trading on any Tuesday or Wednesday that is a business day series of options on the SPDR S&P 500 ETF Trust (SPY) to expire on any Wednesday of the month that is a business day and is not a Wednesday in which Quarterly Options Series expire ("Wednesday SPY Expirations"). With respect to Monday SPY Expirations, the Exchange may open for trading on any Friday or Monday that is a business day series of options on the SPY to expire on any Monday of the month that is a business day and is not a Monday in which Quarterly Options Series expire ("Monday SPY Expirations"), provided that Monday SPY Expirations that are listed on a Friday must be listed at least one business week and one business day prior to the expiration. The Exchange may list up to five consecutive Wednesday SPY Expirations and five consecutive Monday SPY Expirations at one time; the Exchange may have no more than a total of five Wednesday SPY Expirations and a total of five Monday SPY Expirations. Monday and Wednesday SPY Expirations will be subject to the provisions of this Rule. See Supplementary Material .03 of Options 4, Section 5.

¹⁵ See Supplementary Material .03 of Options 4, Section 5(c).

¹⁶ See Supplementary Material .03 of Options 4, Section 5(d).

or greater where the strike price is less than \$100, and \$1 or greater where the strike price is between \$100 and \$150 for all option classes that participate in the Short Term Options Series Program; (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program; or (iii) \$2.50 or greater where the strike price is above \$150. During the month prior to expiration of an option class that is selected for the Short Term Option Series Program ("Short Term Option"), the strike price intervals for the related non-Short Term Option ("Related non-Short Term Option") shall be the same as the strike price intervals for the Short Term Option.¹⁷

The Exchange may select up to fifty currently listed option classes on which Short Term Option Series may be opened on any Short Term Option Opening Date. In addition to the fifty option class restriction, the Exchange may also list Short Term Option Series on any option classes that are selected by other securities exchanges that employ a similar program under their respective rules. For each option class eligible for participation in the Short Term Option Series Program, the Exchange may open up to thirty Short Term Option Series for each expiration date in that class. The Exchange may also open Short Term Option Series that are opened by other securities exchanges in option classes selected by such exchanges under their respective short term option rules.¹⁸

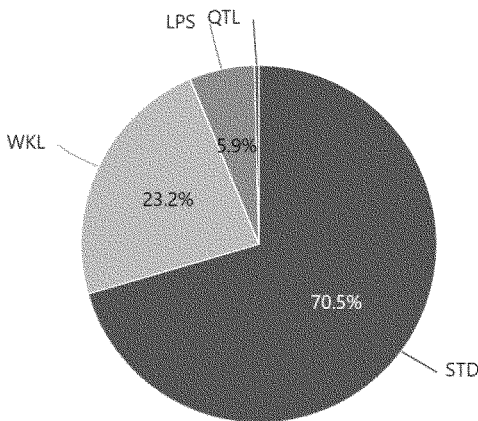
NOM notes that listings in the weekly program comprise a significant part of the standard listing in options markets. The below diagrams demonstrate the percentage of weekly listings as compared to Long-Term Option Series or LEAPs and quarterly listings in 2015 as compared to 2020. The weekly strikes increased 8.9% compound annual growth rate ("CAGR") from 2015 as compared to a 4.3% CAGR for standard expirations using 3rd 2015 Friday expirations.

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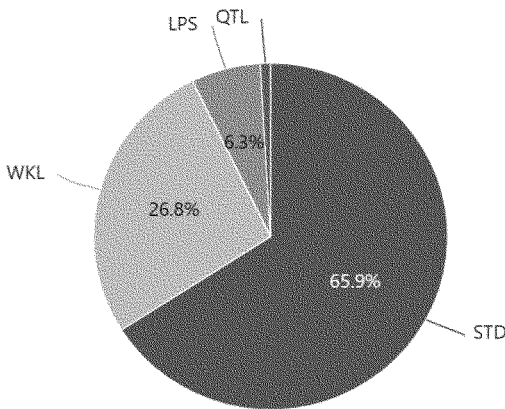
¹⁷ See Options 4, Section 5(e).

¹⁸ See Supplementary Material .03(a) of Options 4, Section 5.

2015:



2020:



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Proposal

NOM proposes to limit the intervals between strikes in options listed as part of the Short Term Option Series Program that have an expiration date more than twenty-one days from the listing date, by adopting proposed Supplementary Material .03(f) of Options 4, Section 5 as well as proposed Supplementary Material .07 of Options 4, Section 5, with respect to listing Short Term Option Series in equity options, excluding Exchange-Traded Fund Shares and ETNs) (collectively “Strike Interval Proposal”). NOM’s

Strike Interval Proposal would limit the intervals between strikes by utilizing the table proposed within Supplementary Material .07 of Options 4, Section 5. With the Strike Interval Proposal, NOM would limit intervals between strikes for expiration dates of option series beyond twenty-one days utilizing the below three-tiered table which considers both the share price and average daily volume for the option series.¹⁹ The below table indicates the applicable strike intervals and would supersede Supplementary Material .03(d) which currently permits additional series to be opened for trading on the Exchange

when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying security moves substantially from the exercise price or prices of the series already opened. As a result, the Exchange would not be able to utilize the rule text within Supplementary Material .03(d) to permit additional series to be opened for trading on NOM which have an expiration date more than twenty-one days from the listing date despite the noted circumstances when such additional series could otherwise be added.

Tier	Average daily volume	Share price				
		Less than \$25	\$25 to less than \$75	\$75 to less than \$150	\$150 to less than \$500	\$500 or greater
1	Greater than 5,000	\$0.50	\$1.00	\$1.00	\$5.00	\$5.00
2	Greater than 1,000 to 5,000	1.00	1.00	1.00	5.00	10.00

¹⁹ Additional information comparing the current listing program to this proposal is available at:

<https://www.nasdaq.com/solutions/bx-options-strike-proliferation-proposal>.

Tier	Average daily volume	Share price				
		Less than \$25	\$25 to less than \$75	\$75 to less than \$150	\$150 to less than \$500	\$500 or greater
3	0 to 1,000	2.50	5.00	5.00	5.00	10.00

The Share Price would be the closing price on the primary market on the last day of the calendar quarter. This value would be used to derive the column from which to apply strike intervals throughout the next calendar quarter. The Average Daily Volume would be the total number of options contracts traded in a given security for the applicable calendar quarter divided by the number of trading days in the applicable calendar quarter. Beginning on the second trading day in the first month of each calendar quarter, the Average Daily Volume shall be calculated by utilizing data from the prior calendar quarter based on Customer-cleared volume at OCC. For options listed on the first trading day of a given calendar quarter, the Average Daily Volume shall be calculated using the calendar quarter prior to the last trading calendar quarter.²⁰ Under current rules, if the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday, as is the case today for STOs as specified within Supplementary .03 to Options 4, Section 5.

The Exchange proposes that Short Term Options Series that are newly eligible for listing pursuant to Options 4, Section 3(a) will not be subject to this proposed Supplementary .07 until after the end of the first full calendar quarter following the date the option class was first listed for trading on any options market.²¹ The Exchange would be permitted to list options on newly eligible listings, without any curtailment in strike intervals, until the end of the first full quarter after they were listed. NOM's proposal would thereby permit NOM to add strikes to meet customer demand in the options class. By deferring the curtailment until after the end of the first full calendar quarter, additional information on the underlying security would be available to market participants and public

investors. During this period of deferment the price of the underlying would have an opportunity to settle based on the price discovery that has occurred in the primary market. An options class that represents a newly listed primary security may fluctuate in price after its initial listing; such volatility reflects a natural uncertainty about the security. Also, NOM would have the ability to list as many strikes as are permissible for the Short Term Options Series once the expiry is within twenty-one days. Short Term Options Series which have an expiration date less than twenty-one days from the listing date are not subject to the curtailment, thereby allowing NOM to list additional, and potentially narrower, strikes in the event of market volatility or other market events.

NOM proposes to make publically available a report on a quarterly basis which indicates, for each Short Term Options Series eligible to be listed under proposed Supplementary Material .07 of Options 4, Section 5, the applicable tiering of the underlying, which includes the closing price of the underlying, and the average daily customer volume of the option in that underlying.²² The average daily customer volume data will be sourced from OCC. The closing price of the underlying will be sourced from the closing prices for Tape A, B and C securities published by the UTP and CTA/CQ Plans. NOM will produce the report by the close of business on the first trading day of the quarter.²³ The Exchange notes that the report will be posted on NOM's website on the first day of a new quarter to support listing decisions, pursuant to the Short Term Options Series Program, for the most recent listing within the Short Term Options Program. The report will be based on information that NOM will obtain as described herein. This information is available to other options markets and is being made available by NOM to provide consistency and relieve administrative burdens on other options markets. Other exchanges may elect to utilize ISE's report to validate their own information or they may otherwise elect

another method to consume similar information as NOM is posting to its website.

In the event of a corporate action, the Share Price of the surviving company would be utilized. These metrics are intended to align expectations for determining which strike intervals will be utilized. Finally, notwithstanding the limitations imposed by Options 4, Section 5 at proposed Supplementary Material .07, this Strike Interval Proposal does not amend the range of strikes that may be listed pursuant to Options 4, Section 5 at Supplementary Material .03, regarding the Short Term Option Series Program.

By way of example, if the Share Price for a symbol was \$142 at the end of a calendar quarter, with an Average Daily Volume greater than 5,000, thereby, requiring strike intervals to be listed \$1.00 apart, that strike interval would apply for the calendar quarter, regardless of whether the Share Price changed to greater than \$150 during that calendar quarter.²⁴

The proposed table within Supplementary Material .07 of Options 4, Section 5 takes into account the notional value of a security, as well as Average Daily Volume in the underlying stock, in order to limit the intervals between strikes in the Short Term Options listing program. NOM would utilize OCC Customer-cleared volume, as customer volume is an appropriate proxy for demand. The OCC Customer-cleared volume represents the majority of options volume executed on the Exchange that, in turn, reflects the demand in the marketplace. The options series listed on NOM are intended to meet customer demand by offering an appropriate number of strikes. Non-Customer cleared OCC volume represents the supply side. The strike intervals for listing strikes in certain options are intended to remove repetitive and unnecessary strike listings across the weekly expiries. NOM's Strike Interval Proposal seeks to reduce the number of strikes in the furthest weeklies, where there exist wider markets and therefore lower

²⁰ For example, options listed as of January 4, 2021 would be calculated on January 5, 2021 using the Average Daily Volume from July 1, 2020 to September 30, 2020.

²¹ For example, if an options became newly eligible for listing pursuant to Options 4, Section 3 on March 1, 2021, the first full quarterly lookback would be available on July 1, 2021. This option would become subject to the curtailment on July 2, 2021.

²² ISE will make this information available on ISE's website. This information will be freely-accessible to the public.

²³ OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

²⁴ The Exchange notes that any limits on intervals imposed by the Exchange's Rules will continue to apply. In this example, the strikes would be in \$1 intervals up to \$150, which is the upper limit imposed by Supplementary Material .03(e) of Options 4, Section 5.

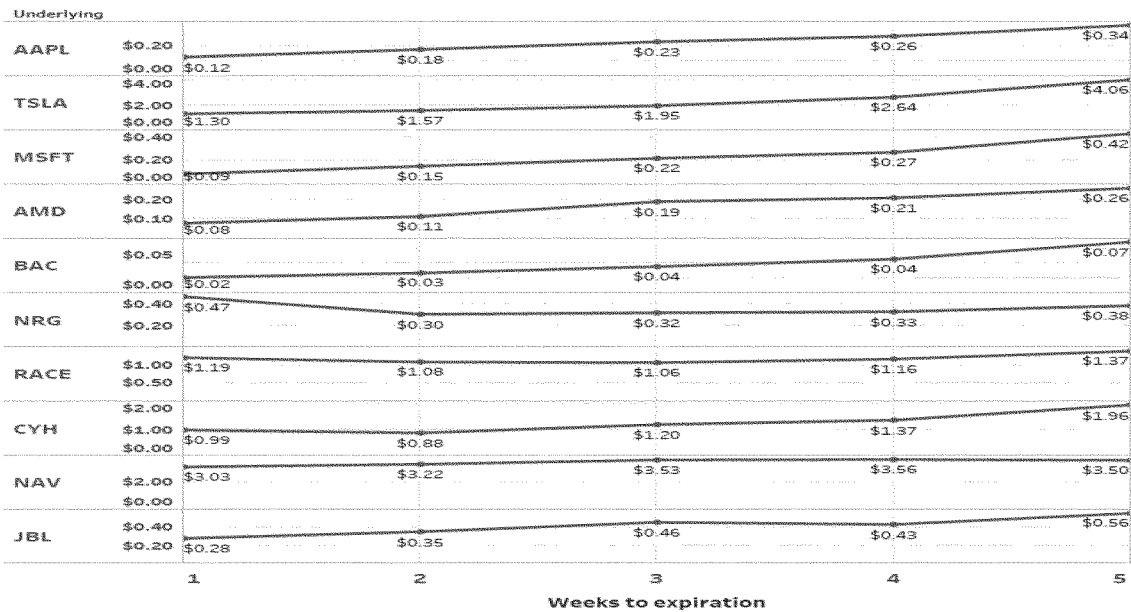
market quality. Below are two tables which focus on data for 10 of the most and least actively traded symbols²⁵ and

demonstrate average spreads in weekly

options during the month of August 2020.

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August 2020 Average Daily Spread by Expiration (aggregated by series)



The proposed table within Supplementary Material .07 of Options 4, Section 5 is intended to distribute strike intervals in multiply listed equity options where there is less volume as measured by the Average Daily Volume tiers. Therefore, the lower the Average Daily Volume, the greater the proposed spread between strike intervals. Options classes with higher volume contain the most liquid symbols and strikes,

therefore the finer the proposed spread between strike intervals. Additionally, lower-priced shares have finer strike intervals than higher-priced shares when comparing the proposed spread between strike intervals.²⁶

Today, weeklies are available on 16% of underlying products. The Exchange's Strike Interval Proposal curtails the density of strike intervals listed in series of options, without reducing the classes

of options available for trading on NOM. Short Term Options Series with an expiration date greater than twenty-one days from the listing date equates to 7.5% of the total number of strikes in the options market, which equals 81,000 strikes.²⁷ This proposal would result in the curtailment of approximately 20,000 strikes within the Short Term Options Series which is 2% of the total strikes in the options markets.²⁸

²⁵ The table represents stock in the following securities: Apple, Tesla, Microsoft Corporation, Advanced Micro Devices, Inc., Bank of America Corp., NRG Energy Inc., Ferrari NV, Community Health Systems Inc., Navistar International Corp, and Jabil Inc.

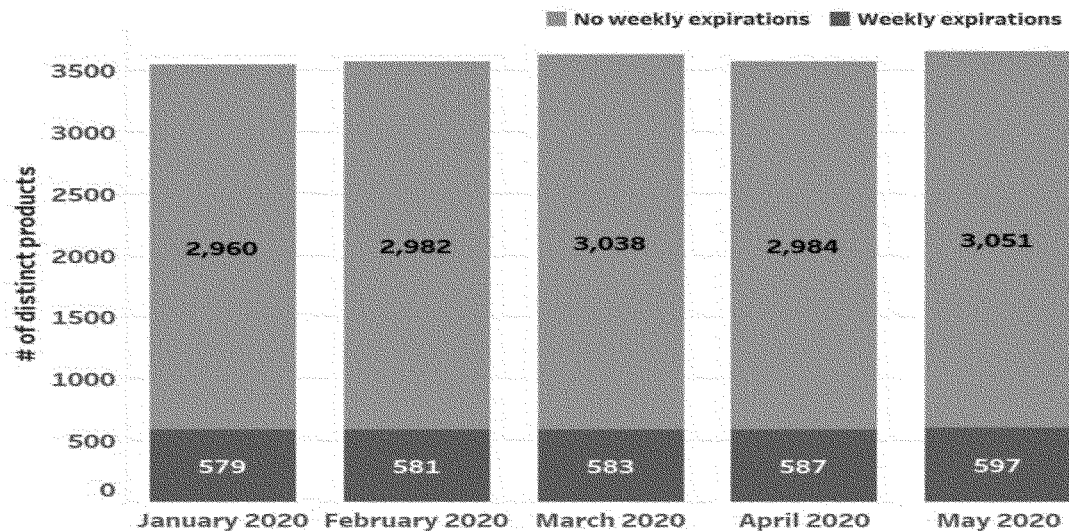
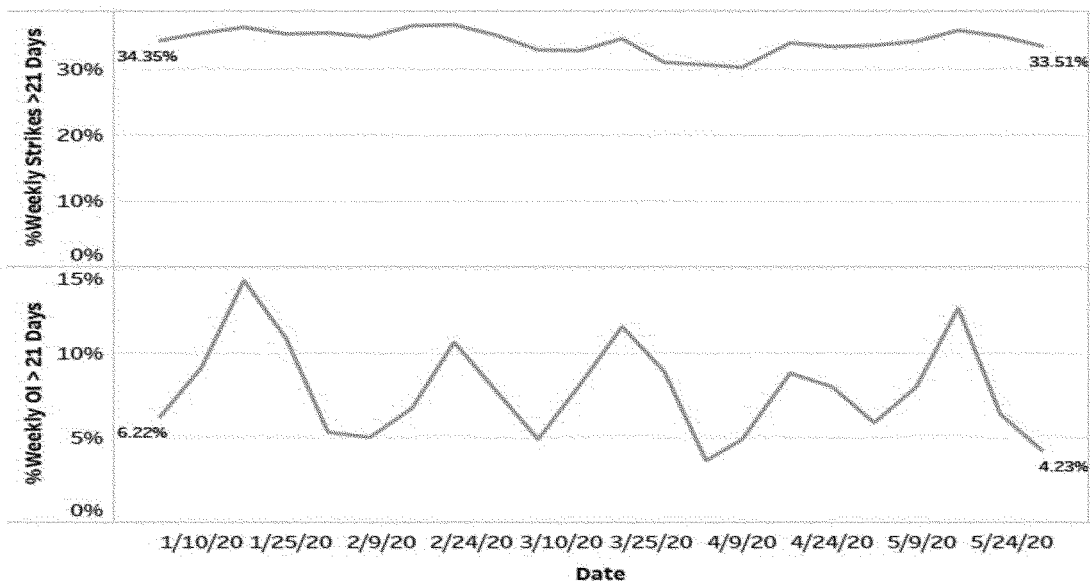
²⁶ The Exchange notes that is has discussed the proposed strike intervals with various members.

The Exchange has gathered information regarding where trading in weeklies generally occurs to arrive at the proposed strike intervals.

²⁷ The Exchange notes that this proposal is an initial attempt at reducing strikes and anticipates filing additional proposals to continue reducing strikes. The above-referenced data, specifically the percentage of underlying products and percentage

of and total number of strikes, are approximations and may vary slightly at the time of this filing.

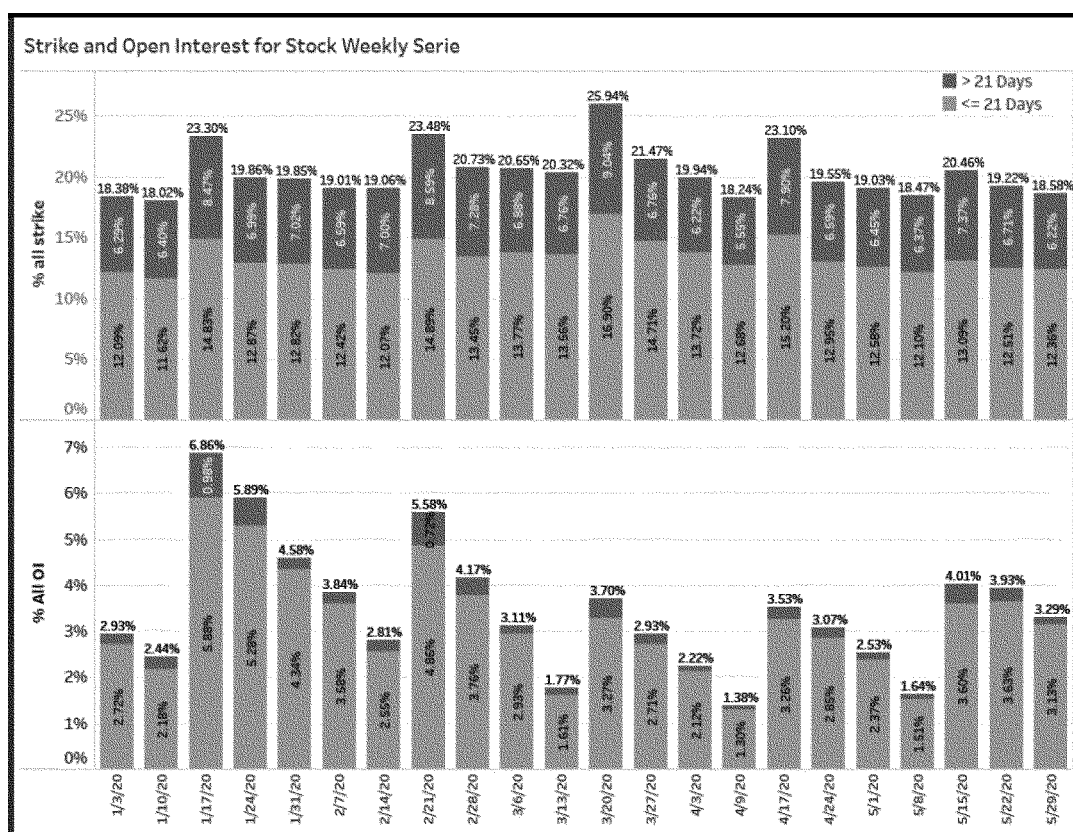
²⁸ This information was derived from information from the time period from January 2020 through May 2020.

of distinct products with/without weekly expirations**Weekly Strikes and Open Interests Distribution**

The above table represents the inconsistency of demand for series of options beyond twenty-one calendar days.

NOM's Strike Interval Proposal focuses on strikes in multiply listed equity options, and excludes Exchange-Traded Fund Shares and ETNs, as the

majority of strikes reside within equity options.



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While the current listing rules permit NOM to list a number of weekly strikes on its market, in an effort to encourage Market Makers to deploy capital more efficiently, as well as improve displayed market quality, NOM's Strike Interval Proposal reduces the number of listed weekly options. As NOM's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal. Specifically, the Strike Interval Proposal aims to reduce the density of strike intervals that would be listed in later weeks, by creating limitations for intervals between strikes which have an expiration date more than twenty-one days from the listing date. The table takes into account customer demand for certain options classes, by considering both the Share Price and the Average Daily Volume, to arrive at the manner which weekly strike intervals may be listed. The intervals for listing strikes in equity options is intended to remove certain strike intervals where there exist clusters of strikes whose characteristics closely resemble one another and, therefore, do not serve different trading

needs,²⁹ rendering these strikes less useful.

This Strike Interval Proposal serves to respond to comments received from industry members with respect to the increasing number of strikes that are required to be quoted by market makers in the options industry. NOM requires Lead Market Makers and Market Makers to quote a certain amount of time in the trading day in their assigned options series to maintain liquidity in the market.³⁰ With an increasing number of strikes being listed across options exchanges, Market Makers must expend their capital to ensure that they have the appropriate infrastructure to meet their quoting obligations on all options markets in which they are assigned in options series. The Exchange believes that this Strike Interval Proposal would limit the intervals between strikes, reducing the number of strikes listed on NOM, and thereby allow Lead Market Makers and Market Makers to expend their capital in the options market in a more efficient manner. Due to this increased efficiency, the Exchange believes that this Strike Interval Proposal would improve overall market quality on NOM by limiting the

intervals between strikes in multiply listed equity options that have an expiration date more than twenty-one days, from the listing date.

This Strike Interval Proposal is intended to be the first in a series of proposals to limit the number of listed options series listed on NOM and other Nasdaq affiliated markets. The Exchange intends to decrease the overall number of strikes listed on Nasdaq exchanges in a methodical fashion, so that it may monitor progress and feedback from its membership. While limiting the intervals between listed strikes is the goal of this rule change, NOM's Strike Interval Proposal is intended to balance that goal with the needs of market participants. NOM believes that various strike intervals continue to offer market participants the ability to select the appropriate strike interval to meet that market participant's investment objective.

Implementation

The Exchange intends to begin implementation of the proposed rule change on July 1, 2021. The Exchange will issue an Options Trader Alert to Participants to provide notification of the implementation date.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b)

²⁹ For example, two strikes that are densely clustered may have the same risk properties and may also be the same percentage out-of-the-money.

³⁰ See Options 2, Sections 4(j) and 5.

of the Act,³¹ in general, and furthers the objectives of Section 6(b)(5) of the Act,³² in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. The Strike Proposal seeks to limit the intervals between strikes listed in the Short Term Options Series program that have an expiration date more than twenty-one days. While the current listing rules permit NOM to list a number of weekly strikes on its market, the Exchange's Strike Interval Proposal removes impediments to and perfects the mechanism of a free and open market and a national market system by encouraging Market Makers to deploy capital more efficiently and improving market quality overall on NOM through limiting the intervals between strikes when applying the strike interval table to multiply listed equity options that have an expiration date more than twenty-one days from the listing date. Also, as NOM's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal. Amending NOM's listing rules to limit the intervals between strikes for multiply listed equity options that have an expiration date more than twenty-one days causes less disruption in the market as the majority of the volume traded in weekly options exists in options series which have an expiration date of twenty-one days or less. The Exchange's Strike Interval Proposal curtails the number of strike intervals listed in series of options without reducing the number of classes of options available for trading on NOM.

The Strike Interval Proposal takes into account customer demand for certain options classes by considering both the Share Price and the Average Daily Volume in the underlying security to arrive at the manner in which weekly strike intervals would be listed in the later weeks for each multiply listed equity options class. The Exchange utilizes OCC Customer-cleared volume, as customer volume is an appropriate proxy for demand. The OCC Customer-cleared volume represents the majority of options volume executed on the Exchange that, in turn, reflects the demands in the marketplace. The options series listed on NOM is intended to meet customer demand by

offering an appropriate number of strikes. Non-Customer cleared OCC volume represents the supply side.

The Strike Interval Proposal for listing strikes in certain multiply listed equity options is intended to remove certain strikes where there exist clusters of strikes whose characteristics closely resemble one another and, therefore, do not serve different trading needs that renders the strikes less useful and thereby protects investors and the general public by removing an abundance of unnecessary choices for an options series, while also improving market quality. NOM's Strike Interval Proposal seeks to reduce the number of strikes in the furthest weeklies, where there exist wider markets, and, therefore, lower market quality. The implementation of the proposed table is intended to spread strike intervals in multiply listed equity options, where there is less volume that is measured by the average daily volume tiers. Therefore, the lower the average daily volume, the greater the proposed spread between strike intervals. Options classes with higher volume contain the most liquid symbols and strikes, therefore the finer the proposed spread between strike intervals. Additionally, lower-priced shares have finer strike intervals than higher-priced shares when comparing the proposed spread between strike intervals.³³

Beginning on the second trading day in the first month of each calendar quarter, the Average Daily Volume shall be calculated by utilizing data from the prior calendar quarter based on OCC Customer-cleared volume. Utilizing the second trading day allows the Exchange to accumulate data regarding OCC Customer-cleared volume from the entire prior quarter. Beginning on the second trading day would allow trades executed on the last day of the previous calendar quarter to have settled³⁴ and be accounted for in the calculation of Average Daily Volume. Utilizing the previous three months is appropriate because this time period would help reduce the impact of unusual trading activity as a result of unique market events, such as a corporate action (*i.e.*, it would result in a more reliable measure of average daily trading volume than would a shorter period).

This Strike Interval Proposal serves to respond to comments received from

³³ The Exchange notes that it has discussed the proposed strike intervals with various members. The Exchange has gathered information regarding where trading in weeklies generally occurs to arrive at the proposed strike intervals.

³⁴ Options contracts settle one business day after trade date. Strike listing determinations are made the day prior to the start of trading in each series.

industry members with respect to the increasing number of strikes that are required to be quoted by market makers in the options industry. Today, NOM requires Lead Market Makers and Market Makers to quote a certain amount of time in the trading day in their assigned due options series to maintain liquidity in the market.³⁵ With an increasing number of strikes due to tighter intervals being listed across options exchanges, Market Makers must expend their capital to ensure that they have the appropriate infrastructure to meet their quoting obligations on all options markets in which they are assigned in options series. The Exchange believes that this Strike Interval Proposal would limit the intervals between strikes listed on NOM and thereby allow Lead Market Makers and Market Makers to expend their capital in the options market in a more efficient manner that removes impediments to and perfect the mechanism of a free and open market and a national market system. The Exchange also believes that this Strike Interval Proposal would improve overall market quality on NOM for the protection of investors and the general public by limiting the intervals between strikes when applying the strike interval table to multiply listed equity options which have an expiration date more than twenty-one days from the listing date.

This Strike Interval Proposal is intended to be the first in a series of proposals to limit the number of listed options series listed on NOM and other Nasdaq affiliated markets. The Exchange intends to decrease the overall number of strikes listed on Nasdaq exchanges in a methodical fashion in order that it may monitor progress and feedback from its membership. While limiting the intervals between strikes listed is the goal of this rule change, NOM's Strike Interval Proposal is intended to balance that goal with the needs of market participants. The Exchange believes that varied strike intervals continue to offer market participants the ability to select the appropriate strike interval to meet that market participant's investment objective.

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. The Strike Interval Proposal limits the number of Short Term Options Series strike

³⁵ See Options 2, Sections 4(j) and 5.

³¹ 15 U.S.C. 78f(b).

³² 15 U.S.C. 78f(b)(5).

intervals available for quoting and trading on NOM for all NOM Participants. While the current listing rules permit NOM to list a number of weekly strikes on its market, in an effort to encourage Market Makers to deploy capital more efficiently, as well as improve displayed market quality, NOM's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, without reducing the number of series or classes of options available for trading on NOM. As NOM's Strike Interval Proposal seeks to reduce the number of weekly options that would be listed on its market in later weeks, Market Makers would be required to quote in fewer weekly strikes as a result of the Strike Interval Proposal.

The Exchange's Strike Interval Proposal, which is intended to decrease the overall number of strikes listed on NOM, does not impose an undue burden on intra-market competition as all Participants may only transact options in the strike intervals listed for trading on NOM. While limiting the intervals of strikes listed on NOM is the goal of this Strike Interval Proposal, the goal continues to balance the needs of market participants by continuing to offer a number of strikes to meet a market participant's investment objective.

The Exchange's Strike Interval Proposal does not impose an undue burden on inter-market competition as this Strike Interval Proposal does not impact the listings available at another self-regulatory organization. In fact, NOM is proposing to list a smaller amount of weekly equity options in an effort to curtail the increasing number of strikes that are required to be quoted by market makers in the options industry. Other options markets may choose to replicate the Exchange's Strike Interval Proposal and, thereby, further decrease the overall number of strikes within the options industry.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) ³⁶ of the Act and Rule

19b-4(f)(6) thereunder.³⁷ 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)(iii) of the Act and subparagraph (f)(6) of Rule 19b-4 thereunder.³⁸

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 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-2021-032 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-2021-032. 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

³⁷ 17 CFR 240.19b-4(f)(6).

³⁸ In addition, Rule 19b-4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file 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.

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-NASDAQ-2021-032, and should be submitted on or before June 14, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁹

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-10845 Filed 5-21-21; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91922; File No. SR-ICC-2021-014]

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to ICC's Fee Schedules

May 18, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on May 7, 2021, ICE Clear Credit LLC ("ICC") filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared primarily by ICC. ICC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act³ and Rule 19b-4(f)(2) thereunder,⁴ such that the

³⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f)(2).

³⁶ 15 U.S.C. 78s(b)(3)(A)(iii).

proposed rule change was immediately effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The principal purpose of the proposed rule change is to modify ICC's fee schedules to introduce credit default index swaption ("Index Option") incentive programs for the second half of 2021. These revisions do not require any changes to the ICC Clearing Rules.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICC included statements concerning the purpose of and basis for the proposed rule change, security-based swap submission, or advance notice and discussed any comments it received on the proposed rule change, security-based swap submission, or advance notice. The text of these statements may be examined at the places specified in Item IV below. ICC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

The proposed changes are intended to modify ICC's fee schedules to introduce Index Option incentive programs for the second half of 2021.⁵ ICC maintains a Clearing Participant ("CP") fee schedule⁶ and client fee schedule⁷ (collectively, the "fee schedules") that are publicly available on its website, which ICC proposes to update in connection with the proposed incentive programs. Currently, clearing fees are

due by CPs and clients in accordance with the product, amount and currency set out in the fee schedules and subject to any incentive programs described in the fee schedules. ICC proposes to amend the fee schedules to include details on the proposed incentive programs for the second half of 2021, subject to any regulatory review or approval process. The proposed changes are described in detail as follows.

Under the amended CP fee schedule, the proposed 2H 2021 Standard Program automatically, and without further action by CPs, applies to CPs and provides a 25% discount, such that Index Option fees are \$2.25/million or €2.25/million, from June 1 through December 31, 2021. As an alternative, CPs may elect to participate in the 2H 2021 Prepaid Program from June 1 through December 31, 2021. Participation requires a non-refundable upfront payment of \$300,000 by June 25, 2021. Index Option fees are \$1.5/million or €1.5/million and the upfront payment is applied toward the first \$300,000 of option clearing fees due in the second half of 2021.

The amended client fee schedule offers the 2H 2021 Index Option Incentive Program, which is similar to the 2H 2021 Standard Program described above. This program automatically, and without further action by CPs or clients, applies to clients and provides a 25% discount, such that Index Option fees are \$3/million or €3/million, from June 1 through December 31, 2021. The discount or prepaid fee schedule would be applied at the time of invoice under both amended fee schedules.

(b) Statutory Basis

ICC believes that the proposed rule change is consistent with the requirements of the Act, including Section 17A of the Act⁸ and the regulations thereunder applicable to it. More specifically, the proposed rule change establishes or changes a member due, fee or other charge imposed by ICC under Section 19(b)(3)(A)(ii) of the Act⁹ and Rule 19b-4(f)(2)¹⁰ thereunder. ICC believes the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to ICC, in particular, to Section 17A(b)(3)(D),¹¹ which requires that the rules of the clearing agency provide for the equitable allocation of reasonable dues,

fees, and other charges among its participants.

ICC believes that the proposed discounts in the fee schedules have been set at an appropriate level. In determining the appropriate discount level and program structure, ICC took into account factors such as volume, revenue, costs and expenses, and market participation in the clearing service, including based on different fee levels. In ICC's view, the fees are reasonable under each proposed incentive program as the discounts correspond with anticipated volumes, costs and expenses, and revenues under each program, and they consider current and past market activity as well as anticipated market activity with respect to clearing Index Options at ICC.¹² Client fees remain higher than CP fees for Index Options under the proposed programs, which is in line with the current fee schedules for single names, indexes, and Index Options, given the responsibilities and obligations of CPs to ICC as opposed to clients.

Furthermore, the discount for the proposed 2H 2021 Prepaid Program in the CP fee schedule is associated with the non-refundable upfront payment applied toward clearing fees. These incentive programs are designed to encourage the clearing of Index Options by CPs and clients while properly compensating ICC for the risks, costs and expenses of clearing Index Options.

Moreover, the proposed fee changes will apply equally to all market participants clearing Index Options. The 2H 2021 Standard Program under the amended CP fee schedule automatically, and without further action by CPs, applies to all CPs. As an alternative, any CP may elect to participate in the 2H 2021 Prepaid Program, which requires an upfront payment by a specified date. The 2H 2021 Index Option Incentive Program under the amended client fee schedule automatically, and without further action by CPs or clients, applies to all clients. ICC's fee schedules, including the proposed incentive programs, will continue to be transparent and to apply equally to market participants clearing indexes, single names, and Index Options at ICC. Therefore, the proposed rule change provides for the equitable allocation of reasonable dues, fees and other charges among participants, within the meaning of Section 17A(b)(3)(D) of the Act.¹³ ICC

⁵ Pursuant to an Index Option, one party (the "Swaption Buyer") has the right (but not the obligation) to cause the other party (the "Swaption Seller") to enter into an index credit default swap transaction at a pre-determined strike price on a specified expiration date on specified terms. In the case of Index Options that may be cleared by ICC, the underlying index credit default swap is limited to certain CDX and iTraxx index credit default swaps that are accepted for clearing by ICC, and which would be automatically cleared by ICC upon exercise of the Index Option by the Swaption Buyer in accordance with its terms.

⁶ CP fee details available at: https://www.theice.com/publicdocs/clear_credit/ICE_Clear_Credit_Fees_Clearing_Participant.pdf.

⁷ Client fee details available at: https://www.theice.com/publicdocs/clear_credit/ICE_Clear_Credit_Fees.pdf. As specified, all fees are charged directly to a client's CP.

⁸ 15 U.S.C. 78q-1.

⁹ 15 U.S.C. 78s(b)(3)(A)(ii).

¹⁰ 17 CFR 240.19b-4(f)(2).

¹¹ 15 U.S.C. 78q-1(b)(3)(D).

¹² Supporting detail and additional data, including clearing statistics for Index Options and a presentation provided to the Board in respect of the proposed incentive programs is included in confidential Exhibit 3.

¹³ 15 U.S.C. 78q-1(b)(3)(D).

therefore believes that the proposed rule change is consistent with the requirements of Section 17A of the Act¹⁴ and the regulations thereunder applicable to it and is appropriately filed pursuant to Section 19(b)(3)(A) of the Act¹⁵ and paragraph (f)(2) of Rule 19b-4¹⁶ thereunder.

(B) Clearing Agency's Statement on Burden on Competition

ICC does not believe the proposed rule change would have any impact, or impose any burden, on competition not necessary or appropriate in furtherance of the purpose of the Act. As discussed above, the proposed changes modify ICC's CP and client fee schedules to introduce incentive programs for Index Options for the second half of 2021 and will apply uniformly across all market participants. The implementation of such changes does not preclude other market participants from offering similar incentive programs. Moreover, ICC does not believe that the amendments would adversely affect the ability of market participants to access clearing services. Accordingly, ICC does not believe the amendments 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 rule change have not been solicited or received. ICC will notify the Commission of any written comments received by ICC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁷ and paragraph (f) of Rule 19b-4¹⁸ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing,

including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-ICC-2021-014 on the subject line.

Paper Comments

Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR-ICC-2021-014. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filings will also be available for inspection and copying at the principal office of ICE Clear Credit and on ICE Clear Credit's website at <https://www.theice.com/clear-credit/regulation>. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-ICC-2021-014 and should be submitted on or before June 14, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁹

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-10843 Filed 5-21-21; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice: 11426]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "Paolo Veneziano: Art and Devotion in 14th Century Venice" Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition "Paolo Veneziano: Art and Devotion in 14th Century Venice" at The J. Paul Getty Museum at the Getty Center, Los Angeles, California, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PD, SA-5, Suite 5H03, Washington, DC 20522-0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236-3 of August 28, 2000.

Matthew R. Lussenhop,

Acting Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021-10809 Filed 5-21-21; 8:45 am]

BILLING CODE 4710-05-P

¹⁴ 15 U.S.C. 78q-1.

¹⁵ 15 U.S.C. 78s(b)(3)(A).

¹⁶ 17 CFR 240.19b-4(f)(2).

¹⁷ 15 U.S.C. 78s(b)(3)(A).

¹⁸ 17 CFR 240.19b-4(f)(2).

¹⁹ 17 CFR 200.30-3(a)(12).

DEPARTMENT OF TRANSPORTATION**Federal Transit Administration****Preparation of an Environmental Impact Statement for the Capital Metro Orange Line Project in Austin, Texas**

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Federal Transit Administration (FTA), as lead Federal agency, and the Capital Metropolitan Transportation Authority (Capital Metro), as local project sponsor and joint lead agency, issue this notice to advise the public that they intend to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) for the Orange Line Project (the Project) in Austin, Texas. The Project is a proposed light rail transit (LRT) line that would extend approximately 20 miles from the Tech Ridge Park & Ride on the northern end of the corridor, through downtown Austin, to just north of Slaughter Lane on the southern end of the corridor. FTA has determined that the Project is sufficiently developed to allow for meaningful public comment and requires an EIS.

DATES: Comments must be received on or before June 23, 2021.

ADDRESSES: Comments on the scope of the EIS should be sent to: Capital Metro, Orange Line LRT Project, 2910 E Fifth Street, Austin, TX 78702; or via email at OrangeLine@capmetro.org.

FOR FURTHER INFORMATION CONTACT: For FTA: Mr. Terence Plaskon, Federal Transit Administration, Region VI, 819 Taylor Street, Fort Worth, TX 76102, at (817) 978-0573 or terence.plaskon@dot.gov. For Capital Metro: Mr. Jacob Calhoun, Capital Metro, 2910 E Fifth Street, Austin, TX 78702, at (512) 369-6501 or jacob.calhoun@capmetro.org.

SUPPLEMENTARY INFORMATION: FTA and Capital Metro (the Agencies) will prepare the EIS in accordance with NEPA and its implementing regulations. The EIS will evaluate two alternatives: A Build Alternative and a No Build Alternative. After circulation of the draft EIS and consideration of comments received, FTA intends to issue a combined final EIS/Record of Decision (ROD) document pursuant to 23 U.S.C. 139(n)(2), unless statutory criteria (*i.e.*, the final EIS makes substantial changes to the proposed action that are relevant to environmental or safety concerns or there is a significant new circumstance or information relevant to environmental concerns that affect the

proposed action or its impacts) preclude issuance of a combined document.

I. Purpose and Need for the Proposed Action

The Project is part of Capital Metro's 2018 Project Connect Long-Term Vision Plan (Project Connect), amended in 2020. Project Connect presents a regional vision for high-capacity transit (HCT) investments that would add mobility options for the Central Texas region. Capital Metro began developing Project Connect in 2016 to create a system of HCT options along with enhancing and expanding existing services. Capital Metro conducted extensive outreach to the public, stakeholders, and government agencies to gain their input. The Project Connect area includes the five-county metropolitan statistical area of Bastrop, Caldwell, Hays, Travis, and Williamson counties.

Capital Metro began preparing the Project Connect Program in 2016, following Federal guidance on the Planning and Environmental Linkages (PEL) process. In 2019 and 2020, Capital Metro completed a PEL study for the Project. The PEL study documented Capital Metro's alternatives analysis, the Project's purpose and need, public and stakeholder outreach, and informed selection of the Locally Preferred Alternative (LPA). Capital Metro and the Austin City Council approved the LPA in June 2020. For reference purposes, Capital Metro continues to make the PEL study available at <http://projectconnect.com/orange-environment>.

As documented in the PEL study, the purpose of the Project is to meet growing corridor travel demand with a reliable, safe, cost-effective, time competitive, state-of-the-art HCT option that is congestion proof.

The lack of transportation options and limited roadway capacity to accommodate growth in Central Texas may hinder the continued vitality and economic health of the City of Austin and surrounding areas in the future. Inadequate transit access for many city residents coupled with rising travel demand have resulted in longer travel times, decreased mobility, and additional travel costs for residents and businesses. As documented in the PEL study, Capital Metro identified several needs within the Project study area:

- Sustainably support Austin's population and economic growth;
- Increase transportation network capacity to meet increasing travel demand;
- Improve transit access between affordable housing and jobs; and

- Support growth of and connectivity to regional activity centers.

II. Description of Proposed Action and Alternatives

Capital Metro applied a phased screening process to select the proposed action. As documented in the PEL study and alternatives analysis report, the process was structured as a tiered screening, where alternatives were defined, evaluated, and refined or eliminated in each step of the process. The result is that the EIS will evaluate two alternatives, a Build Alternative and a No Build Alternative. The Build Alternative is a 20-mile proposed LRT system currently served by Capital Metro's MetroRapid 801-N Lamar S Congress bus route from the Tech Ridge Park & Ride on the northern end of the corridor, through downtown Austin, to just north of Slaughter Lane on the southern end of the corridor. The Project would involve new track mostly within existing, publicly owned right-of-way, running at street level (primarily center-running) and is planned to be elevated in three sections—at I-35 north of Parmer Lane at Rundberg, at Airport Blvd. and Lamar intersection, and at US 290/SH 71. The proposed transitway would include a tunnel through downtown from approximately MLK Boulevard to South Congress (south of Lady Bird Lake), approximately two miles. Station locations would include: Tech Ridge, Parmer, Braker, Rundberg, North Lamar Transit Center, Crestview, Koenig, Triangle, Hyde Park, Hemphill Park, UT West Mall, Capitol West, Government Center, Republic Square, Auditorium Shores, SoCo, Oltorf, St. Edward's, South Congress Transit Center, Stassney, William Cannon, and Slaughter Transit Center. The Project's transitway and station locations will be further refined during the EIS process, working in close coordination with the public, agencies, and key stakeholders. The No Build Alternative is defined as the existing transportation system and includes other planned transit investments included in the Capital Area Metropolitan Planning Organization's 2045 Regional Transportation Plan (*e.g.*, the Blue Line Project and bus rapid transit projects, as part of Project Connect), except the Orange Line. The No Build Alternative serves as a benchmark from which to compare the effects of the Project.

III. Summary of Expected Impacts

The Agencies will evaluate potential direct, indirect, and cumulative impacts of the Build and No Build Alternatives to the natural, built, and social environments. Impacts evaluated will

include those that are reasonably foreseeable. As a tunnel is proposed for the Project, potential above- and below-ground impacts will be considered. Potential impacts include transportation, land use, socioeconomic and economic development, parklands and recreational facilities, neighborhoods and community facilities, environmental justice, noise and vibration, hazardous materials, ecosystems, water resources, and short-term construction impacts. The EIS will also address displacements and relocations, historic and archaeological resources, visual quality, vegetation, geotechnical conditions, air quality (including greenhouse gas emissions), and energy. The potential impact to these resources will be evaluated for the short-term construction period and long-term operation of each alternative. Measures to avoid, minimize, or mitigate impacts will be evaluated and proposed, as necessary.

The Agencies have identified several potential impact areas and project considerations, including: The crossing of major transportation thoroughfares; impacts to downtown roadways; property acquisitions; impacts to historic resources; and preserving the ability to develop station areas for transit-oriented development and affordable housing.

IV. Anticipated Permits and Other Authorizations

The EIS will list Federal permits, licenses, and other authorizations that must be obtained in implementing the Project. The Agencies anticipate that required permits and other authorizations may include:

- U.S. Department of Interior approval under Section 6(f) of the Land and Water Conservation Act;
- Memorandum of Agreement with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act; and
- U.S. Army Corps of Engineers approval under Section 404 of the Clean Water Act and/or Section 10 of the River and Harbors Act.

V. Schedule for Decision-Making Process

The Agencies intend to complete the EIS for the Project within two years, measured from the date of the issuance of this notice to the date a ROD is signed. Capital Metro will accept public comments on the scope of the EIS (*i.e.*, the information presented in this notice and at <http://projectconnect.com/orange-environment>) through June 23, 2021. The Agencies will then consider

those comments as they prepare the draft EIS. The Agencies will announce the availability of the draft EIS in the **Federal Register** and via local media outlets. Capital Metro expects the draft EIS will be available for a minimum 45-day public comment period by Spring 2022. The Agencies will consider substantive comments timely submitted during the public comment period and then prepare a combined final EIS/ROD by Winter 2022/2023. The Agencies expect that all Federal environmental authorization decisions for the construction of the Project will be completed within a reasonable period following issuance of the ROD.

VI. Description of Scoping Process

In accordance with NEPA and its implementing regulations, and after FTA determined that the Project was sufficiently developed for agency and public consideration, the Agencies used an early and open process to determine the scope of issues for analysis in the EIS. On April 19, 2019, FTA published in the **Federal Register** a Notice of Early Scoping for the Project. Since that time, Capital Metro has extensively engaged the public and stakeholder agencies to identify significant environmental issues deserving of study, thereby narrowing the scope of the EIS to the relevant impacts. As part of the scoping process, FTA invited the participation of likely affected Federal, State, Tribal, and local agencies and governments, and other likely affected or interested persons. From January 2021 to March 2021, Capital Metro held public and agency virtual scoping meetings, published scoping information (*e.g.*, alternatives analysis), and used other means to communicate with persons or agencies who may be interested or affected by the Project. Capital Metro has posted a self-guided public scoping presentation online at <http://projectconnect.com/orange-environment>.

The Agencies identified partner agencies that potentially have an interest in the Project, including those agencies with authorization decisions, and invited them to serve as a participating or cooperating agency to the EIS.

VII. Request for Identification of Potential Alternatives, Information, and Analysis

The Agencies invite all State, Tribal, local governments, and the public to comment on potential alternatives,

information, and analyses to be considered in the EIS.

Gail Lyssy,

Regional Administrator, FTA Region VI.

[FR Doc. 2021-10865 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Preparation of an Environmental Impact Statement for the Capital Metro Blue Line Project in Austin, Texas

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Federal Transit Administration (FTA), as lead Federal agency, and the Capital Metropolitan Transportation Authority (Capital Metro), as local project sponsor and joint lead agency, issue this notice to advise the public that they intend to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) for the Blue Line Project (the Project) in Austin, Texas. The Project is a proposed light rail transit (LRT) line that would extend approximately 8.2 miles from Republic Square in downtown Austin to Austin-Bergstrom International Airport (AUS). FTA has determined that the Project is sufficiently developed to allow for meaningful public comment and requires an EIS.

DATES: Comments must be received on or before June 23, 2021.

ADDRESSES: Comments on the scope of the EIS should be sent to: Capital Metro, Blue Line LRT Project, 2910 E Fifth Street, Austin, TX 78702; or via email at BlueLine@capmetro.org.

FOR FURTHER INFORMATION CONTACT: For FTA: Mr. Terence Plaskon, Federal Transit Administration, Region VI, 819 Taylor Street, Fort Worth, TX 76102, at (817) 978-0573 or terence.plaskon@dot.gov. For Capital Metro: Mr. Jacob Calhoun, Capital Metro, 2910 E Fifth Street, Austin, TX 78702, at (512) 369-6501 or jacob.calhoun@capmetro.org.

SUPPLEMENTARY INFORMATION: FTA and Capital Metro (the Agencies) will prepare the EIS in accordance with NEPA and its implementing regulations. The EIS will evaluate two alternatives, a Build Alternative and a No Build Alternative. After circulation of the draft EIS and consideration of comments received, FTA intends to issue a combined final EIS/Record of Decision (ROD) document pursuant to 23 U.S.C.

139(n)(2), unless statutory criteria (*i.e.*, the final EIS makes substantial changes to the proposed action that are relevant to environmental or safety concerns or there is a significant new circumstance or information relevant to environmental concerns that affect the proposed action or its impacts) preclude issuance of a combined document.

I. Purpose and Need for the Proposed Action

The Project is part of Capital Metro's 2018 Project Connect Long-Term Vision Plan (Project Connect), amended in 2020. Project Connect presents a regional vision for high-capacity transit (HCT) investments that would add mobility options for the Central Texas region. Capital Metro began developing Project Connect in 2016 to create a system of HCT options along with enhancing and expanding existing services. Capital Metro conducted extensive outreach to the public, stakeholders, and government agencies to gain their input. The Project Connect area includes the five-county metropolitan statistical area of Bastrop, Caldwell, Hays, Travis, and Williamson counties.

Capital Metro began preparing the Project Connect Program in 2016, following Federal guidance on the Planning and Environmental Linkages (PEL) process. In 2019 and 2020, Capital Metro completed a PEL study for the Project. The PEL study documented Capital Metro's alternatives analysis, the Project's purpose and need, public and stakeholder outreach, and informed selection of the Locally Preferred Alternative (LPA). Capital Metro and the Austin City Council approved the LPA in June 2020. For reference purposes, Capital Metro continues to make the PEL study available at <http://projectconnect.com/blue-environment>.

As documented in the PEL study, the purpose of the Project is to provide improved HCT that operates faster; has better reliability; provides improved connectivity to affordable housing, employment, activity centers, and the AUS; and links other future transit corridors.

The lack of transportation options and limited roadway capacity to accommodate growth in Central Texas may hinder the continued vitality and economic health of the City of Austin and surrounding areas in the future. Inadequate transit access for many city residents coupled with rising travel demand have resulted in longer travel times, decreased mobility, and additional travel costs for residents and businesses. As documented in the PEL

study, Capital Metro identified several needs within the Project study area:

- Sustainably support Austin's population and economic growth;
- Increase transportation network capacity to meet increasing travel demand;
- Provide better transit options linking affordable housing and jobs;
- Support growth of and connectivity to activity centers; and
- Support Austin-Bergstrom International Airport growth in air travel.

II. Description of Proposed Action and Alternatives

Capital Metro applied a phased screening process to select the proposed action. As documented in the PEL study and alternatives analysis report, the process was structured as a tiered screening, where alternatives were defined, evaluated, and refined or eliminated in each step of the process. The result is that the EIS will evaluate two alternatives, a Build Alternative and a No Build Alternative. The Build Alternative is an 8.2-mile proposed LRT line from Republic Square in Downtown Austin to AUS. The Project would involve new track mostly within existing publicly owned right-of-way, running at street level (primarily center running) and elevated in two sections—across Lady Bird Lake (Colorado River) and at AUS. The proposed transitway would include an approximate 0.8-mile tunnel between the Downtown and Republic Square stations. Additional potential stations include: Emma S. Barrientos Mexican American Cultural Center/Rainey, Waterfront, Travis Heights, Lakeshore, Riverside, Faro, Montopolis, Metro Center, and AUS. Blue Line trains would ultimately connect with the proposed Orange Line Project. Possible station locations in Downtown Austin could ultimately serve both the proposed Blue Line and Orange Line projects. The Project's transitway and station locations will be further refined during the environmental review process, working in close coordination with the public, agencies, and key stakeholders. The No Build Alternative is defined as the existing transportation system and includes other planned transit investments included in the Capital Area Metropolitan Planning Organization's 2045 Regional Transportation Plan (*e.g.*, the Orange Line Project and bus rapid transit projects, as part of Project Connect), except the Blue Line Project. The No Build Alternative serves as a benchmark from which to compare the effects of the Project.

III. Summary of Expected Impacts

The Agencies will evaluate potential direct, indirect, and cumulative impacts of the Build and No Build Alternatives to the natural, built, and social environments. Impacts evaluated will include those that are reasonably foreseeable. As a tunnel is proposed for the Project, potential above- and below-ground impacts will be considered. Potential impacts include transportation, land use, socioeconomic and economic development, parklands and recreational facilities, neighborhoods and community facilities, environmental justice, noise and vibration, hazardous materials, ecosystems, water resources, and short-term construction impacts. The EIS will also address displacements and relocations, historic and archaeological resources, visual quality, vegetation, geotechnical conditions, air quality (including greenhouse gas emissions), and energy. The potential impact to these resources will be evaluated for the short-term construction period and long-term operation of each alternative. Measures to avoid, minimize, or mitigate impacts will be evaluated and proposed, as necessary.

The Agencies have identified several potential impact areas and project considerations, including: The crossing of waterways; adjacent wetlands and watersheds; mitigating conflict with adjacent roadways; preserving the ability to develop AUS property for aviation operations while providing a high-quality station area; minimizing impacts to downtown roadways; property acquisitions; and preserving the ability to develop station areas for transit-oriented development and affordable housing.

IV. Anticipated Permits and Other Authorizations

The EIS will list Federal permits, licenses, and other authorizations that must be obtained in implementing the Project. The Agencies anticipate that required permits and other authorizations may include:

- U.S. Department of Interior approval under Section 6(f) of the Land and Water Conservation Act;
- Memorandum of Agreement with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act; and
- U.S. Army Corps of Engineers approval under Section 404 of the Clean Water Act and/or Section 10 of the River and Harbors Act.

V. Schedule for the Decision-Making Process

The Agencies intend to complete the EIS for the Project within two years, measured from the date of the issuance of this notice to the date a ROD is signed. Capital Metro will accept public comments on the scope of the EIS (*i.e.*, the information presented in this notice and at <http://projectconnect.com/blue-environment>) through June 23, 2021. The Agencies will then consider those comments as they prepare the draft EIS. The Agencies will announce the availability of the draft EIS in the **Federal Register** and via local media outlets. Capital Metro expects the draft EIS will be available for a minimum 45-day public comment period by Spring 2022. The Agencies will consider substantive comments timely submitted during the public comment period and then prepare a combined final EIS/ROD by Winter 2022/2023. The Agencies expect that all Federal environmental authorization decisions for the construction of the Project will be completed within a reasonable period following issuance of the ROD.

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The Agencies identified partner agencies that potentially have an interest in the Project, including those agencies with authorization decisions, and invited them to serve as a

participating or cooperating agency to the EIS.

VII. Request for Identification of Potential Alternatives, Information, and Analyses

The Agencies invite all State, Tribal, local governments, and the public to comment on potential alternatives, information, and analyses to be considered in the EIS.

Gail Lyssy,

Regional Administrator, FTA Region VI.

[FR Doc. 2021-10866 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Notice of Funding Opportunity for America's Marine Highway Projects

AGENCY: Maritime Administration, DOT.

ACTION: Notice of funding opportunity.

SUMMARY: This notice announces the availability of funding for grants and establishes selection criteria and application requirements for the America's Marine Highway Program (AMHP). The purpose of this program is to make grants available to previously designated Marine Highway Projects that support the development and expansion of documented vessels or port and landside infrastructure. The U.S. Department of Transportation (Department) will award Marine Highway Grants to implement projects or components of projects previously designated by the Secretary of Transportation (Secretary) under the AMHP. Only Marine Highway Projects the Secretary designates before the Notice of Funding Opportunity (NOFO) closing date are eligible for funding as described in this notice.

DATES: Timing of Grant Applications: Applications must be received by the Maritime Administration (MARAD) by 5:00 p.m. EDT on June 25, 2021.

ADDRESSES: Grant applications must be submitted electronically using [Grants.gov](https://www.grants.gov) (<https://www.grants.gov>). Please be aware that you must complete the [Grants.gov](https://www.grants.gov) registration process before submitting your application and that the registration process usually takes 2 to 4 weeks to complete. Applicants are strongly encouraged to make submissions in advance of the deadline.

FOR FURTHER INFORMATION CONTACT: Fred Jones, Office of Ports & Waterways Planning, Room W21-311, Maritime Administration, U.S. Department of

Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, phone 202-366-1123, or email Fred.Jones@dot.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during regular business hours.

SUPPLEMENTARY INFORMATION: Each section of this notice contains information and instructions relevant to the Marine Highway Grants application process. All applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications. Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties as outlined below in section D.6.

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- A. Program Description
- B. Federal Award Information
- C. Eligibility Information
- D. Application and Submission Information
- E. Application Review Information
- F. Federal Award Administration Information
- G. Federal Awarding Agency Contacts

A. Program Description

The Secretary, in accordance with 46 U.S.C. 55601, established a marine highway transportation grant program to implement projects or components of designated Marine Highway Projects that provide a coordinated and capable alternative to landside transportation or that promote marine highway transportation. The primary goal of the AMHP is to expand the use of the nation's navigable waters to relieve landside congestion, reduce air emissions, and generate other public benefits by increasing the efficiency of the surface transportation system, and Fiscal Year (FY) 2021 Marine Highway Grants will be awarded to further this purpose.

The Consolidated Appropriations Act, 2021 (Pub. L. 116-260, December 27, 2020) appropriated \$10,819,000 to be awarded by the Department for Marine Highway Grants. The grant funds currently available are for projects related to vessels documented under 46 U.S.C. chapter 121 and port and landside infrastructure. Section E of this notice, which outlines FY 2021 Marine Highway Grants selection criteria, describes the process for selecting projects that further this goal. Section

F.3 describes progress and performance reporting requirements for selected projects, including the relationship between that reporting and the program's selection criteria.

Since this program was created, over \$40 million has been awarded through competitive grants to implement projects or components of a project designated under 46 U.S.C. 55601. Throughout the program, these discretionary grants have been awarded to projects that have supported the development and expansion of documented vessels and port and landside infrastructure, consistent with DOT's strategic infrastructure goal.¹ The AMHP continues to align with the Department's infrastructure goal by guiding strategic investments for port and landside infrastructure that expand the use of the nation's navigable waters. This round of FY 2021 AMHP grant funding also highlights the Administration's priorities to invest in infrastructure projects that result in good-paying jobs, improve safety, apply transformative technology, and explicitly address climate change.

The America's Marine Highway Program Office (Program Office) follows a three-step approach when supporting investment opportunities for marine highway transportation services. The first step is designation of a Marine Highway Route by the Secretary. The Department accepts Marine Highway Route Designation requests at any time from Route Sponsors. Once a Route is designated, the second step is designation as a Marine Highway Project by the Secretary. Marine Highway Projects represent concepts for new services or expansions of existing marine highway services on designated Marine Highway Routes that use documented vessels and mitigate landside congestion or promote marine highway transportation. MARAD announces by notice in the **Federal Register** open season periods to allow Project Applicants opportunities to submit Marine Highway Project Designation applications. A Project Applicant must receive a Project Designation to then become eligible for Marine Highway Grant funding for that Project, the third step referenced above. Marine Highway Grant funding (the subject of this NOFO) is provided to successful public and private sector applicants as funds are appropriated by Congress.

The America's Marine Highway Grant program is described in the Federal Assistance Listings with Assistance Listings Number 20.816 (formerly known as the Catalog of Federal Domestic Assistance Number).

B. Federal Award Information

The total funding available for awards under this NOFO is \$12,600,138. This amount represents \$10,494,430 from the current year's appropriations less \$324,570 for grant administration and oversight as permitted under 49 U.S.C. 109(i), and \$2,105,708 from unexpended prior year Marine Highway Grant funding.

MARAD will seek to obtain the maximum benefit from the available funding by awarding grants to as many qualified projects as possible; however, per 46 U.S.C. 55601(g)(3), MARAD shall give preference to those projects or components that present the most financially viable transportation services and require the lowest percentage of Federal share of the costs. Depending on the characteristics of the pool of qualified applications, it is possible MARAD may award all funds to a single project. MARAD may also award grant funds to support a portion of a project described in an application by selecting discrete components.

MARAD will administer each Marine Highway Grant pursuant to a grant agreement with the successful applicant, and the start date and period of performance for each award will be outlined in each grant agreement. Marine Highway Grant funds will be administered on a reimbursable basis. Unless authorized in writing by MARAD and incurred after the Department's announcement of FY 2021 Marine Highway Grant awards, any costs incurred prior to MARAD's obligation of funds for a project ("pre-award costs") are ineligible for reimbursement and are ineligible to count as match for cost share requirements.² Obligation occurs when a selected applicant and MARAD enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, including environmental review requirements. MARAD reserves the right to revoke any award of Marine Highway Grant funds and to award such funds to another project to the extent that such funds are not expended in a timely or acceptable

manner and in accordance with the project schedule and requirements detailed in the grant agreement.

Prior recipients of Marine Highway Grants may apply for funding to support additional phases of a designated project. However, to be competitive, the grant applicant should demonstrate the extent to which the previously funded project phase has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the new award.

C. Eligibility Information

To be selected for a Marine Highway Grant, an applicant must be an Eligible Applicant, and the project must be an Eligible Project.

1. Eligible Applicants

Eligible Applicants for funding available under this notice are an original Project Applicant of a project that the Secretary has previously designated as a Marine Highway Project or a substitute applicant (which can be either a public entity or a private-sector entity who has been referred to the Program Office by the original Project Applicant with a written explanation, as part of the application). Original Project Applicants are defined as those public entities named by the Secretary in the original designated project. Grant applicants must have operational or administrative areas of responsibility that are adjacent to or near the relevant designated Marine Highway Project. Eligible Applicants include State governments (including State departments of transportation), metropolitan planning organizations, port authorities, and tribal governments, or private sector operators of marine highway services within designated Marine Highway Projects. Private-sector applicants should refer to section D.2.vi.G for additional documentation that must be submitted to support an eligibility determination.

Eligible Applicants are encouraged to develop coalitions and public/private partnerships, which might include vessel owners and operators; third-party logistics providers; trucking companies; shippers; railroads; port authorities; state, regional, and local transportation planners; environmental organizations; impacted communities; or any combination of entities working in collaboration on a single grant application that can be submitted by the original Project Applicant or their designated substitute. All successful grant applicants, whether they are public or private entities, must comply with all Federal requirements.

¹ See U.S. Department of Transportation Strategic Plan for FY 2018–2022 (Feb. 2018) at <https://www.transportation.gov/administrations/office-policy/dot-strategic-plan-fy2018-2022>.

² Pre-award costs are costs incurred prior to the effective date of the Federal award directly pursuant to the negotiation and anticipation of entering into a Marine Highway grant agreement, where such costs are necessary for efficient and timely performance of the scope of work, as determined by MARAD.

If multiple Eligible Applicants submit a joint grant application, they must identify a lead Eligible Applicant as the primary point of contact. Joint grant applications must include a description of the roles and responsibilities of each applicant, including designating the one entity that will receive the Federal funds directly from MARAD, and must be signed by each Eligible Applicant. Refer to section D.5, *Funding Restrictions*, for more information.

2. Cost Sharing or Matching

An Eligible Applicant must provide at least 20 percent of grant project costs from non-Federal sources. The application should demonstrate, such as through a letter or other documentation, the sources of these funds. Preference will be given to those projects that provide a larger percentage of costs from non-Federal sources. MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the matching requirement for any project. Matching funds are subject to the same Federal requirements described in section F.2 as Federally-awarded funds, including applicable Buy American requirements. Refer to section D.2 for information on documenting cost sharing in the application.

For each project that receives a Marine Highway Grant award, the terms of the award will require the recipient to complete the project using at least the level of non-Federal funding that was specified in the application. If the actual costs of the project are greater than the costs estimated in the application, the recipient will be responsible for increasing the non-Federal contribution. If the actual costs of the project are less than the costs estimated in the application, the Department may reduce the Federal contribution.

3. Other Eligible Projects

Pursuant to the Consolidated Appropriations Act, 2021 (Pub. L. 116–260, December 27, 2020), eligible projects proposed for funding must support the development and expansion of documented vessels or port and landside infrastructure. Only projects or their components that the Secretary has designated as Marine Highway Projects by the closing date of this notice are eligible for this round of grant funding. The current list of designated Marine Highway Projects can be found on the MARAD website at: <https://www.maritime.dot.gov/grants/marine-highways/marine-highway-project-description-pages>.

Grant funds may also be requested for eligible project planning activities;

however, market-related studies are ineligible to receive Marine Highway Grants. Activities eligible for funding under Marine Highway planning grants are related to the planning, preparation, or design—including site design, engineering drawings, cost estimation, and other pre-construction activities—of eligible documented vessel or port and landside infrastructure projects.

Improvements to Federally-owned facilities are ineligible under the FY 2021 Marine Highway Grant program. Each lead applicant may submit no more than one application.

D. Application and Submission Information

1. Address To Request Application Package

This announcement contains all the information needed for applicants to apply for this funding opportunity. Applications may be found at and must be submitted through *Grants.gov*.

2. Content and Form of Application Submission

In addition to the SF–424, the application should include the Project Narrative. MARAD recommends that the Project Narrative follows the basic outline below to address the program requirements and assist evaluators in locating relevant information.

I. First Page of Project Narrative	See D.2.i.
II. Project Description	See D.2.ii.
III. Project Location	See D.2.iii.
IV. Grant Funds, Sources, and Uses of Project Funds	See D.2.iv.
V. Selection Criteria	See D.2.v and E.1.
VI. Other Application Requirements	See D.2.vi.

The Project Narrative should include the information necessary for MARAD to determine that the project satisfies the requirements described in sections B and C, and to assess the selection criteria specified in section E.1. This includes a detailed project description, location, and budget. To the extent practicable, applicants should provide supporting data and documentation in a form that is directly verifiable by MARAD. Applicants are strongly encouraged to provide quantitative information, including baseline information, that demonstrates the project's merits and economic viability. MARAD may ask any applicant to supplement data in its application, but expects applications to be complete upon submission. Incomplete applications may not be considered for an award.

The Project Narrative should also include a table of contents, maps, and graphics, as appropriate, to make the

information easier to review. MARAD recommends that the Project Narrative be prepared with standard formatting preferences (a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins, and the narrative text in one column only). The Project Narrative may not exceed 10 pages in length, excluding the table of contents and appendices. The only substantive portions that may exceed the 10-page limit are documents supporting assertions or conclusions made in the 10-page Project Narrative. If possible, website links to supporting documentation should be provided rather than copies of these supporting materials. It is important to ensure that the website links are currently active and working. If supporting documents are submitted, applicants should clearly identify within the Project Narrative the relevant portion of the Project Narrative that each supporting document

supports. MARAD recommends using appropriately descriptive file names (e.g., "Project Narrative," "Maps," "Letters of Support") for all attachments. At the applicant's discretion, relevant materials provided previously in support of a Marine Highway Project application may be referenced, updated, or described as unchanged. To the extent documents provided previously are referenced, they need not be resubmitted in support of a Marine Highway Grant application.

To ensure the Project Narrative is sufficiently detailed and informative, MARAD recommends applications include the following sections:

i. First Page of Project Narrative

The first page of the Project Narrative should provide the following items of information:

(A) Marine Highway Project name and the original Project Applicant (as stated

on the Marine Highway Program's list of Designated Projects);

(B) Primary point of contact, including the name, phone number, email address, and business address of the primary point of contact for the Eligible Applicant;

(C) Total amount of the proposed grant project cost in dollars and the amount of Federal grant funds the applicant is seeking, along with sources and share of matching funds;

(D) Executive Summary, which should include an outline of the background of the project, the need for the project, and how the grant funding will be applied in the context of the service referenced in the original Project Designation application;

(E) The public and private partners engaged in the Marine Highway Project;

(F) The Data Universal Numbering System (DUNS) number associated with the application. Marine Highway Grant Recipients and their first-tier sub-awardees must obtain DUNS numbers, which are available at <https://fedgov.dnb.com/webform>; and

(G) Evidence of registration with the System for Award Management (SAM) at <https://www.SAM.gov>.

ii. Project Description

The next section of the application should provide a concise description of the project. The project description must be in paragraph form providing a high-level view of the overall project and its major components. This section should discuss the project's history, including a description of any previously completed components. The applicant may use this section to place the project into a broader context of other transportation infrastructure investments being pursued by the grant applicant, and, if applicable, how it will benefit communities in rural areas. This section should also include a timeline for implementing the project.

Consistent with the Department's Rural Opportunities to Use Transportation for Economic Success (ROUTES) Initiative (<https://www.transportation.gov/rural>), the Department encourages applicants to describe how activities proposed in their application would address the unique challenges facing rural transportation networks, regardless of the geographic location of those activities.

iii. Project Location

This section of the application should describe the project location, including a detailed geographical description of the proposed project, a map of the project's location and connections to

existing transportation infrastructure, and geospatial data describing the project location.

The application should also identify:

(A) Whether the project is located in a Federally designated community development zone such as a qualified Opportunity Zone;³ Empowerment Zone;⁴ Promise Zone;⁵ or Choice Neighborhood;⁶ and

(B) whether the project is located in an urban area (UA) or rural area (RA)⁷ as designated by the U.S. Census Bureau at http://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/.

(C) whether the project advances Racial Equity and Reducing Barriers to Opportunity. This section of the application should include sufficient information to evaluate how the applicant and the project will advance the Racial Equity and Barriers to Opportunity program objective.

iv. Grant Funds, Sources, and Uses of Project Funds

This section of the application should describe the project's budget (*i.e.*, the project scope that includes Marine Highway funding). The budget should not include any previously incurred expenses. At a minimum, it should include:

(A) Project costs;

(B) The source and amount of those funds to be used for project costs;

(C) For Non-Federal funds to be used for eligible project costs, documentation of funding commitments should be referenced here and included as an appendix to the application;

(D) For Federal funds to be used for eligible project costs, the amount, nature, and source of any required non-Federal match for those funds; and

(E) A budget showing how each source of funds will be spent. The budget should show how each funding source will share in each project component, and present that data in dollars and percentages. Funding sources should be grouped into three categories: Non-Federal; Marine Highway Grant funding; and other Federal. A letter of commitment from

³ See <https://opportunityzones.hud.gov/>.

⁴ See https://www.hud.gov/hudprograms/empowerment_zones.

⁵ See https://www.hud.gov/program_offices/field_policy_mgt/fieldpolicymgtpz.

⁶ See https://www.hud.gov/program_offices/public_indian_housing/programs/ph/cn.

⁷ The Department will consider a project to be in an RA if the majority of the project (determined by geographic location(s) where the majority of the money is to be spent) is located in an RA. Grant funds utilized in a UA border, including an intersection with a UA, will be considered urban for the purposes of the FY 2021 Marine Highway Grants program.

each funding source should be an attachment to the application. If the project contains individual components, the budget should separate the costs of each project component. The budget should sufficiently demonstrate that the project satisfies the statutory cost-sharing requirements described in section C.2.

v. Selection Criteria

This section of the application should demonstrate how the project proposed for grant funding aligns with the criteria described below and in section E.1. MARAD encourages applicants to address each criterion, or expressly state that the project does not address the criterion. Applicants are not required to follow a specific format, but MARAD recommends applicants address each criterion separately using the outline suggested below, which provides a clear discussion that assists project evaluators. Guidance describing how MARAD will evaluate projects against the selection criteria is in section E.1 of this notice. Applicants also should review that section before considering how to organize and complete their application. To minimize redundant information in the application, MARAD encourages applicants to cross-reference from this section of their application to relevant substantive information in other sections of the application.

(A) Primary Selection Criteria

(1) This section of the application should demonstrate the extent to which the project is financially viable. Per 46 U.S.C. 55601(g)(3), preference will be given to projects or components that present the most financially viable transportation services.

(2) This section of the application should demonstrate that the funds received will be spent efficiently and effectively.

(3) This section of the application should demonstrate that a market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

(4) This section of the application should describe the public benefits anticipated by the proposed grant project, as outlined in 46 CFR 393.3(c)(8), and described below. The public benefits described in the relevant Marine Highway Project Designation application may be referenced, updated, or described as unchanged. Applicants will need to clearly demonstrate that the original public benefits outlined in the original Project Designation application apply to the specific grant funding request associated with this notice, and

provide any updates or supplement the original public benefits, as necessary. To the extent referenced, this information need not be resubmitted in support of a Marine Highway Grant application.

Applicants should organize their external net cost savings and public benefits of the proposed grant project based on the following six categories:

- (1) Emissions benefits;
- (2) Energy savings;
- (3) Landside transportation infrastructure maintenance savings;
- (4) Economic competitiveness;
- (5) Safety improvements; and
- (6) System resiliency and redundancy.

vi. Other Application Requirements

(A) National Environmental Policy Act (NEPA) Requirements

(1) Information about the NEPA status of the Project. Projects selected for grant award must comply with NEPA and any other applicable environmental laws. The application should indicate the anticipated NEPA level of review for the project and describe any environmental analysis in progress or completed. This includes Categorical Exclusion, Environmental Assessment/Finding of No Significant Impact, or Environmental Impact Statement/Record of Decision. The applicant should review the Maritime Administration Manual of Orders MAO 600-1 (available at <https://www.maritime.dot.gov/sites/marad.dot.gov/files/docs/environment-security-safety/office-environment/596/mao600-001-0.pdf>) prior to submission. The application should detail the type of NEPA review underway, where the project is in the process, provide a website link or other reference to copies of any environmental documents prepared, and indicate the anticipated date of completion of all milestones and of the final NEPA determination. If the last agency action with respect to NEPA documents occurred more than three years before the application date, the applicant should describe why the project has been delayed and include a proposed approach for verifying and, if necessary, updating this material in accordance with applicable NEPA requirements.

(2) Environmental Permits and Reviews. The application should demonstrate receipt (or reasonably anticipated receipt) of all environmental permits and approvals necessary, including Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and Section 7 of the Endangered Species Act, 16 U.S.C. 1531, for the project to proceed on the timeline specified in the project schedule, including satisfaction of all

Federal, State, and local requirements and completion of the NEPA process.

(B) Other Federal, State, and Local Actions

An application must indicate whether the proposed project is likely to require actions by other agencies, indicate the status of such actions, provide a website link or other reference to materials submitted to the other agencies, and demonstrate compliance with other Federal, state, or local regulations and permits as applicable. This section should also include a description of whether the project is dependent on, or affected by, U.S. Army Corps of Engineers investment and the U.S. Army Corps of Engineers planned activities as it relates to the project.

(C) Domestic Preference

If a project intends to use any product with foreign content or of foreign origin, this information should be listed and addressed in the application. Applications should expressly address how the applicant plans to comply with domestic-preference requirements and the applicant's current efforts and planned efforts to maximize domestic content. If an applicant anticipates any potential foreign-content issues with its proposed project, applications should demonstrate that the domestic source is not available and how that determination was achieved.

(D) Addressing Climate Change and Decarbonization

In support of Departmental priorities and objectives related to climate change, including maritime transportation decarbonization, applications should address whether the proposed grant project demonstrates a movement towards lower carbon emissions or near-zero emissions. This may include, but is not limited to:

- (1) The use of alternative, low carbon fuels for vessels or cargo handling equipment;
- (2) The use of alternative technologies, such as fuels cells, batteries, hybrid systems, etc. for vessels or cargo handling equipment;
- (3) The procurement or leasing of low or no emission cargo-handling equipment that make greater reductions in energy consumption and harmful emissions than comparable equipment;
- (4) The use of port-based alternative energy sources such as low carbon-powered microgrids or charging stations; and/or
- (5) Best practices that promote low carbon/energy efficiency cargo movement or handling operations.

(E) Certification Requirements

For an application to be considered for a grant award, the Chief Executive Officer, or equivalent, of the Eligible

Applicant is required to certify, in writing, the following:

(1) That, except as noted in this grant application, nothing has changed from the original application for formal designation as a Marine Highway Project; and

(2) The Eligible Applicant will administer the project and any funds received will be spent efficiently and effectively; and

(3) The Eligible Applicant will provide information, data, and reports as required.

(F) Protection of Confidential Commercial Information

Eligible Applicants should submit, as part of or in support of an application, publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards to the extent possible. If the application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (i) Note on the front cover that the submission contains "Confidential Commercial Information (CCI)"; (ii) mark each affected page "CCI"; and (iii) highlight or otherwise denote the CCI portions. MARAD will protect such information from disclosure to the extent allowed under applicable law. In the event MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

(G) Additional Application Information Needed From Private-Sector Applicants

(1) Written referral from the original successful Project Applicant stating that the private entity has been referred by the original Project Applicant for the relevant designated Marine Highway Project.

(2) A description of the entity including location of the headquarters; a description of the entity's assets (tugs, barges, etc.); years in operation; ownership; customer base; and website address, if any.

(3) Unique entity identifier of the parent company (when applicable): Data Universal Numbering System (DUNS + 4 number).

(4) The most recent year-end audited, reviewed or compiled financial statements, prepared by a certified public accountant (CPA), per U.S. generally accepted accounting

principles (not tax-based accounting financial statements). If CPA prepared financial statements are not available, provide the most recent financial statement for the entity. Do not provide tax returns.

(5) Statement regarding the relationship between applicants and any parents, subsidiaries or affiliates, if any such entity is going to provide a portion of the matching funds.

(6) Evidence documenting applicant's ability to make proposed matching requirement (loan agreement, commitment from investors, cash on balance sheet, etc.).

(7) Pro-forma financial statements reflecting financial condition at beginning of period; effect on balance sheet of grant and matching funds (e.g., a decrease in cash or increase in debt, additional equity and an increase in fixed assets); and impact on company's projected financial condition (balance sheet) of completion of project, showing that company will have sufficient financial resources to remain in business.

(8) Statement whether during the past five years, the applicant or any predecessor or related company has been in bankruptcy or in reorganization under Chapter 11 of the Bankruptcy Code, or in any insolvency or reorganization proceedings, and whether any substantial property of the applicant or any predecessor or related company has been acquired in any such proceeding or has been subject to foreclosure or receivership during such period. If so, give details.

(9) Additional information may be requested as deemed necessary by MARAD to facilitate and complete its review of the application. If such information is not provided, MARAD may deem the application incomplete and cease processing it.

(10) Company Officer's certification of each of the following:

- i. That the company operates in the geographic location of the designated Marine Highway Project;
- ii. That the applicant has the authority to carry out the proposed project; and
- iii. That the applicant has not, and will not make any prohibited payments out of the requested grant, in accordance with the Department of Transportation's regulation restricting lobbying, 49 CFR part 20.

3. Unique Entity Identifier and System for Award Management (SAM)

MARAD will not make an award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. Each applicant must

be registered in SAM before applying, provide a valid Unique Entity Identifier number in its application, and maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. Applicants may register with the SAM at www.SAM.gov. Applicants can obtain a DUNS number at <http://fedgov.dnb.com/webform>. If an applicant has not fully complied with the requirements by the time MARAD is ready to make an award, MARAD may determine that the applicant is not qualified to receive a Federal award under this program.

4. Submission Dates and Times

Applications must be received by 5:00 p.m. EDT on June 25, 2021. To submit an application through *Grants.gov*, applicants must:

- i. Obtain a Data Universal Numbering System (DUNS) number;
- ii. Register with the System for Award Management (SAM) at www.SAM.gov;
- iii. Create a *Grants.gov* username and password; and
- iv. Complete Authorized Organization Representative (AOR) registration in *Grants.gov*.

The E-Business Point of Contact (POC) at the applicant's organization must respond to the registration email from *Grants.gov* and login at *Grants.gov* to authorize the applicant as the AOR. Please note that there can be more than one AOR for an organization.

Please note that the *Grants.gov* registration process usually takes 2–4 weeks to complete and the Department will not consider late applications that are the result of a failure to register or comply with *Grants.gov* applicant requirements in a timely manner. For information and instruction on each of these processes, please see instructions at <https://www.grants.gov/applicants/applicant-faqs.html>. If applicants experience difficulties at any point during the registration or application process, please call the *Grants.gov* Customer Service Support Hotline at 1 (800) 518–4726, Monday–Friday from 7:00 a.m. to 9:00 p.m. ET.

5. Funding Restrictions

Grant funds may only be used for the purposes described in this notice and may not be used as an operating subsidy. Market-related studies are ineligible for Marine Highway Grant funds, as are improvements to Federally owned facilities.

MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the

matching requirement for any project. Unless authorized by MARAD in writing after MARAD's announcement of Marine Highway Grant awards, any costs incurred prior to MARAD's obligation of funds for a project ("pre-award costs") are ineligible for reimbursement and are ineligible to count as match for cost share requirements.

Federal award recipients and sub-recipients are prohibited from obligating or expending grant funds to procure or obtain; extend or renew a contract to procure or obtain; or enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. See Section 889 of Public Law 115–232 (National Defense Authorization Act for Fiscal Year 2019) and 2 CFR 200.216 & 200.471.

6. Other Submission Requirements

Grant applications must be submitted electronically using *Grants.gov* (<https://www.grants.gov>).

Late applications that are the result of failure to register or comply with *Grants.gov* application requirements in a timely manner will not be considered. Applicants experiencing technical issues with *Grants.gov* that are beyond the applicant's control must contact MH@dot.gov or Fred Jones at 202–366–1123 prior to the deadline with the user name of the registrant and details of the technical issue experienced. The applicant must provide: (i) Details of the technical issue experienced; (ii) screen capture(s) of the technical issue experienced along with the corresponding "Grant tracking number" that is provided via *Grants.gov*; (iii) the "Legal Name" for the applicant that was provided in the SF–424; (iv) the name and contact information for the person to be contacted on matters involving submission that is included on the SF–424; (v) the DUNS number associated with the application; and (vi) the *Grants.gov* Help Desk Tracking Number.

E. Application Review Information

1. Selection Criteria

This section specifies the criteria that MARAD will use to evaluate and award applications for Marine Highway Grants. These criteria incorporate the statutory requirements for this program, as well as Departmental and programmatic priorities.

When reviewing grant applications, MARAD will consider how the

proposed service could satisfy, in whole or in part, 46 U.S.C. 55601(b)(1) and (3) and the following criteria found at 46 U.S.C. 55601(g)(2)(B):

- i. The project is financially viable;
- ii. The funds received will be spent efficiently and effectively; and
- iii. A market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

MARAD will also consider how the proposed request for funding outlined in the grant application supports the elements of 46 CFR 393.3(c)(8) (Public benefits) as a key programmatic objective.

In awarding grants under the program, MARAD will give preference to those projects or components that present the most financially viable marine highway transportation services and require the lowest total percentage Federal share of the costs.

After applying the above criteria, in support of Departmental priorities related to climate change, including advancing the goals outlined in Executive Order 13990, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (86 FR 7037, January 25, 2021).

Applicants are encouraged to describe credible planning activities and actions to resolve potential inequities and barriers to equal opportunity in the project as reflected in Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.

MARAD may give preference to grant projects that demonstrate a movement towards lower carbon emissions or near-zero emissions. This may include, but is not limited to:

(A) The use of alternative, low carbon fuels for vessels or cargo handling equipment;

(B) The use of alternative technologies, such as fuel cells, batteries, hybrid systems, etc. for vessels or cargo handling equipment;

(C) The procurement or leasing of low or no emission cargo-handling equipment that make greater reductions in energy consumption and harmful emissions than comparable equipment;

(D) The use of port-based alternative energy sources such as low carbon-powered microgrids or charging stations; and/or

(E) Best practices that promote low carbon/energy efficiency cargo movement or handling operations.

MARAD may also consider whether a project is located within a Federally designated community development zone such as a Qualified Opportunity

Zone, Empowerment Zone, Promise Zone, or Choice Neighborhood.

2. Review and Selection Process

Upon receipt, MARAD will conduct a technical review to evaluate the application using the criteria outlined above. Upon completion of the technical review, MARAD will forward the applications to an inter-agency review team (Intermodal Review Team). The Intermodal Review Team will include members of MARAD, other Department of Transportation Operating Administrations, and representatives from the Office of the Secretary of Transportation. The Intermodal Review Team will assign ratings of “highly recommended,” “recommended,” “not recommended,” “incomplete,” or “not eligible” for each application based on the criteria set forth above. The Intermodal Review Team will provide its findings to the Program Office. The Program Office will use those findings to inform the recommendations that will be made to the Maritime Administrator and the Secretary.

3. Federal Awardee Performance and Integrity Information System (FAPIIS) Check

MARAD is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. 2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. MARAD will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants.

F. Federal Award Administration Information

1. Federal Award Notices

Following the evaluation outlined in section E, the Secretary will announce the selected grant award recipients. The award announcement will be posted on the MARAD website (<https://www.maritime.dot.gov>).

Recipients of an award will not receive a lump-sum cash disbursement at the time of award announcement or

obligation of funds. Instead, Marine Highway Grant funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and a valid request for reimbursement has been submitted. Marine Highway Grant recipients must adhere to applicable requirements and follow established procedures to receive reimbursement. Unless authorized in writing by MARAD, an expense incurred before a grant agreement is executed will not be reimbursed or count towards cost share requirements.

2. Administrative and National Policy Requirements

All awards must be administered pursuant to the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” found at 2 CFR part 200, as adopted by the Department at 2 CFR part 1201. Federal wage rate requirements included at 40 U.S.C. 3141–3148 apply to all projects receiving funds under this program and apply to all parts of the project, whether funded with Federal funds or non-Federal funds. Additionally, all applicable Federal laws and regulations will apply to projects that receive Marine Highway Grants.

As expressed in Executive Order 14005, *Ensuring the Future is Made in All of America by All of America's Workers* (86 FR 7475, January 28, 2021), it is the policy of the executive branch to use terms and conditions of Federal financial assistance awards to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Consistent with the requirements of section 410 of Division L—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2021 (Pub. L. 116–260, December 27, 2020), the Buy American requirements of 41 U.S.C. Chapter 83 apply to funds made available under this notice, and all award recipients must apply, comply with, and implement all provisions of the Buy American Act and related provisions in the grant agreement when implementing Marine Highway Grant projects. Depending on other funding streams, the project may be subject to separate “Buy America” requirements.

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of Federal law, including, without limitation, the Constitution of the United States; the conditions of performance, nondiscrimination requirements, and

other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients, in particular, must ensure that no concession agreements are denied or other contracting decisions made on the basis of speech or other activities protected by the First Amendment. If the Department determines that a recipient has failed to comply with applicable Federal requirements, the Department may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

3. Reporting

Award recipients are required to submit quarterly reports, signed by an officer of the recipient, to the Program Office to keep MARAD informed of all activities during the reporting period. The reports will indicate progress made, planned activities for the next reporting period, and a listing of any purchases made with grant funds during the reporting period. In addition, the report will include an explanation of any deviation from the projected budget and timeline. Quarterly reports will also contain, at a minimum, the following: (i) A statement as to whether the award recipient has used the grant funds consistent with the terms contemplated in the grant agreement; (ii) if applicable, a description of the budgeted activities not procured by recipient; (iii) if applicable, the rationale for recipient's failure to execute the budgeted activities; (iv) if applicable, an explanation as to how and when recipient intends to accomplish the purposes of the grant agreement; and (v) a budget summary showing funds expended since commencement, anticipated expenditures for the next reporting period, and expenditures compared to overall budget.

Award recipients will also collect information and report on the project's observed performance with respect to the relevant long-term outcomes that are expected to be achieved through the project. Performance indicators will not include formal goals or targets, but will include observed measures under baseline (pre-project) as well as post-implementation outcomes for an agreed-upon timeline, and will be used to evaluate and compare projects and monitor the results that grant funds achieve to the intended long-term outcomes of the AMHP. Performance reporting continues for several years

after the project is completed, and MARAD does not provide Marine Highway Grant funding specifically for performance reporting.

G. Federal Awarding Agency Contacts

To ensure applicants receive accurate information about eligibility, the program, or in response to other questions, applicants are encouraged to contact MARAD directly, rather than through intermediaries or third parties. Please see contact information in the **FOR FURTHER INFORMATION CONTACT** section above.

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By Order of the Acting Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2021-10914 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[DOT-NHTSA-2020-104]

National Emergency Medical Services Advisory Council Notice of Public Meeting

AGENCY: National Highway Traffic Safety Administration, U.S. Department of Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: This notice announces a meeting of the National Emergency Medical Services Advisory Council (NEMSAC).

DATES: The meeting will be held August 11–12, 2021, from 9:00 a.m. to 5:00 p.m. EDT.

Requests to attend the meeting must be received by August 6, 2021.

Requests for accommodations to a disability must be received by August 6, 2021.

If you wish to speak during the meeting, you must submit a written copy of your remarks to DOT by August 6, 2021.

Requests to submit written materials to be reviewed during the meeting must be received no later than August 6, 2021.

ADDRESSES: The meeting will be held virtually (depending on the status of the Coronavirus Disease 2019 (COVID-19) pandemic) or at the U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Copies of the meeting minutes will be available on the NEMSAC internet website at *EMS.gov*. The detailed agenda

will be posted on the NEMSAC internet website at *EMS.gov* at least one week in advance of the meeting.

FOR FURTHER INFORMATION CONTACT:

Clary Mole, EMS Specialist, U.S. Department of Transportation, at *Clary.Mole@DOT.gov* or 202.366.2795. Any committee related requests should be sent to the person listed in this section.

SUPPLEMENTARY INFORMATION:

I. Background

The NEMSAC was established pursuant to Section 31108 of the Moving Ahead for Progress in the 21st Century (MAP-21) Act of 2012, under the Federal Advisory Committee Act. The purpose of NEMSAC is to serve as a nationally recognized council of emergency medical services (EMS) representatives to provide advice and consult with:

a. The Federal Interagency Committee on Emergency Medical Services (FICEMS) on matters relating to EMS issues; and

b. The Secretary of Transportation on matters relating to EMS issues affecting DOT.

The NEMSAC provides an important national forum for the non-Federal deliberation of national EMS issues and serves as a platform for advice on DOT's national EMS activities. NEMSAC also provides advice and recommendations to the FICEMS. NEMSAC is authorized under Section 31108 of the MAP-21 Act of 2012, codified at 42 U.S.C. 300d-4.

II. Agenda

At the meeting, the agenda will cover the following topics:

- Updates from Federal Emergency Services Liaisons
- Updates on the FICEMS Initiatives
- Updates on NHTSA Initiatives
- Committee Reports

III. Public Participation

The meeting will be open to the public. Members of the public who wish to attend in person must RSVP to the person listed in the **FOR FURTHER INFORMATION CONTACT** section with your name and affiliation.

The U.S. Department of Transportation is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, such as sign language, interpretation, or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section no later than the deadline listed in the **DATES** section.

There will be a thirty (30) minute period allotted for comments from

members of the public joining the meeting. To accommodate as many speakers as possible, the time for each commenter may be limited. Individuals wishing to reserve speaking time during the meeting must submit a request at the time of registration, as well as the name, address, and organizational affiliation of the proposed speaker. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the NHTSA office of EMS may conduct a lottery to determine the speakers. Speakers are requested to submit a written copy of their prepared remarks for inclusion in the meeting records and for circulation to NEMSAC members. All prepared remarks submitted on time will be accepted and considered as part of the record. Any member of the public may present a written statement to the committee at any time.

Authority: 42 U.S.C. 300d-4(b); 49 CFR part 1.95(i)(4).

Issued in Washington, DC.

Nanda Narayanan Srinivasan,
Associate Administrator, Research and Program Development.

[FR Doc. 2021-10810 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2019-0082]

Agency Information Collection Activities; Notice and Request for Comment; Drivers' Use of Camera-Based Rear Visibility Systems Versus Traditional Mirrors

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for approval of a new collection of information.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) is re-issuing an announcement of our intention to request the Office of Management and Budget's (OMB) approval of a proposed collection of certain information by the Agency. Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Procedures established under the Paperwork Reduction Act of 1995 (the PRA) require Federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of

information and to allow 60 days for public comment in response to the notice. The proposed collection of information supports research addressing safety-related aspects of drivers' use of camera-based rear visibility systems intended to serve as a replacement for traditional mirrors. On August 28, 2019, NHTSA published a notice in the **Federal Register** Notice soliciting public comments with a 60-day comment period. NHTSA received 22 public comments submitted to the docket and one additional comment submitted via email. Given the extended time period since the initial publication of that notice, NHTSA is publishing this new 60-day notice. This new notice addresses comments received on the original 60-day notice relevant to the current study design.

DATES: Comments must be received on or before July 23, 2021.

ADDRESSES: You may submit comments identified by the docket number in the heading of this document or by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments on the electronic docket site by clicking on "Help" or "FAQ".

- **Mail or Hand Delivery:** Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366-9322 before coming.

- **Fax:** 202-493-2251.

Instructions: Each submission must include the Agency name and the Docket number for this Notice. Note that all comments received will be posted without change to www.regulations.gov, including any personal information provided. Please see the Privacy heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://www.dot.gov/privacy.html>.

Docket: For access to the docket to read comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Mazzae, Applied Crash Avoidance Research Division, Vehicle Research and Test Center, NHTSA, 10820 State Route 347—Bldg. 60, East Liberty, Ohio 43319; Telephone (937) 666-4511; Facsimile: (937) 666-3590; email address: elizabeth.mazzae@dot.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following: (i) 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; (ii) 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; (iii) how to enhance the quality, utility, and clarity of the information to be collected; (iv) how 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, e.g., permitting electronic submission of responses. In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

Title: Drivers' Use of Camera-Based Rear Visibility Systems Versus Traditional Mirrors.

OMB Control Number: New.

Form Numbers: NHTSA forms 1553, 1554, 1555, 1556, 1557, 1558.

Type of Request: New collection.

Type of Review Requested: Regular.

Requested Expiration Date of Approval: Three years from date of approval.

Summary of the Collection of Information:

NHTSA proposes to perform research involving the collection of information from the public as part of a multi-year effort to learn about drivers' use of camera-based indirect visibility systems as compared to their use of traditional rearview mirrors. This research is

focused on examination of passive camera-based rear visibility systems, which are systems intended to perform the same function as traditional mirrors: Displaying areas surrounding the vehicle. Systems performing detection of objects within the system's field of view and providing visual or other alerts to the driver are not being examined in this research.

The research will involve human subjects testing involving driving instrumented vehicles on a test track and public roads. Testing will also be performed with participants seated in a stationary vehicle while detecting nearby objects using a vehicle's mirrors or a camera-based system. Study participants will be members of the general public and participation will be voluntary and compensated. The goal is to characterize drivers' eye glance behavior, visual object detection performance, and driving performance while operating a vehicle equipped with traditional outside mirrors versus a vehicle equipped with a camera-based visibility system in place of vehicle mirrors. Stationary examination of drivers' ability to detect objects near a vehicle will also be conducted. This research will support NHTSA decisions relating to safe implementation of electronic visibility technologies that may be considered for use as alternatives to meet Federal Motor Vehicle Safety Standard (FMVSS) No. 111 mirror requirements.

Research participants will be members of the public, non-vision-impaired, and licensed car drivers and/or truck drivers.¹ Participants will drive a test vehicle equipped with a camera-based system in place of outside rearview mirrors, an original equipment outside rearview mirror system, or a combination of both. The research will involve track-based and on-road, semi-naturalistic driving in which participants will drive vehicles in multi-lane traffic scenarios while using the outside rearview mirrors or alternative system during lane changes and other typical driving situations. A portion of testing will take place in dark (*i.e.*, nighttime or early morning) driving conditions to permit examination of system performance and drivers' use of systems in those conditions. As noted above, a portion of the testing will also take place with the vehicle stationary. Separate, but similar data collections

will be conducted for passenger cars and heavy trucks.

Since qualitative feedback or self-reported data is not sufficiently robust for the purpose of investigating driver performance and interaction issues with advanced vehicle technologies, the primary type of information to be collected in this research is objective data consisting of video and engineering data recorded as participants drive instrumented study vehicles. Recorded objective data will include driver eye glance behavior and lane change performance. Eye glance behavior will reveal how drivers' visual behavior in a vehicle equipped with a camera-based rear visibility system differs from drivers' visual behavior in a vehicle equipped with traditional outside mirrors. Lane change performance will be characterized based on vehicle speed, inter-vehicle distances during lane changes, and time to complete lane changes. Lane change performance in a vehicle equipped with a camera-based rear visibility system will be compared to lane change performance observed in a vehicle equipped with traditional outside mirrors. Vehicles will be fitted with instrumentation for recording driver eye glance behavior, as well as vehicle speed, position, steering angle, and turn signal status.

This research will also involve information collection through participant screening questions and post-drive questionnaires. Questions will be asked during the course of the research to assess individuals' suitability for study participation, to obtain feedback regarding participants' use of the camera-based rear visibility systems, and to gauge individuals' level of comfort with and confidence in the technologies' performance and safety.

Description of the Need for the Information and Proposed Use of the Information:

The National Highway Traffic Safety Administration's (NHTSA) mission is to save lives, prevent injuries, and reduce economic costs associated with motor vehicle crashes. As new vehicle technologies are developed, it is prudent to ensure that they do not create any unintended decrease in safety. The safety of passive visibility-related technologies depends on both the performance of the systems and on drivers' ability to effectively and comfortably use the systems. This work seeks to examine and compare drivers' eye glance behavior and aspects of driving behavior for traditional mirrors and camera-based systems intended to replace rearview mirrors.

The collection of information will consist of: (1) Question Set 1, Driving

Research Study Interest Response Form, (2) Question Set 2, Candidate Screening, (3) passive observation of driving behavior, and (4) Question Set 3, Post-Drive Questionnaire: Drive with Camera-Monitoring System, (5) Question Set 4, Post-Drive Questionnaire: Drive with Traditional Mirrors, (6) Question Set 5, Post-Drive Questionnaire Final Opinions.

The information to be collected will be used for the following purposes:

- *Question Set 1, Driving Research Study Interest Response Form* will be used to determine individuals' willingness to participate in the study and whether an individual qualifies for participation in this study based on certain information. For example, participants must:
 - Be 25 to 65 years of age, inclusive
 - For drivers of passenger cars: Hold a valid U.S. driver's license
 - For drivers of heavy trucks: Hold a valid U.S. commercial driver's license
- *Question Set 2, Candidate Screening Questions* will be primarily used to ensure that participants meet certain minimum health qualifications, are free of recent criminal convictions, and have reasonable availability to participate in the study. The objective of the health screening questions is to identify candidate participants whose physical and health conditions may be deemed "average" and are compatible with being able to drive continuously for up to 3 hours a vehicle equipped with only original equipment components.
- *Question Set 3, Post-Drive Questionnaire* will be used to get information about the participants' experiences during the experimental drive, including their degree of comfort in using the camera-based system. There will be different versions of the questionnaire for light vehicle and truck drivers, but both will be designed to require not more than 15 minutes to complete all questions. Participants will complete the Question Set 3 post-drive questionnaire one time for mirrors and one time for the camera-based rear visibility system.

Affected Public (Respondents):

Research participants will be licensed drivers aged 25 to 65 years of age, inclusive, are in good health, and do not require assistive devices to safely operate a vehicle and drive continuously for a period of approximately 3 hours.

Estimated Number of Respondents:

The data collection will have two parts:

¹ Should this initial research determine average-sighted drivers perform at least as well driving with camera-based systems as with traditional outside mirrors, NHTSA will consider what remaining issues may warrant research with regard to sight-impaired drivers.

one involving light vehicles that will begin immediately upon receipt of PRA clearance and a second, subsequent part will involve heavy trucks. The second part of the data collection will have the same general approach involving assessment of eye glance behavior and lane change performance as a function of visibility technology (*i.e.*, camera-based system or traditional rearview mirrors).

Information for both parts of the data collection will be obtained in an incremental fashion to permit the

determination of which individuals have the necessary characteristics for study participation. All interested candidates will complete Question Set 1, Driving Research Study Interest Response Form. A subset of individuals meeting the criteria for Question Set 1 will be asked to complete Question Set 2, Candidate Screening Questions. From the individuals found to meet the criteria for both Questions Sets 1 and 2, a subset will be chosen with the goal of achieving a sample providing a balance of age and sex to be scheduled for study

participation. Both data collection parts together will involve approximately 750 respondents for Question Set 1 and 325 for Question Set 2. Question Sets 3, 4, and 5 will each have 150 respondents of which 110 will be assigned to the light vehicle category and 40 to the heavy vehicle category. A summary of the estimated numbers of individuals that will complete the noted question sets across both the first and second data collection parts is provided in the following table.

ESTIMATED NUMBER OF RESPONDENTS

Question set No.	NHTSA form No.	Questions	Participants (<i>i.e.</i> , respondents)
1	1553	Interest Response Form	750
2	1554	Candidate Screening Questions	375
3	1556	Post-drive Questionnaire: Drive with Camera-Monitoring System	200
4	1557	Post-drive Questionnaire: Drive with Traditional Mirrors	200
5	1558	Post-Drive Questionnaire Final Opinions	200

Frequency of Collection: The data collection described will be performed once to obtain the target number of 180 valid test participants. Assuming typical data loss rates for instrumented vehicle testing with human subjects, it is anticipated that 200 participants will need to be run in order to obtain 180 valid participant datasets.

Estimated Total Annual Burden

Hours: 190 hours.

Completion of Question Set 1, Driving Research Study Interest Response Form is estimated to take approximately 5 minutes and completion is estimated to

take approximately 7 minutes for Question Set 2, Candidate Screening Questions. Completion of Question Sets 3 and 4, Post-Drive Questionnaire: Drive with Traditional Mirrors for light or heavy vehicles, is estimated to take 10 minutes for each survey for a combined total of 20 minutes per participant. Estimated completion time for the final opinions questions for both parts of the data collection is 5 minutes and each participant will complete the questionnaire two times.

The estimated annual time and cost burdens across both the first and second

data collection parts are summarized in the table below. The number of respondents and time to complete each question set are estimated as shown in the table. The time per question set is calculated by multiplying the number of respondents by the time per response and then converting from minutes to hours. The hour value for each question set is multiplied by the latest average hour earning estimate from the Bureau of Labor Statistics² to obtain an estimated burden cost per question set.

ESTIMATED TIME PER RESPONSE AND TOTAL TIME

Question set No.	NHTSA form No.	Question set titles	Participants (<i>i.e.</i> , respondents)	Time per response (minutes)	Total time (minutes)	Total burden time (hours)	Total cost
1	1553	Interest Response Form	750	5	3750	63	\$1,784.16
2	1554	Candidate Screening Questions	375	7	2625	44	1,246.08
3	1556	Post-Drive Questionnaire: Drive with Camera Monitoring System	200	10	2000	33	934.56
4	1557	Post-Drive Questionnaire: Drive with Traditional Mirrors	200	10	2000	33	934.56
5	1558	Post-Drive Questionnaire Final Opinions	200	5	1000	17	481.44
Total Estimated Burden .....			.....	.....	11,375	190	5,380.80

Estimated Total Annual Burden Cost: NHTSA estimates that there are no additional costs to respondents.

Comments Received on the Original 60-Day Notice: On August 28, 2019, NHTSA published a 60-day notice requesting public comment on the proposed collection of information.³ We received comments from 23 entities,

including 8 organizations and 15 individuals. Organizations submitting comments included American Bus Association (ABA), Automotive Safety Council, Commercial Vehicle Safety Alliance (CVSA), Lotus Cars Ltd., Greyhound Lines, Inc., Stoneridge Inc., Volvo Group, and ZF North America, Inc. Of the 23 commenters, 17 were

supportive of the research. No comments addressed the specific questions to be asked of participants.

Several suggestions for expanding the research were provided. These suggestions are summarized briefly below, together with NHTSA's response.

1. Some commenters recommended that the vehicle types to be examined be

² Bureau of Labor Statistics Feb. 2019 Average Hourly Earnings data for "Total Private," \$27.66 (Accessed 3/8/2019 at <https://www.bls.gov/news.release/empsit.t19.htm>.) The Bureau of Labor

Statistics estimates that for private industry workers, wages represent 70.1% of total compensation. Employer Costs for Employee

Compensation-March 2019, (Assessed 7/31/2019 at <https://www.bls.gov/news.release/pdf/ecec.pdf>).

³ 84 FR 45209 (August 28, 2019).

expanded. Greyhound Lines, Inc. and Volvo Group requested that NHTSA include over-the-road (coach) buses and transit buses in the heavy vehicle testing. American Bus Association requested that we expand this research to include all types of commercial motor vehicles, including both property- and passenger-carrying light vehicles. While it is not possible to include all vehicle types in the current research effort, NHTSA will consider these other vehicle types for inclusion in subsequent work.

2. The Automotive Safety Council also recommended that we evaluate the impact of different ambient light levels (e.g., day and night conditions). NHTSA notes that the research will involve observation of drivers' eye glance behavior and use of camera-based visibility systems during daytime and nighttime conditions.

3. The Automotive Safety Council also requested drivers be given enough time to get acclimated to using the camera-based rear visibility systems. In conducting the research NHTSA will consider driver acclimation time to the extent possible.

4. The Automotive Safety Council recommended that this study attempt to understand driver preference for monitor size and position, and the impact of system frame rate or latency. The Automotive Safety Council also suggested we investigate reaction times associated with various monitor layouts (assumed to mean visual display mounting locations). Systems to be involved in the research will be production or industry-developed prototype designs. As such, the system configurations to be tested will be constrained by the particular systems that NHTSA is able to obtain for this research.

5. The Automotive Safety Council suggested the study include measures of eye glance behavior and mental effort, and evaluate the time and effort needed for the driver to refocus from exterior objects to the visual display of a camera-based rear visibility system. NHTSA is interested in learning about whether average drivers are able to refocus and extract information from a camera-based system's visual display as compared to a traditional mirror. The research will involve at least an initial examination of this issue.

6. Recommendations were made to include vision-impaired research participants. The Automotive Safety Council and ZF North America, Inc. requested that NHTSA include vision-impaired participants requiring prescription glasses, including far-sighted drivers who do not wear glasses

for driving. Additionally, the Automotive Safety Council requested we include blind in one eye, elderly, and limited-mobility drivers. NHTSA's immediate approach is to gather information to determine whether camera-based rear visibility systems should be allowed as an alternative to current FMVSS No. 108 outside mirror requirements. We anticipate traditional mirror equipment to continue to be available for human-operated vehicles for the foreseeable future. As such, this research will assess how average-sighted drivers are able to use camera-based systems as compared to traditional outside mirrors when driving and determine whether these systems, at a minimum, do not decrease safety for the majority of drivers. Should this initial research determine average-sighted drivers perform at least as well driving with camera-based systems as with traditional outside mirrors, NHTSA will consider what remaining issues may warrant research with regard to sight-impaired drivers.

7. The Automotive Safety Council suggested we identify the benefits of a larger field of view, such as improvements in blind spot detection, especially for limited-mobility drivers. The characteristics of camera-based visibility systems involved in this research will be limited to production or prototype systems available to NHTSA for lease or purchase during the period of performance of the research project. It is unlikely that technology options will be available that would allow for objective testing needed to fully consider these issues.

8. The Automotive Safety Council also suggested examining the use of different cues to determine the most effective way to get the drivers' attention. However, the type of system to be examined in this research does not involve provision of any type of driver alert. Camera-based rear visibility systems to be examined in this research are those intended to perform a function equivalent to traditional mirrors. Performing detection of objects within the system's field of view and providing visual or other alerts to the driver, similar to a blind spot monitoring system, is not a function being examined in this research.

9. ZF North America, Inc. suggested we investigate an integrated display view with the side and rear camera systems combined in one display. NHTSA's primary goal in this initial research is to examine camera-based systems that serve to provide a direct replacement for required outside mirror equipment. Pending the outcome of the initial research, additional research may

be undertaken to examine alternative system configurations.

10. Some commenters requested that particular system characteristics be examined in this work. ZF North America suggested that NHTSA consider adding embedded image processing functions and technology to camera-based rear visibility systems to avoid poor visibility issues, including weather and lighting conditions that could deteriorate field of view. Two commenters, including ZF North America, Inc., recommended drivers be offered a level of control over the cameras, such as camera panning and zoom. ZF North America, Inc. also suggested that the camera and visual display be placed at the same height on the vehicle to avoid driver disorientation. As stated above, the systems to be involved in this research will be limited to those available for lease from automotive manufacturers or suppliers during the term of this work.

11. Commercial Vehicle Safety Alliance (CVSA) requested that NHTSA consider the non-driving related safety impacts of replacing mirrors with camera-based rear visibility systems in the context of law enforcement and roadside inspections. For example, law enforcement officers use traditional mirrors to enforce safety regulations like seatbelt use and traditional mirrors help ensure inspector safety during roadside inspections. Additionally, CVSA also requested NHTSA consider vehicle width laws before replacing mirrors with camera-based rear visibility systems. NHTSA's initial research will focus on whether drivers are able to safely use camera-based systems that provide direct replacement for required outside mirror equipment. Should the initial review find camera-based systems to be a reasonable alternative to traditional outside mirrors, additional impacts of allowing such electronic systems will be considered.

All of the 15 individuals who submitted comments addressed their preference for or against allowing camera-based rear visibility systems rather than indicating whether they support the conduct of the proposed research and content of the information collection. Three commenters stated camera-based visibility systems should be allowed on vehicles but not required. One individual stated camera-based visibility systems should supplement but never replace traditional mirrors.

Seven individuals indicated their belief that camera-based rear visibility systems have inherent disadvantages as compared to traditional mirrors. The disadvantages noted include a requirement for power, lower reliability,

more limited operating conditions than mirrors, environmental debris on camera lens degrades image quality, higher cost, a higher likelihood of a need for regular maintenance, and more difficult maintenance. Additional concerns noted by commenters about replacing traditional mirrors with camera-based rear visibility systems include:

1. Camera-based rear visibility systems' displays will make driving unsafe, as compared to traditional mirrors.
2. Drivers will not be able to easily acclimate to using the visual displays of camera-based rear visibility systems and different display locations (if applicable).
3. Camera-based rear visibility systems and new technology will further remove the human from the driving task.
4. Concerns about camera-based rear visibility systems' ability to function reliably and that cameras requiring power can fail unexpectedly and cause a lack of awareness of the drivers' surroundings, while traditional mirrors cannot.
5. Concerns camera-based rear visibility systems would be more difficult for law enforcement to determine if they are working correctly, as compared to traditional mirrors for which damage can be easily determined.

In summary, the proposed research is intended to gather information to address the question of whether camera-based rear visibility system use is as safe as that of traditional mirrors through examination of drivers' eye glance behavior and driving performance. However, issues such as reliability and law enforcement impacts are outside of the scope of this initial work. NHTSA appreciates the feedback and many relevant suggestions offered regarding additional experimental conditions to consider. NHTSA will consider the provided suggestions as input for follow-on research programs.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (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 the use of

automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.95.

Issued in Washington, DC.

Cem Hatipoglu,

Associate Administrator for Vehicle Safety Research.

[FR Doc. 2021-10813 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[DOT-NHTSA-2020-0105]

National Emergency Medical Services Advisory Council Notice of Public Meeting

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: This notice announces a meeting of the National Emergency Medical Services Advisory Council (NEMSAC).

DATES: The meeting will be held November 3-4, 2021, from 9:00 a.m. to 5:00 p.m. EST.

Requests to attend the meeting must be received by October 29, 2021.

Requests for accommodations to a disability must be received by October 29, 2021.

If you wish to speak during the meeting, you must submit a written copy of your remarks to DOT by October 29, 2021.

Requests to submit written materials to be reviewed during the meeting must be received no later than October 29, 2021.

ADDRESSES: The meeting will be held virtually (depending on the status of the Coronavirus Disease 2019 (COVID-19) pandemic) or at the U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Copies of the meeting minutes will be available on the NEMSAC internet website at [EMS.gov](https://www.ems.gov). The detailed agenda will be posted on the NEMSAC internet website at [EMS.gov](https://www.ems.gov) at least one week in advance of the meeting.

FOR FURTHER INFORMATION CONTACT: Clary Mole, EMS Specialist, DOT, at Clary.Mole@DOT.gov or 202-366-2795. Any committee related requests should be sent to the person listed in this section.

SUPPLEMENTARY INFORMATION:

I. Background

The NEMSAC was established pursuant to Section 31108 of the Moving Ahead for Progress in the 21st Century (MAP-21) Act of 2012, under the Federal Advisory Committee Act. The purpose of NEMSAC is to serve as a nationally recognized council of emergency medical services (EMS) representatives to provide advice and consult with:

a. The Federal Interagency Committee on Emergency Medical Services (FICEMS) on matters relating to EMS issues; and

b. The Secretary of Transportation on matters relating to EMS issues affecting DOT.

The NEMSAC provides an important national forum for the non-Federal deliberation of national EMS issues and serves as a platform for advice on DOT's national EMS activities. NEMSAC also provides advice and recommendations to the FICEMS. NEMSAC is authorized under Section 31108 of the MAP-21 Act of 2012, codified at 42 U.S.C. 300d-4.

II. Agenda

At the meeting, the agenda will cover the following topics:

- Updates from Federal Emergency Services Liaisons
- Emergency Services Personnel Safety and Wellness
- Information on FICEMS Initiatives
- Update on NHTSA Initiatives
- Committee Reports

III. Public Participation

The meeting will be open to the public on a first-come, first-served basis, as space is limited. Members of the public who wish to attend in person must RSVP to the person listed in the

FOR FURTHER INFORMATION CONTACT section with your name and affiliation.

DOT is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, such as sign language, interpretation, or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section no later than the deadline listed in the **DATES** section.

There will be a thirty (30) minute period allotted for comments from members of the public joining the meeting. To accommodate as many speakers as possible, the time for each commenter may be limited. Individuals wishing to reserve speaking time during the meeting must submit a request at the time of registration, as well as the name, address, and organizational affiliation of the proposed speaker. If the number of

registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the NHTSA office of EMS may conduct a lottery to determine the speakers. Speakers are requested to submit a written copy of their prepared remarks for inclusion in the meeting records and for circulation to NEMSAC members. All prepared remarks submitted on time will be accepted and considered as part of the record. Any member of the public may present a written statement to the committee at any time.

Authority: 42 U.S.C. 300d-4(b); 49 CFR 1.95(i)(4).

Nanda Narayanan Srinivasan,
Associate Administrator, Research and Program Development.

[FR Doc. 2021-10811 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2020-0068; Notice 1]

General Motors LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: General Motors LLC, (GM) has determined that certain model year (MY) 2017-2020 Cadillac XT5, MY 2020 Cadillac XT6, and MY 2017-2019 GMC Acadia motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 302, *Flammability of Interior Materials*. GM filed a noncompliance report dated May 29, 2020. GM subsequently petitioned NHTSA on June 19, 2020, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces receipt of GM's petition.

DATES: Send comments on or before June 23, 2021.

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 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 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.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

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 docket. 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).

SUPPLEMENTARY INFORMATION:

I. Overview: GM has determined that certain MY 2017-2020 Cadillac XT5, MY 2020 Cadillac XT6, and MY 2017-

2019 GMC Acadia motor vehicles do not fully comply with the requirements of paragraphs S4.2 and S4.3(a) of FMVSS No. 302, *Flammability of Interior Materials* (49 CFR 571.302). GM filed a noncompliance report dated May 29, 2020, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. GM subsequently petitioned NHTSA on June 19, 2020, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

This notice of receipt of GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any Agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 166,938 MY 2017-2020 Cadillac XT5, MY 2020 Cadillac XT6, and MY 2017-2019 GMC Acadia motor vehicles manufactured between October 29, 2015, and March 20, 2020, are potentially involved.

III. Noncompliance: GM explains that the noncompliance is that subject vehicles are equipped with ventilated front seats that do not meet the flammability requirements set forth in paragraphs S4.2 and S4.3(a) of FMVSS No. 302. Specifically, when the four composite layers of the seat-vent mat assembly are tested separately, one composite layer did not meet the burn rate requirement because it had burn rates ranging between 186 mm/min to 189 mm/min, therefore, it exceeded the maximum burn rate of 102 mm/min.

IV. Rule Requirements: Paragraphs S4.2 and S4.3(a) of FMVSS No. 302 includes the requirements relevant to this petition. Any material that does not adhere to other materials at every point of contact must meet the 102 mm per minute burn rate requirement when tested separately. Any portion of a single or composite material which is within 13 mm of the occupant compartment air space shall meet the requirements.

V. Summary of GM's Petition: The following views and arguments presented in this section, "V. Summary of GM's Petition," are the views and arguments provided by GM. They have not been evaluated by the Agency and do not reflect the views of the Agency. GM described the subject noncompliance and contended that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, GM submitted the following:

1. *Background:* Noncompliance Summary and Seat Assembly.

a. *Noncompliance Description:* The seat cushions in the subject vehicles equipped with ventilated front seats fail to conform, in part, to S4.2 of FMVSS No. 302. Because certain components (or composite layers) of the seat-vent mat assembly ("vent bags") do not "adhere to other material(s) at every point of contact," each should be tested separately. When tested separately, one of the four composite layers did not meet the burn rate requirement. All other components of the seat required to meet FMVSS No. 302 comply with the standard.

The one noncompliant "layer" is a composite consisting of five different materials, and only one of the five—a very thin pressure sensitive adhesive tape ("adhesive tape") does not comply with the flammability requirements. It does not comply with the 102 mm/min requirement only when the test sample also contains a cushion scrim ("scrim") that shields the flame from the self-extinguishing foam just above it. That unique combination that includes the adhesive tape, scrim, and a small amount of foam only exists in an FMVSS No. 302 test sample—it does not exist as a stand-alone group of materials exposed to flame in real-world vehicle seats. As installed in the seat, the very thin adhesive tape and scrim are roughly 11.4 mm from the occupant air space underneath the seat and are sandwiched among many other materials, including the self-extinguishing seat foam.

b. *The Vent Bag Assembly:* The vent bag assembly (or "vent bags") are designed to pull air into and through the seat to cool the occupant. The vent bag is positioned below the seat cushion and attaches via a very thin adhesive strip to the lower seat cushion. The vent bags are comprised of multiple layers of materials. The scrim layer does not extend uniformly in a layer. It is localized around the seat foam. The scrim's presence on a sample depends on the location where the sample is cut for FMVSS No. 302 testing: The sample may not have any scrim if cut in the center, or it may have scrim if cut closer to the edges of the seat.

c. Because the filler material within the vent bag was not adhered at every point of contact with the composite layer above, the 13 mm as measured from the base of the composite layer included the layer 1 and, for layer 3, includes a small portion of scrim. The 13-mm layer 3 created for FMVSS No. 302 testing purposes has just the right

combination of adhesive tape and scrim along with a truncated seat foam layer that it does not meet the 102 mm/min burn rate requirements.

d. *The Layers Tested:* The vent bag assembly has four layers that must be tested separately for FMVSS No. 302. Layer 1 is adjacent to the occupant airspace under the seat. Layers 3 and 4 are closest to the seated occupant but furthest from the airspace under the seat.

The following materials make up each layer:

- Layer 1: Bottom Felt plus Film
- Layer 2: Filler
- Layer 3: Film plus Top Felt plus PSA tape plus Cushion Scrim plus Cushion Foam
- Layer 4: Film plus Top Felt plus PSA tape plus Cushion Foam

Layers 3 and 4 are adhered at all points and are tested as a composite. The seat foam is cut to comply with S4.2.2, which requires a maximum composite thickness of 13 mm. The difference between layer 3 and layer 4 is the presence of scrim. Two samples (layers 3 and 4) were taken of the composite material at different locations of the seat to ensure one captured the scrim. Layer 3 was cut to capture scrim and layer 4 was cut closer to the center of the seat and does not capture any scrim. The only layer that did not meet FMVSS No. 302 is layer 3. All other layers meet the burn rate requirements. When testing layer 3 in accordance with FMVSS No. 302, which required a flame applied directly to the felt with film liner, the burn rates ranged from 186 mm/min to 189 mm/min and did not pass the requirements of FMVSS No. 302 S4.3(a). Layer 4, however, which is the same composite but without the scrim, had a burn rate of only 12 mm/min to 24 mm/min. The higher burn rates for layer 3 were caused by the unique interaction of the adhesive tape, scrim, and truncated seat foam. The scrim is flame-retardant, but the thin layer of adhesive tape is not. In layer 3, the scrim shields the flame from interacting with and being slowed down or extinguished by the self-extinguishing foam above. With layer 4, which had a much lower burn rate, the foam has a bigger effect and significantly slows down the burn rate.

2. *GM's Reasoning:* GM believes that this FMVSS No. 302 noncompliance is inconsequential to motor vehicle safety for the following reasons:

a. *The seat vent bag assembly as installed in the vehicle meets FMVSS No. 302 flammability requirements.* As installed in the vehicle, the vent bag meets FMVSS No. 302 requirements.

The flammability issue is created not by the materials in the seat but by the unique way in which the 100 x 356 mm section is selected for purposes of FMVSS No. 302 testing. When that section is taken from the edge of the seat, the 13-mm composite contains portions of scrim which, in combination with the adhesive tape, increases the burn rate of that sample (*i.e.*, layer 3). FMVSS No. 302 requires the flame to be applied directly to the felt with film liner, which is adjacent to the adhesive tape and cushion scrim, and that interaction limited the foam's ability to slow down the burn rate and resulted in a rate exceeding the 102 mm per minute requirement.

In the real world, however, the adhesive tape and scrim would never be exposed to an open flame because they are well encased from the airspaces below (and above) the seat by layers of self-extinguishing or flammability compliant materials. Specifically, the scrim is encased by at least 11.4 mm of materials from the airspace below. Encasing the scrim from the airspace below are two layers of the felt [with] film liner, the filler, and the adhesive tape. The felt with film liner has a burn rate of 42 mm/min and the filler is self-extinguishing. Moreover, the as-installed seat has more than 13 mm of self-extinguishing seat foam above the adhesive tape and scrim, and the scrim is localized and only exists in certain areas. Taken as a whole, the adhesive tape and scrim have a negligible effect on the overall burn rate. Layer 4, which is a closer representation of the relative percentage of component materials, has a burn rate of only 12 mm/min to 24 mm/min.

The purpose of FMVSS No. 302 is to "reduce the deaths and injuries to motor vehicle occupants caused by vehicle fires, especially those originating in the interior of the vehicle from sources such as matches or cigarettes." The combination of adhesive tape, scrim, and truncated seat foam that is causing the FMVSS No. 302 issue would never be exposed to an open flame or an ignition source (like matches or cigarettes) in its installed application, because they are installed within and surrounded by complying materials that meet FMVSS No. 302 standards. In the real world, a flame emanating from the occupant air space below the seat must travel through the felt [with] film liner and the filler before even having the potential to contact the adhesive layer or scrim.

b. *GM testing and design review of the vent bag assembly and its components indicate that the chance of fire or flame induced by a malfunctioning ventilator*

is essentially zero. Unlike the situation in Toyota's February 21, 2014, petition for inconsequentiality, which NHTSA granted, (see 80 FR 4035, January 26, 2015) there are no heater elements in GM's seat. In contrast, the subject seats contain a seat ventilator which circulates unheated air. The ventilator and associated motor are at least 27 mm from the adhesive tape and scrim and are separated by self-extinguishing and flammability-compliant materials. There is essentially zero risk that the seat ventilator or the associated motor could cause the seat materials to ignite.

c. *The adhesive tape is a very small portion of the soft mass of the seat and has an insignificant (i.e., negligible) adverse effect on the overall burn rate.* The adhesive tape is only 0.03% of the seat mass and is positioned well above (>11.4 mm) the occupant air space within the seat material stack. As installed in the vehicle, the adhesive tape makes up such an extremely small portion of the seat that its burn rate will have essentially no adverse effect on the burn rate of the vent bag assembly. Therefore, the adhesive tape would have an insignificant adverse effect on the interior material burn rate and the potential for occupant injury due to interior fire.

d. *The same seats comprised of the same materials meet FMVSS No. 302 requirements.* The exact same seats with the exact same materials meet FMVSS No. 302 when heat is used during the assembly process, which results in the filler layer (layer 2) adhering to the upper felt with film material of layers 3 and layer 4.

e. *GM is not aware of any injuries or customer complaints associated with this condition.*

3. *NHTSA has granted similar inconsequential petitions in the past:* NHTSA has granted at least two petitions for inconsequentiality for similar issues: Toyota's February 2014 petition for inconsequential noncompliance (see 80 FR 4035, January 26, 2015), and Cosco Inc.'s 1998 petition for a similar issue. (See 63 FR 30809, June 5, 1998.)

4. *Correction of Noncompliance:* To address this technical noncompliance, GM's suppliers have begun to use the "heated surface" molding process which results in the filler and felt-with-film liner to be adhered at all points. This process will be used to correct the noncompliant vehicles in production and parts in service inventory. Through testing, GM confirmed that the vent bags assembled with this process comply with S4.3(a) for FMVSS No. 302. This noncompliance issue was addressed in

production for all applicable vehicles manufactured on or after May 26, 2020.

GM concluded by again contending that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that GM no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after GM notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke, III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2021-10817 Filed 5-21-21; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2021-0018]

Pipeline Safety: Request for Special Permit; Tejas Pipeline, LLC

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice.

SUMMARY: PHMSA is publishing this notice to solicit public comments on a request for special permit received from the Tejas Pipeline, LLC (Tejas). The special permit request is seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. At the conclusion of the 30-day comment period, PHMSA will review the comments received from

this notice as part of its evaluation to grant or deny the special permit request.

DATES: Submit any comments regarding this special permit request by June 23, 2021.

ADDRESSES: Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Website:* <http://www.Regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management System: 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:* Docket Management System: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Instructions: You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two (2) copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

Note: There is a privacy statement published on <http://www.Regulations.gov>. Comments, including any personal information provided, are posted without changes or edits to <http://www.Regulations.gov>.

Confidential Business Information: Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 Code of Federal Regulations (CFR) 190.343, you may ask PHMSA to give confidential treatment to information you give to the agency by taking the following steps: (1) Mark each page of the original document submission containing CBI as

“Confidential”; (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Kay McIver, DOT, PHMSA–PHP–80, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket for this matter.

FOR FURTHER INFORMATION CONTACT:

General: Ms. Kay McIver by telephone at 202–366–0113, or by email at kay.mciver@dot.gov.

Technical: Mr. Steve Nanney by telephone at 713–272–2855, or by email at steve.nanney@dot.gov.

SUPPLEMENTARY INFORMATION: PHMSA received a special permit request from Tejas, a subsidiary of Kinder Morgan, Inc., seeking a waiver from the requirements of 49 CFR 192.611(a) and (d), Change in class location and Confirmation or revision of maximum allowable operating pressure; and 49 CFR 192.619(a), Maximum allowable operating pressure: Steel or plastic pipelines. This special permit is being requested in lieu of pipe replacement, pressure testing, or pressure reduction for three (3) pipeline segments totaling 717 feet (approximately 0.136 miles) of 30-inch and 36-inch diameter pipe on the Mustang Mainline 1 Pipeline located in Nueces County, Texas, and 882 feet (approximately 0.167 miles) of 30-inch diameter pipe on the King Ranch to Lovell Pipeline located in Harris County, Texas. The proposed special permit will allow operation of the original Class 1 or Class 2 pipe in the Class 3 locations.

The proposed special permit segments on the Mustang Mainline 1 Pipeline have a maximum allowable operating pressure (MAOP) of 915 pounds per square inch gauge (psig) and were constructed in 1959 and 1964. The proposed special permit segment on the King Ranch to Lovell Pipeline has a MAOP of 715 psig and was constructed in 1958.

The special permit request, proposed special permit with conditions, and Draft Environmental Assessment (DEA) for the Tejas Mustang Mainline 1 and King Ranch to Lovell Pipelines are available for review and public comments in Docket No. PHMSA–2021–0018. PHMSA invites interested persons

to review and submit comments on the special permit request and DEA in the docket. Please include any comments on potential safety and environmental impacts that may result if the special permit is granted. Comments may include relevant data.

Before issuing a decision on the special permit request, PHMSA will evaluate all comments received on or before the comments closing date. Comments received after the closing date will be evaluated, if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment it receives in making its decision to grant or deny this special permit request.

Issued in Washington, DC, on April, 2021, under authority delegated in 49 CFR 1.97.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.

[FR Doc. 2021–10864 Filed 5–21–21; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket ID OCC–2020–0049]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Docket No. OP–1743]

FEDERAL DEPOSIT INSURANCE CORPORATION

RIN 3064–ZA24

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB–2021–0004]

NATIONAL CREDIT UNION ADMINISTRATION

[Docket No. NCUA–2021–0023]

Request for Information and Comment on Financial Institutions’ Use of Artificial Intelligence, Including Machine Learning

AGENCY: Board of Governors of the Federal Reserve System (Board), Bureau of Consumer Financial Protection (Bureau), Federal Deposit Insurance Corporation (FDIC), National Credit Union Administration (NCUA), and Office of the Comptroller of the Currency (OCC).

ACTION: Request for information and comment; Extension of comment period.

SUMMARY: On March 31, 2021, the Board, Bureau, FDIC, NCUA, and OCC (together, the agencies) published in the

Federal Register a document entitled “Request for Information and Comment on Financial Institutions’ Use of Artificial Intelligence, Including Machine Learning” (RFI) and invited comments on financial institutions’ use of artificial intelligence (AI), including machine learning (ML). In response to concerns raised by commenters that the current comment deadline may not provide sufficient time to analyze and respond to the RFI due to the complex technical nature and significance of the topic, the agencies have determined that an extension of the comment period until July 1, 2021, is appropriate.

DATES: The end of the comment period for the document entitled “Request for Information and Comment on Financial Institutions’ Use of Artificial Intelligence, Including Machine Learning,” published on March 31, 2020 (86 FR 16837), is extended from June 1, 2021, until July 1, 2021.

ADDRESSES: You may submit comments by any of the methods identified in the RFI.¹ Please submit your comments using only one method.

FOR FURTHER INFORMATION CONTACT:

OCC: Kevin Greenfield, Deputy Comptroller for Operational Risk, Norine Richards, Director for Bank Technology Operations, Paul Reymann, Director for Consumer Compliance Policy, or Siobhan Williams, Bank Information Technology Analyst, Bank Supervision Policy Department, (202) 649–6550; Beth Knickerbocker, Chief Innovation Officer, or Maggie Colvin, Innovation Officer, Office of Innovation, (202) 649–5200; Alireza Ebrahim, Senior Financial Economist, Risk Analytics Division, (202) 649–5515; or Jorge D. Aguilar, Counsel, Chief Counsel’s Office, (202) 649–7187.

Board: David Palmer, Lead Financial Institution Policy Analyst, (202) 452–2904, Jeff Ernst, Lead Financial Institution Policy Analyst, (202) 452–2814, or Kavita Jain, Deputy Associate Director, (202) 452–2062, Division of Supervision and Regulation; Dana Miller, Senior Counsel, (202) 452–2751, Division of Consumer and Community Affairs, or Patricia Yeh, Senior Counsel, (202) 452–3089, or Gavin Smith, Senior Counsel, (202) 452–3474, Legal Division, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551. For users of Telecommunication Device for the Deaf (TDD), (202) 263–4869.

FDIC: Sumaya Muraywid, Senior Examination Specialist, Division of Risk Management Supervision, (202) 898–3904, smuraywid@fdic.gov; David

¹ See 86 FR 16837–38 (March 31, 2021).

Friedman, Senior Policy Analyst, Division of Depositor and Consumer Protection, 202–898–7168, dfriedman@fdic.gov; or Chris Ledoux, Corporate Expert, Legal Division, 202–898–3535, cledoux@fdic.gov.

Bureau: Albert D. Chang, Senior Counsel, Office of Innovation, (202) 450–7299; Patrice Alexander Ficklin, Fair Lending Director, Office of Fair Lending & Equal Opportunity, (202) 435–7205; and Kathryn Lazarev, Senior Counsel, Office of Regulations, (202) 435–7700. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov.

NCUA: Timothy Segerson, Deputy Director, Office of Examination & Insurance, 703–518–6300; Chrisanthy Loizos, Senior Trial Attorney, Office of General Counsel, 703–518–6540; Joe Goldberg, Director, Division of Consumer Compliance Policy and Outreach, 703–518–1142.

SUPPLEMENTARY INFORMATION: On March 31, 2021, the agencies published in the **Federal Register**² a document inviting comments on financial institutions' use of artificial intelligence (AI), including machine learning (ML). The request for information (RFI) was issued to obtain respondents' views on financial institutions' use of AI in their provision of services to customers and for other business or operational purposes; appropriate governance, risk management, and controls over AI; and any challenges in developing, adopting, and managing AI. The RFI also solicited respondents' views on the use of AI in financial services to assist in determining whether any clarifications from the agencies would be helpful for financial institutions' use of AI in a safe and sound manner and in compliance with applicable laws and regulations, including those related to consumer protection. The document stated that the comment period would close on June 1, 2021. The agencies have received requests to extend the comment period. An extension of the comment period will provide additional opportunity for the public to analyze the RFI and prepare comments to address the questions posed by the agencies. Therefore, the agencies are extending the end of the comment period for the RFI from June 1, 2021 until July 1, 2021.

Bureau: The Acting Director of the Bureau, David Uejio, having reviewed and approved this document, is delegating the authority to electronically

sign this document to Grace Feola, a Bureau Federal Register Liaison, for purposes of publication in the **Federal Register**.

Michael J. Hsu,

Acting Comptroller of the Currency.

By order of the Board of Governors of the Federal Reserve System.

Ann Misback,

Secretary of the Board.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on May 13, 2021.

James P. Sheesley,

Assistant Executive Secretary.

Grace Feola,

Federal Register Liaison, Bureau of Consumer Financial Protection.

Melane Conyers-Ausbrooks,

Secretary of the Board, National Credit Union Administration.

[FR Doc. 2021–10861 Filed 5–21–21; 8:45 am]

BILLING CODE 4810–33–P; 6210–01–P; 4810–AM–P; 6714–01–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

FEDERAL RESERVE SYSTEM

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities; Submission for OMB Review; Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

ACTION: Joint notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the OCC, the Board, and the FDIC (the agencies) may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. On December 18, 2020, and February 5, 2021, the agencies, under the auspices of the Federal Financial Institutions Examination Council (FFIEC), requested public comment for 60 days on proposals to revise and extend the Consolidated Reports of Condition and Income (Call Reports) (FFIEC 031, FFIEC 041, and FFIEC 051), the Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks (FFIEC 002), and the Report of

Assets and Liabilities of a Non-U.S. Branch that is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank (FFIEC 002S), all of which are currently approved collections of information. After considering the comments received on the notices, the agencies are proceeding with the proposed revisions to the reporting forms and instructions related to the FDIC's amendments to the deposit insurance assessment system, effective with the June 30, 2021, report date, and the exclusion of sweep deposits and certain other deposits from reporting as brokered deposits, effective with the September 30, 2021, report date. The agencies hereby give notice of their plan to submit to OMB a request to approve the revision and extension of these information collections, and again invite comment on the renewal.

DATES: Comments must be submitted on or before June 23, 2021.

ADDRESSES: Interested parties are invited to submit written comments to any or all of the agencies. All comments, which should refer to the "Call Report Deposit Insurance Assessment-Related and Deposit-Related Revisions," will be shared among the agencies.

Written comments and recommendations for the proposed information collections should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. You may find these particular information collections by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

Comments should also be sent to:

OCC: You may submit comments, which should refer to "Call Report Deposit Insurance Assessment-Related and Deposit-Related Revisions," by any of the following methods:

- **Email:** prainfo@occ.treasury.gov.
- **Mail:** Chief Counsel's Office, Office of the Comptroller of the Currency, Attention: 1557–0081 and 1557–0239, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- **Hand Delivery/Courier:** 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

Instructions: You must include "OCC" as the agency name and "1557–0081" in your comment. In general, the OCC will publish comments on www.reginfo.gov 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

² Request for Information and Comment on Financial Institutions' Use of Artificial Intelligence, including Machine Learning, 86 FR 16837–38 (March 31, 2021).

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 information collection beginning on the date of publication of the second notice for this collection by the following method:

- **Viewing Comments Electronically:** Go to www.reginfo.gov. Click on the "Information Collection Review" tab. Underneath the "Currently under Review" section heading, from the drop-down menu select "Department of Treasury" and then click "submit." This information collection can be located by searching by OMB control number "1557-0081." Upon finding the appropriate information collection, click on the related "ICR Reference Number." On the next screen, select "View Supporting Statement and Other Documents" and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating www.reginfo.gov, please contact the Regulatory Information Service Center at (202) 482-7340.

Board: You may submit comments, which should refer to "Call Report Deposit Insurance Assessment-Related and Deposit-Related Revisions," by any of the following methods:

- **Agency Website:** <http://www.federalreserve.gov>. Follow the instructions for submitting comments at: <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.

- **Email:** regs.comments@federalreserve.gov. Include "Call Report Deposit Insurance Assessment-Related and Deposit-Related Revisions" in the subject line of the message.

- **Fax:** (202) 452-3819 or (202) 452-3102.

- **Mail:** Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available on the Board's website at <https://www.federalreserve.gov/apps/foia/proposedregs.aspx> as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information.

FDIC: You may submit comments, which should refer to "Call Report Deposit Insurance Assessment-Related and Deposit-Related Revisions," by any of the following methods:

- **Agency Website:** <https://www.fdic.gov/regulations/laws/federal/>.

Follow the instructions for submitting comments on the FDIC's website.

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

- **Email:** comments@FDIC.gov. Include "Call Report Deposit Insurance Assessment-Related and Deposit-Related Revisions" in the subject line of the message.

- **Mail:** Manuel E. Cabeza, Counsel, Attn: Comments, Room MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

- **Hand Delivery:** Comments may be hand delivered to the guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7:00 a.m. and 5:00 p.m.

- **Public Inspection:** All comments received will be posted without change to <https://www.fdic.gov/regulations/laws/federal/> including any personal information provided. Paper copies of public comments may be requested from the FDIC Public Information Center by telephone at (877) 275-3342 or (703) 562-2200.

FOR FURTHER INFORMATION CONTACT: For further information about the proposed revisions to the information collections discussed in this notice, please contact any of the agency staff whose names appear below. In addition, copies of the report forms and instructions for the Call Reports can be obtained at the FFIEC's website (https://www.ffiec.gov/ffiec_report_forms.htm).

OCC: Kevin Korzeniewski, Counsel, Chief Counsel's Office, (202) 649-5490.

Board: Nuha Elmaghrabi, Federal Reserve Board Clearance Officer, (202) 452-3884, Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call (202) 263-4869.

FDIC: Manuel E. Cabeza, Counsel, (202) 898-3767, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

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I. Report Summary

A. Call Report

The agencies propose to extend for three years, with revision, the FFIEC 031, FFIEC 041, and FFIEC 051 Call Reports.

Report Title: Consolidated Reports of Condition and Income.

Form Number: FFIEC 031

(Consolidated Reports of Condition and Income for a Bank with Domestic and Foreign Offices), FFIEC 041

(Consolidated Reports of Condition and Income for a Bank with Domestic Offices Only), and FFIEC 051

(Consolidated Reports of Condition and Income for a Bank with Domestic Offices Only and Total Assets Less Than \$5 Billion).

Frequency of Response: Quarterly.

Affected Public: Business or other for-profit.

Type of Review: Revision and extension of currently approved collections.

OCC

OMB Control No.: 1557-0081.

Estimated Number of Respondents: 1,090 national banks and federal savings associations.

Estimated Average Burden per Response: 42.10 burden hours per quarter to file.

Estimated Total Annual Burden: 183,556 burden hours to file.

Board

OMB Control No.: 7100-0036.

Estimated Number of Respondents: 728 state member banks.

Estimated Average Burden per Response: 45.62 burden hours per quarter to file.

Estimated Total Annual Burden: 132,845 burden hours to file.

FDIC

OMB Control No.: 3064-0052.

Estimated Number of Respondents: 3,209 insured state nonmember banks and state savings associations.

Estimated Average Burden per Response: 40.13 burden hours per quarter to file.

Estimated Total Annual Burden: 515,109 burden hours to file.

The estimated average burden hours collectively reflect the estimates for the FFIEC 031, the FFIEC 041, and the FFIEC 051 reports for each agency. When the estimates are calculated by type of report across the agencies, the estimated average burden hours per quarter are 86.49 (FFIEC 031), 55.53 (FFIEC 041), and 35.38 (FFIEC 051). The deposit insurance assessment-related change to the FFIEC 031 and FFIEC 041

Call Report forms and instructions in this notice would not have a material impact on the existing burden estimates. The deposit insurance assessment-related change in this notice does not propose any changes to the FFIEC 051. The deposit-related revisions to the Call Report forms and instructions in this notice result in an increase in estimated average burden hours per quarter by type of report of 0.68 (FFIEC 031), 0.33 (FFIEC 041) and 0.11 (FFIEC 051). The estimated burden per response for the quarterly filings of the Call Report is an average that varies by agency because of differences in the composition of the institutions under each agency's supervision (e.g., size distribution of institutions, types of activities in which they are engaged, and existence of foreign offices).

Type of Review: Extension and revision of currently approved collections.

Legal Basis and Need for Collections

The Call Report information collections are mandatory: 12 U.S.C. 161 (national banks), 12 U.S.C. 324 (state member banks), 12 U.S.C. 1817 (insured state nonmember commercial and savings banks), and 12 U.S.C. 1464 (federal and state savings associations). At present, except for selected data items and text, these information collections are not given confidential treatment.

Banks and savings associations submit Call Report data to the agencies each quarter for the agencies' use in monitoring the condition, performance, and risk profile of individual institutions and the industry as a whole. Call Report data serve a regulatory or public policy purpose by assisting the agencies in fulfilling their shared missions of ensuring the safety and soundness of financial institutions and the financial system and protecting consumer financial rights, as well as agency-specific missions affecting national and state-chartered institutions, such as conducting monetary policy, ensuring financial stability, and administering federal deposit insurance. Call Reports are the source of the most current statistical data available for identifying areas of focus for on-site and off-site examinations. Among other purposes, the agencies use Call Report data in evaluating institutions' corporate applications, including interstate merger and acquisition applications for which the agencies are required by law to determine whether the resulting institution would control more than 10 percent of the total amount of deposits of insured depository institutions in the United States. Call Report data also are

used to calculate institutions' deposit insurance assessments and national banks' and federal savings associations' semiannual assessment fees.

B. FFIEC 002 and 002S

The Board proposes to extend for three years, with revision, the FFIEC 002 and FFIEC 002S reports.

Report Titles: Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks; Report of Assets and Liabilities of a Non-U.S. Branch that is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank.

Form Numbers: FFIEC 002; FFIEC 002S.

OMB Control Number: 7100-0032.

Frequency of Response: Quarterly.

Affected Public: Business or other for-profit.

Respondents: All state-chartered or federally-licensed U.S. branches and agencies of foreign banking organizations, and all non-U.S. branches managed or controlled by a U.S. branch or agency of a foreign banking organization.

Estimated Number of Respondents: FFIEC 002—209; FFIEC 002S—38.

Estimated Average Burden per Response: FFIEC 002—24.87 hours; FFIEC 002S—6.0 hours.

Estimated Total Annual Burden: FFIEC 002—20,791 hours; FFIEC 002S—912 hours.

Type of Review: Extension and revision of currently approved collections.

The proposed deposit-related revisions to the FFIEC 002 form and instructions in this notice are applicable to only a limited number of insured U.S. branches and agencies of foreign banking organizations and would not have a material impact on the existing burden estimates.

Legal Basis and Need for Collection

On a quarterly basis, all U.S. branches and agencies of foreign banks are required to file the FFIEC 002, which is a detailed report of condition with a variety of supporting schedules. This information is used to fulfill the supervisory and regulatory requirements of the International Banking Act of 1978. The data also are used to augment the bank credit, loan, and deposit information needed for monetary policy and other public policy purposes. In addition, FFIEC 002 data are used to calculate the risk-based assessments for FDIC-insured U.S. branches of foreign banks.

The FFIEC 002S is a supplement to the FFIEC 002 that collects information on assets and liabilities of any non-U.S.

branch that is managed or controlled by a U.S. branch or agency of the foreign bank. A non-U.S. branch is managed or controlled by a U.S. branch or agency if a majority of the responsibility for business decisions, including but not limited to decisions with regard to lending or asset management or funding or liability management, or the responsibility for recordkeeping in respect of assets or liabilities for that foreign branch resides at the U.S. branch or agency. A separate FFIEC 002S must be completed for each managed or controlled non-U.S. branch. The FFIEC 002S must be filed quarterly along with the U.S. branch or agency's FFIEC 002.

These information collections are mandatory (12 U.S.C. 3105(c)(2), 1817(a)(1) and (3), and 3102(b)). Except for select sensitive items, the FFIEC 002 is not given confidential treatment; the FFIEC 002S is given confidential treatment (5 U.S.C. 552(b)(4) and (8)). The data from both reports are used for (1) monitoring deposit and credit transactions of U.S. residents; (2) monitoring the impact of policy changes; (3) analyzing structural issues concerning foreign bank activity in U.S. markets; (4) understanding flows of banking funds and indebtedness of developing countries in connection with data collected by the International Monetary Fund and the Bank for International Settlements that are used in economic analysis; and (5) assisting in the supervision of U.S. offices of foreign banks. The Federal Reserve System collects and processes these reports on behalf of all three agencies.

II. Current Actions

A. Background

On December 18, 2020, the agencies proposed revisions to the Call Reports¹ (FFIEC 031 and FFIEC 041 only) to implement the FDIC's proposed amendments to the deposit insurance assessment system applicable to all large and highly complex IDIs published on December 7, 2020.² The amendments to the rule were subsequently finalized without change on February 16, 2021, and published in the **Federal Register**

¹ 85 FR 82580 (Dec. 18, 2020) (December 2020 notice).

² 85 FR 78794 (Dec. 7, 2020). For deposit insurance assessment purposes, a large bank is generally defined as an institution with \$10 billion or more in total assets, a small bank is generally defined as an institution with less than \$10 billion in total assets, and a highly complex bank is generally defined as an institution that has \$50 billion or more in total assets and is controlled by a parent holding company that has \$500 billion or more in total assets, or is a processing bank or trust company. See 12 CFR 327.8(e), (f), and (g).

on February 25, 2021.³ The amendments to the assessment system remove the double counting of the applicable portion of the CECL transitional amounts that is added to retained earnings for regulatory capital purposes and attributable to the allowance for credit losses on loans and leases held for investment in certain financial measures that are calculated using the sum of Tier 1 capital and reserves, and also from the loss severity measure. These measures are used to determine assessment rates for large and highly complex institutions. To implement these amendments, the agencies proposed one new, temporary memorandum item and corresponding changes to the FFIEC 031 and FFIEC 041 versions of the Call Report forms and instructions. The agencies would remove the proposed new Call Report item when all large and highly complex institutions are no longer using a CECL transition. The comment period for the December 2020 notice ended on February 16, 2021.

On February 5, 2021, the agencies proposed revisions to the reporting forms and instructions for the Call Reports and FFIEC 002 that would allow (1) evaluation of the funding stability of sweep deposits over time to determine their appropriate treatment under liquidity regulations,⁴ and (2) assessment of risk factors associated with sweep deposits that may no longer be reported as brokered deposits.⁵ Accordingly, the agencies proposed adding five data items to Schedule RC-E, Deposit Liabilities, on all three versions of the Call Report (FFIEC 031, FFIEC 041, and FFIEC 051) applicable to all institutions and to Schedule O of the FFIEC 002 applicable to insured agencies and branches of foreign banking organizations. In addition, four data items would be added to Schedule RC-E, Deposit Liabilities, on the FFIEC 031 Call Report only and would be completed quarterly only by institutions with \$100 billion or more in total assets. The agencies also proposed revising the Call Report instructions addressing brokered deposits to align them with the brokered deposits final rule. The changes to the Call Reports were proposed to take effect as of the June 30, 2021, report date.

The comment period for the February 2021 notice ended on April 6, 2021.

B. Comments Received on the Proposed Call Report Revisions

1. Deposit Insurance Assessment-Related Revision

The agencies received one comment on the December 2020 notice to revise the Call Report to implement the FDIC's proposed amendments to the deposit insurance assessment system. The commenter discussed another potential double-counting in the computation of the leverage ratio.

This comment is not specifically applicable to the deposit insurance assessment regulations or the related revision to the Call Report addressed in the December 2020 notice. The calculation of the leverage ratio in the Call Report is aligned with the calculation pursuant to the agencies' regulatory capital rules, which is outside the scope of the proposed changes.

To improve the clarity of the reporting changes for deposit insurance assessments, the agencies plan to add examples to the instructions for Schedule RC-O, Memorandum item 5, to show what an institution that has elected the three-year or the five-year 2020 CECL transition provision would report in the new Memorandum item. These examples would be added at the end of the instructions for the Schedule RC-O, Other Data for Deposit Insurance Assessments.

After considering the comments on the deposit insurance assessment-related revision, the agencies are proceeding with the changes to the Call Reports as proposed with the added examples to show what an institution would report in the new Memorandum item in Schedule RC-O (FFIEC 031 and FFIEC 041 only).

2. Deposit-Related Revisions

The agencies received one comment letter from three trade associations on the February 2021 proposal to revise the Call Report forms and instructions related to sweep deposits. The commenters recommended that institutions that report sweep deposits on the Board's Complex Institution Liquidity Monitoring Report (FR 2052a) should not be required to provide comparable data on the Call Report. Additionally, the commenters requested that the proposed Call Report memorandum items receive confidential treatment consistent with the treatment of comparable data items provided on the FR 2052a. The commenters further requested that the proposed Call Report memorandum items be delayed until the March 2022 report date. The commenters requested that the agencies

confirm whether institutions are permitted to incorporate the new brokered deposits regime for purposes of reporting beginning with the June 30, 2021 Call Report, even if such institutions are still in the primary purpose exception application process. Finally, the commenters requested clarification with respect to the definition of "not fully insured" as it would apply to the proposed Call Report memorandum items.

The FR 2052a is required to be filed on a consolidated basis by (1) certain top-tier bank holding companies and top-tier covered savings and loan holding companies that in each case have consolidated assets of \$100 billion or more, and (2) certain foreign banking organizations with combined U.S. assets of \$100 billion or more. The largest and most complex FR 2052a filers additionally submit data in respect to a limited number of subsidiaries, including large depository institution subsidiaries, and U.S. branches. The FR 2052a report is collected on a daily or monthly basis, depending on the size of the reporting organization.⁶ In contrast, the proposed Call Report data collection would reflect deposit data from all depository institutions regardless of size. The Call Report data also would be collected on a quarterly or semiannual basis. Due to the differences in scope and frequency of the reporting, the agencies do not believe that there is material duplication between the data requested.

Regarding the comment on confidential treatment, the Board notes that the information collected in the FR 2052a is collected as part of the agencies' supervisory framework and is provided confidential treatment for several reasons. The FR 2052a collection is reported on a frequent basis and includes a wide range of financial exposures providing detailed information on the liquidity profile of reporting firms (e.g., financing of securities positions and prime brokerage activities). Additionally, FR 2052a data is used as a supervisory tool to monitor individual organizations' overall liquidity profile, including during periods of stress, and may reflect risks and exposures between a respondent's

³ See <https://www.fdic.gov/news/financial-institution-letters/2021/fil21007.html> and 86 FR 11391 (Feb. 25, 2021).

⁴ See 12 CFR part 50 (OCC), 12 CFR part 249 (Board) and 12 CFR part 329 (FDIC).

⁵ See 12 CFR 337.6 and 86 FR 8480 (Feb. 5, 2021) (February 2021 notice).

⁶ In general, banking organizations subject to the full liquidity coverage ratio requirements of the agencies' Liquidity Coverage Ratio (LCR) rule, including all Category I and II banking organizations and certain Category III banking organizations (as such categories are defined in the rule), must submit the FR 2052a data on a daily basis while other banking organizations with total consolidated assets greater than \$100 billion, including certain Category III and all Category IV banking organizations, must submit FR 2052a data on a monthly basis.

material legal entities. As a result, public availability of an individual banking organization's detailed and frequent FR 2052a data could result in disclosure of proprietary business information.

By comparison, the proposed Call Report data items would be reported on a less frequent basis (quarterly or semiannually) by all individual depository institutions and do not include the same extensive scope of items reported under the FR 2052a collection. The agencies therefore do not believe public disclosure of the proposed Call Report data items would result in disclosure of proprietary business information which would harm a bank's competitive position. For example, because the proposed Call Report data items would be reported on a quarterly or semiannual basis and constitute limited information about a bank's liquidity risk or structural funding, it would not be possible for the public to determine an individual bank's Liquidity Coverage Ratio (LCR) or NSFR at any point within a quarter.⁷ Therefore, the agencies are not proposing to adopt confidential treatment for the proposed Call Report memorandum items.

With regard to the implementation date of the revisions to the Call Reports and FFIEC 002, the agencies acknowledge that institutions may need additional time to make system changes to capture the relevant data. Accordingly, in response to comments, the agencies are proposing to delay the implementation date for the new memorandum items in the Call Report and FFIEC 002 forms and instructions until the September 30, 2021, reporting date rather than for June 30, 2021, as originally proposed. As the collection in the FFIEC 051 occurs semiannually, FFIEC 051 filers will report the new data items for the first time for the December 31, 2021, reporting date. This delay should provide institutions with sufficient additional time to put in place systems to begin reporting on the proposed memorandum items.

The agencies will provide clarifications in the Call Report Glossary and Schedule RC–E, Deposit Liabilities instructions in response to comments related to reporting deposits as brokered in instances where a primary purpose application is pending or where an institution wishes to rely upon a previous staff advisory opinion or interpretation through December 31, 2021.

With respect to pending applications for a primary purpose exception, an IDI that receives deposits from a third party that is a “deposit broker” where an application for a primary purpose exception is pending, would report such deposits as brokered deposits if and until the FDIC approves such application. This is because the deposits being placed by or through a third party that is a deposit broker are brokered deposits unless the third party meets an exception to the definition.

In response to the commenters' request, the agencies are clarifying the definition of “not fully insured” as it would apply to the deposit-related Call Report revisions. As described in the agencies' February 2021 notice, the proposal aligns with the final NSFR rule and revised Call Report Glossary definition of “Sweep Deposits.” Under the agencies' LCR and NSFR rules, a sweep deposit is considered “fully insured” if the entire amount of the sweep deposit is covered by deposit insurance provided by the FDIC under the Federal Deposit Insurance Act.⁸ A sweep deposit is “not fully insured” if less than the entire balance of the sweep deposit is covered by FDIC insurance.

The brokered deposits final rule included clarifications to the definition of “deposit broker” in Section 29(g) of the Federal Deposit Insurance Act and Section 337.6(a)(5) of the FDIC's regulations. The meaning of the term “brokered deposit” depends on the meaning of the term “deposit broker.” The term “Brokered Deposits” is defined in the Call Report Glossary, and the term “deposit broker” is also addressed in instructions to Schedule RC–E, Deposit Liabilities. Consistent with the agencies' proposal to revise the Call Report instructions in the February 2021 notice, the agencies plan to update the Glossary and Schedule RC–E instructions to align with the clarifications to the definition of “deposit broker” in the brokered deposits final rule.

After considering the comments, the agencies are clarifying the proposed instructions as described above and proceeding with the clarifications in the Call Report Glossary and Schedule RC–E instructions related to the definition of “deposit broker.”

The agencies are also making several technical corrections to proposed revisions in the February 2021 notice. In that notice, the agencies proposed to revise the Call Report instructions to add the LCR rule's definition⁹ of “retail customer or counterparty,” but

inadvertently excluded references to living or testamentary trusts as part of that definition. The agencies will correct the Call Report instructions to include the complete definition of retail customer or counterparty from the agencies' LCR rule.

In the February 2021 notice, the agencies stated that the Call Report instructions would add the LCR rule's definition of “wholesale customer or counterparty.” Because there are no proposed line items that require the definition of wholesale customer or counterparty, the agencies do not plan to make this change in the Call Report instructions.

C. Revised Memorandum Item for Non-Brokered Sweep Deposits

As part of the February 2021 notice, the agencies proposed including the following data item that would be collected quarterly on the FFIEC 031 and FFIEC 041 Call Reports and semiannually on the FFIEC 051 Call Report:

- Memorandum item 1.i for total sweep deposits that are not brokered due to a primary purpose exception, which corresponds to the 25 percent test exception above.

As provided in the February 2021 notice, the agencies intend to collect this data to monitor sweep deposits that are not brokered due to the primary purpose exception to determine the supervisory and deposit insurance assessment implications of these deposits, if any.

However, the agencies note that certain sweep deposits placed by third parties with IDIs may not be classified as brokered when the third party has an exclusive deposit placement arrangement with only one IDI.¹⁰ For example, a broker dealer that is sweeping excess customer balances to only one IDI will not meet the deposit broker definition and therefore would not need to rely upon a primary purpose exception. Only reflecting exclusions related to the primary purpose exception could significantly limit the agencies' ability to monitor non-brokered sweep deposits. Therefore, to ensure a more complete collection of sweep deposits that are excluded from being reported as brokered, the agencies are proposing the following memo item in place of the proposed item above from the February 2021 notice:

- Memorandum item 1.i for total sweep deposits that are not brokered deposits.

Updates to the Glossary and instructions will provide clarifications

⁷ Holding companies subject to the agencies' LCR and NSFR rules must publicly disclose their consolidated LCR and NSFR on a quarterly basis.

⁸ 12 U.S.C. 1811 *et seq.*

⁹ 79 FR 61439, 61527 (Oct. 10, 2014).

¹⁰ 12 CFR 337.6(a)(5).

for determining whether certain third parties that place sweep deposits at IDIs are deposit brokers and the exceptions to the definition of deposit broker.

IV. Timing

As stated in the December 2020 notice, beginning with the June 30, 2021, Call Report, Schedule RC–O, Memorandum item 5, “Applicable portion of the CECL transitional amount or modified CECL transitional amount that has been added to retained earnings for regulatory capital purposes as of the report date and is attributable to loans and leases held for investment,” would be completed only by large and highly complex institutions that have adopted ASU 2016–13 and reported having a CECL transition election in effect as of the quarter-end report date.

The new deposit-related items would be effective starting with the September 30, 2021, Call Report (FFIEC 031 and FFIEC 041) and FFIEC 002, and with the December 31, 2021, Call Report (FFIEC 051). These items are Schedule RC–E, Memorandum items 1.h.(1) through 1.h.(4) and 1.i. Thereafter, these data items would be collected quarterly on the FFIEC 031 and FFIEC 041 Call Reports and semiannually on the FFIEC 051 Call Report. Beginning as of the same report date, all institutions filing

the FFIEC 031 Call Report with \$100 billion or more in total assets would report deposit data in four additional items in Schedule RC–E, Memorandum items 1.h.(1)(a), 1.h.(2)(a), 1.h.(3)(a), and 1.h.(4)(a).

The agencies note that the brokered deposits final rule became effective April 1, 2021, with a mandatory compliance date of January 1, 2022. Therefore, for the September 30, 2021, Call Report dates, institutions may rely on either existing staff advisory opinions and interpretations or the new provisions in the brokered deposits final rule when assessing whether a sweep deposit is brokered for Call Report purposes. The agencies will make available on the FFIEC website redline changes to the Glossary instructions for brokered deposits.

IV. Request for Comment

Public comment is requested on all aspects of this joint notice. Comment is specifically invited on:

(a) Whether the proposed revisions to the collections of information that are the subject of this notice are necessary for the proper performance of the agencies’ functions, including whether the information has practical utility;

(b) The accuracy of the agencies’ estimates of the burden of the

information collections as they are proposed to be revised, 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 information collections on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Comments submitted in response to this joint notice will be shared among the agencies.

Theodore J. Dowd,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.
Federal Deposit Insurance Corporation.

Dated at Washington, DC, on May 17, 2021.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2021–10853 Filed 5–21–21; 8:45 am]

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